



# Journal of the Senate

Number 15—Regular Session

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## CALL TO ORDER

The Senate was called to order by President Gaetz at 10:00 a.m. A quorum present—35:

Mr. President	Diaz de la Portilla	Negron
Abruzzo	Evers	Richter
Altman	Flores	Sachs
Bean	Galvano	Simmons
Benacquisto	Gardiner	Simpson
Bradley	Gibson	Smith
Brandes	Hays	Sobel
Braynon	Hukill	Soto
Bullard	Joyner	Stargel
Clemens	Legg	Thompson
Dean	Margolis	Thrasher
Detert	Montford	

Excused: Conferees periodically for the purpose of working on Appropriations.

## PRAYER

The following prayer was offered by Reverend Kyle Peddie, Pastor, Corinth Baptist Church, Hosford:

Heavenly Father, we come to you this beautiful spring morning to pause and give thanks to the giver of life, the King of Kings, the Lord of Lords, Creator, and Savior. We pause to give thanks for the day that you have made, and we will rejoice and be glad in it.

I ask, Father, that you would bless this day as our Florida Senate convenes and continues to do the work for the people of Florida. It has indeed been a great session, and as it ever draws near to the end, I would humbly ask you to continue to impart wisdom and discernment to the Senators in this great chamber. Many have served here in the past and have established a tradition of integrity and statesmanship that continues with the ones serving today. May the attitude of everyone in public service, from the Governor to the volunteer firefighter in the smallest community, be that of truly loving our neighbor as we love ourselves. I would ask you to bless each and every Senator's family, marriage, children, and extended family while they are away from home serving in this chamber today. May your hedge of protection be upon

them. As they work today and for the rest of the session, may your will be done.

We believe in the risen Lord, the finished work of the Cross, and *John 14:6* that says "You are the way, the truth, and the life." Bless all the Senators today, bless Senate President Gaetz as he leads, and bless my Senator, Senator Montford. Amen.

## PLEDGE

Senate Pages, Royce Lowery of Havana; Sal Perez of Groveland; Rebecca Weitzel of Tallahassee; and Angela Groszos of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

## DOCTOR OF THE DAY

The President recognized Dr. Daniel P. Montero of Jacksonville, sponsored by Senator Bean, as the doctor of the day. Dr. Montero specializes in family and sports medicine.

## ADOPTION OF RESOLUTIONS

At the request of Senator Flores—

By Senators Flores and Soto—

**SR 1658**—A resolution recognizing the people of Venezuela and their peaceful protest as they call for democratic change.

WHEREAS, the hallmark of democracy is the free and peaceful exercise of rights guaranteed under the constitution of a democratically elected government, and

WHEREAS, the Constitution of the Bolivarian Republic of Venezuela guarantees its citizens full political rights, including the right to freely assemble for democratic political purposes, and

WHEREAS, the preamble of the Charter of the Organization of American States affirms that "representative democracy is an indispensable condition for the stability, peace, and development" in Latin America, and

WHEREAS, Article 1 of the Inter-American Democratic Charter recognizes that "the peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it," and

WHEREAS, those who cherish democratic principles condemn the perpetration of violence and intimidation against the Venezuelan people, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the people of Venezuela and their peaceful call for democratic change are recognized as they attempt to exercise their constitutional rights in opposing a ruthless and oppressive government.

—**SR 1658** was introduced, read and adopted by publication.

At the request of Senator Garcia—

By Senator Garcia—

**SR 1738**—A resolution recognizing November 10-16, 2014, as “Spinal Cord Injury Awareness Week” in Florida.

WHEREAS, the central nervous system is made up of two parts, the brain and the spinal cord, and

WHEREAS, the spinal cord is considered the “information superhighway” of the body because it contains bundles of neurons that carry signals to and from the brain, controlling many bodily functions, and

WHEREAS, after a spinal cord injury occurs, damaged neurons can no longer emit signals to or from the brain, and the injured person suffers permanent sensory loss and loss of muscle control, and

WHEREAS, currently there are approximately 270,000 individuals in the United States who have sustained a spinal cord injury, and

WHEREAS, it is estimated that the annual incidence of spinal cord injury in the United States, not including those who die at the scene of an accident, is approximately 12,000 new cases each year, and

WHEREAS, the most common age for spinal cord injuries is 19 years old, with 25 percent of all injuries occurring between the ages of 17 and 23, and 51 percent of all injuries occurring between the ages of 16 and 30, and

WHEREAS, more than 80 percent of spinal cord injuries occur in men and 20 percent occur in women, and

WHEREAS, the four leading causes of spinal cord injury for both men and women are auto accidents, falls, acts of violence, and recreational sporting activities, and

WHEREAS, the average annual cost of care for individuals who have a spinal cord injury ranges from \$334,170 to more than \$1 million the first year after injury, with an estimated lifetime cost ranging between \$1.5 million and \$4.5 million depending on the severity of injury, and

WHEREAS, over the past two decades, scientists have made major breakthroughs in understanding how to encourage damaged neurons to regenerate and restore function and how to improve the quality of life for patients in areas such as infertility and pain management, and

WHEREAS, the Darrell Gwynn Foundation has worked to help fund research aimed at finding a cure for paralysis, as well as improving the overall quality of life for individuals with paralysis, and

WHEREAS, the Darrell Gwynn Foundation will spend the week of November 10-16, 2014, working with local governments and schools to educate Floridians about the causes of and treatments for spinal cord injuries, as well as informing the public on how to prevent these injuries from taking place, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That November 10-16, 2014, is recognized as “Spinal Cord Injury Awareness Week” in Florida.

—**SR 1738** was introduced, read and adopted by publication.

By direction of the President, the rules were waived and the Senate proceeded to—

## SPECIAL ORDER CALENDAR

On motion by Senator Richter—

**CS for CS for SB 286**—A bill to be entitled An act relating to concrete masonry education; providing a short title; creating the Florida Concrete Masonry Education Council, Inc.; requiring the council to operate under a written contract with the Department of Economic Opportunity; providing powers and duties of the council; providing restrictions; providing for appointment and terms of the governing board of the council; authorizing the council to accept grants, donations, contributions, and gifts under certain circumstances; authorizing the council to make payments to other organizations under certain circumstances; providing for collection of a voluntary assessment on concrete masonry units; requiring

manufacturers who elect to pay the assessment to commit to paying the assessment for a specified period; requiring the council to adopt bylaws; providing for the adoption of bylaws and amendments to bylaws; providing an effective date.

—was read the second time by title.

Senator Richter moved the following amendment which was adopted:

**Amendment 1 (577134)**—Delete lines 110-158 and insert:

(2)(a) *The Florida Concrete Masonry Education Council, Inc., shall be governed by a board of directors composed of 13 voting members appointed by the Governor as follows:*

1. *Upon receipt of recommendations from the Masonry Association of Florida, eight members who represent concrete masonry manufacturers of various sizes, at least five of whom must be representatives of manufacturers that are members of the Masonry Association of Florida. A manufacturer may not be represented by more than one board member.*

2. *One member who represents a major building industry association in the state.*

3. *One member who has expertise in apprenticeship or workforce education training.*

4. *One member who is not a masonry contractor or manufacturer or an employee of a masonry contractor or manufacturer but who is otherwise a stakeholder in the masonry industry.*

5. *Two members who are masonry contractors and who are members of the Masonry Association of Florida.*

(b)1. *Five of the initial board members shall be appointed to serve 1-year terms, four of the initial board members shall be appointed to serve 2-year terms, and four of the initial board members shall be appointed to serve 3-year terms.*

2. *Each subsequent vacancy on the board of directors shall be filled in accordance with the initial appointment. Thereafter, each board member shall be appointed to serve a 3-year term and may be reappointed to serve an additional consecutive term. However, a member may not serve more than two consecutive terms.*

Pursuant to Rule 4.19, **CS for CS for SB 286** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Soto—

**CS for CS for SB 172**—A bill to be entitled An act relating to notaries public; creating s. 117.055, F.S.; requiring a notary public to record specified information in a notarial journal when performing certain notarial acts; requiring that a notary public retain a notarial journal for a specified period; requiring a notary public to notify the Notary Section of the Executive Office of the Governor if a notarial journal is lost, stolen, misplaced, destroyed, erased, compromised, rendered unusable, or becomes otherwise inaccessible during the retention period; requiring notary employees of a law firm to maintain a separate notarial journal for certain notarial acts pertaining to the law firm and its clients; providing that such a notarial journal is the exclusive property of the law firm; requiring the law firm to comply with notarial journal maintenance and security requirements; providing that all other notarial journals are the exclusive property of a notary public; requiring a notary public to secure a notarial journal; providing that failure to comply with notarial journal requirements does not invalidate a lawful notarization; providing that failure to comply with the notarial journal requirements constitutes grounds for suspension, nonrenewal, or denial of a notary public commission; providing applicability; amending s. 117.10, F.S.; exempting certain acts of specified law enforcement and correctional officers from the notarial journal requirements; providing an effective date.

—was read the second time by title.

Senator Soto moved the following amendment which was adopted:

**Amendment 1 (330542)**—Delete lines 37-38 and insert:

(1) *When performing a notarial act upon any mortgage, mortgage-related document, loan modification, power of attorney, last will and testament, codicil to a last will and testament, trust agreement, amendment to a trust agreement, certification of trust, or deed conveying real property, including, but not limited to, a quitclaim deed, a notary public shall record the following*

Pursuant to Rule 4.19, **CS for CS for SB 172** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

**SB 724**—A bill to be entitled An act relating to military veterans; amending ss. 1.01 and 295.125, F.S.; revising references from the “Korean Conflict” and the “Vietnam Era” to the “Korean War” and the “Vietnam War,” respectively, and from “Korean Conflict Veteran” to “Korean War Veteran”; amending s. 320.089, F.S.; authorizing the issuance of a Combat Medical Badge license plate; revising references; establishing a method of proof of eligibility for certain specialty license plates; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 724**, on motion by Senator Dean, by two-thirds vote **HB 559** was withdrawn from the Committees on Military and Veterans Affairs, Space, and Domestic Security; Transportation; and Appropriations.

On motion by Senator Dean—

**HB 559**—A bill to be entitled An act relating to military veterans; amending ss. 1.01 and 295.125, F.S.; revising references from the “Korean Conflict” and the “Vietnam Era” to the “Korean War” and the “Vietnam War,” respectively, and from “Korean Conflict Veteran” to “Korean War Veteran”; reordering and amending s. 320.089, F.S.; authorizing the issuance of a Combat Medical Badge license plate; revising references; establishing a method of proof of eligibility for certain specialty license plates; providing an effective date.

—a companion measure, was substituted for **SB 724** and read the second time by title.

Pursuant to Rule 4.19, **HB 559** was placed on the calendar of Bills on Third Reading.

**CS for CS for CS for SB 722**—A bill to be entitled An act relating to newborn health screening; amending s. 383.14, F.S.; authorizing the State Public Health Laboratory to release the results of a newborn’s hearing and metabolic tests or screenings to the newborn’s health care practitioner; defining the term “health care practitioner” as it relates to such release; amending s. 383.145, F.S.; updating a cross-reference; creating s. 383.146, F.S.; requiring an audiologist to provide an opportunity for the parent or legal guardian of an infant or toddler who is diagnosed with a hearing impairment to provide contact information so that he or she may receive information directly from specified service providers; requiring the Department of Health to post a list of certain service providers on the department website; requiring the audiologist or his or her designee to transmit a consent form to the providers listed on the department website; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 722**, on motion by Senator Garcia, by two-thirds vote **CS for HB 591** was withdrawn from the Committees on Health Policy; Children, Families, and Elder Affairs; and Judiciary.

On motion by Senator Garcia—

**CS for HB 591**—A bill to be entitled An act relating to newborn health screening; amending s. 383.14, F.S.; authorizing the State Public Health Laboratory to release the results of a newborn’s hearing and metabolic tests or screenings to the newborn’s health care practitioner; defining the term “health care practitioner” as it relates to such release; amending s. 383.145, F.S.; updating a reference; creating s. 383.146, F.S.; requiring an audiologist to provide an opportunity for the parent or legal guardian of an infant or toddler who is diagnosed with a permanent hearing impairment to provide contact information so that he or she may

receive information directly from specified service providers; requiring the Department of Health to post on its website a list of certain service providers and institutions; requiring the audiologist to transmit a consent form to such providers; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 722** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 591** was placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

**CS for SB 726**—A bill to be entitled An act relating to the Re-employment Assistance Appeals Commission; amending s. 443.012, F.S.; revising membership requirements of the commission; removing a provision requiring payment of a daily stipend for certain commissioners; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 726** was placed on the calendar of Bills on Third Reading.

**CS for SB 564**—A bill to be entitled An act relating to security for public deposits; amending s. 280.02, F.S.; revising definitions; amending s. 280.03, F.S.; clarifying provisions relating to public deposits that are exempt from state security requirements; amending s. 280.04, F.S.; lowering the collateral-pledging level for public deposits; amending s. 280.05, F.S.; conforming provisions to changes made by the act; amending s. 280.051, F.S.; updating terms; repealing s. 280.071, F.S., relating to the qualified public depository oversight board; amending s. 280.085, F.S.; providing that a notice of the default or insolvency of a qualified public depository is not required if the Florida public deposits are acquired by a bank, savings bank, or savings association; amending s. 280.10, F.S.; providing that a bank, savings bank, or savings association that is not a qualified public depository and acquires Florida public deposits is subject to certain requirements; amending s. 280.11, F.S.; conforming provisions to changes made by the act; amending s. 280.16, F.S.; deleting obsolete provisions; revising provisions relating to required reports and forms; amending s. 280.17, F.S.; deleting obsolete provisions; deleting a provision requiring public depositories to request confirmation information from qualified public depositories by a certain date; providing that a protection from loss is effective when a public depositor does not comply with certain provisions under specified circumstances; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 564**, on motion by Senator Richter, by two-thirds vote **HB 7009** was withdrawn from the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Richter—

**HB 7009**—A bill to be entitled An act relating to security for public deposits; amending s. 280.02, F.S.; revising definitions; amending s. 280.03, F.S.; clarifying provisions exempting public deposits from state security requirements; amending s. 280.04, F.S.; revising the collateral-pledging level for public deposits; amending s. 280.05, F.S.; conforming provisions to changes made by the act; amending s. 280.051, F.S.; updating terms; repealing s. 280.071, F.S., relating to the Qualified Public Depository Oversight Board; amending s. 280.085, F.S.; providing that a notice of the default or insolvency of a qualified public depository is not required under certain circumstances; amending s. 280.10, F.S.; requiring information from a nonqualified bank, savings bank, or savings association that acquires public depository by default or insolvency; amending s. 280.11, F.S.; conforming cross-references; amending s. 280.16, F.S.; deleting certain provisions relating to required reports and forms; amending s. 280.17, F.S.; revising notice requirements for public depositories; revising restrictions on loss protection provisions in certain circumstances in which a public depositor fails to comply with the notice requirements; providing an effective date.

—a companion measure, was substituted for **CS for SB 564** and read the second time by title.

Pursuant to Rule 4.19, **HB 7009** was placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

**CS for SB 762**—A bill to be entitled An act relating to family care councils; amending s. 393.502, F.S.; revising the membership of the family care council within each service area of the Agency for Persons with Disabilities; requiring consent of a grandchild's parent or legal guardian for appointment of a grandparent to a family care council; requiring the parent or legal guardian to provide notice of consent to the agency; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 762** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bean—

**CS for CS for CS for SB 702**—A bill to be entitled An act relating to pharmacy audits; creating s. 465.1885, F.S.; enumerating the rights of pharmacies relating to audits of pharmaceutical services which are conducted by certain entities; providing a list of audits not subject to such rights; providing an exemption from the right to notice of an on-site audit under certain circumstances; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 702** was placed on the calendar of Bills on Third Reading.

**CS for CS for SB 608**—A bill to be entitled An act relating to monuments on the Capitol Complex; creating s. 265.0031, F.S.; providing legislative intent; defining the term “Capitol Complex”; establishing the POW-MIA Chair of Honor Memorial; authorizing the Florida chapters of Rolling Thunder, Inc., to fund the memorial; requiring the Department of Management Services to consider recommendations of the Department of Veterans' Affairs, the Florida chapters of Rolling Thunder, Inc., and the Florida Historical Commission, regarding specific aspects of the memorial; requiring the Department of Management Services to coordinate with the Division of Historical Resources regarding design and placement; creating s. 265.111, F.S.; defining the term “monument”; prohibiting the construction and placement of a monument on the premises of the Capitol Complex unless authorized by general law and approved by the Department of Management Services; requiring the Department of Management Services to coordinate with the Division of Historical Resources regarding design and placement of a monument; requiring the Department of Management Services to set aside an area of the Capitol Complex for a memorial garden; establishing requirements for the memorial garden; amending s. 267.0612, F.S.; revising the powers and duties of the Florida Historical Commission to conform to changes made by the act; providing for applicability; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 608**, on motion by Senator Hukill, by two-thirds vote **CS for HB 731** was withdrawn from the Committees on Military and Veterans Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; and Rules.

On motion by Senator Hukill, the rules were waived and—

**CS for HB 731**—A bill to be entitled An act relating to the POW-MIA Chair of Honor Memorial; creating s. 265.0031, F.S.; providing legislative intent; defining the term “Capitol Complex”; establishing the POW-MIA Chair of Honor Memorial; authorizing the Florida chapters of Rolling Thunder, Inc., to fund the memorial; requiring the Department of Management Services to designate an area of the Capitol Complex for the memorial; requiring the department to consult with the Department

of Veterans' Affairs and the Florida chapters of Rolling Thunder, Inc., regarding specific aspects of the memorial; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 608** and read the second time by title.

Senator Hukill moved the following amendment which was adopted:

**Amendment 1 (807088) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Section 265.0031, Florida Statutes, is created to read:

*265.0031 POW-MIA Chair of Honor Memorial.—*

(1) *It is the intent of the Legislature to recognize and honor the sacrifices endured by members of the Armed Forces of the United States who were held as prisoners of war or remain missing in action.*

(2) *For purposes of this section, the term “Capitol Complex” has the same meaning as in s. 281.01.*

(3) *There is established the POW-MIA Chair of Honor Memorial.*

(a) *The POW-MIA Chair of Honor Memorial shall be funded by the Florida chapters of Rolling Thunder, Inc., without appropriation of state funds.*

(b) *The Department of Management Services shall approve the design and placement of the POW-MIA Chair of Honor Memorial in the Capitol Complex. The Department of Management Services must consider recommendations from the Department of Veterans' Affairs, the Florida chapters of Rolling Thunder, Inc., and the Florida Historical Commission in determining the appropriate design and placement of the memorial. The Department of Management Services shall coordinate with the Division of Historical Resources of the Department of State regarding the memorial's design and placement subject to the division's powers and duties under s. 267.031.*

Section 2. Section 265.111, Florida Statutes, is created to read:

*265.111 Capitol Complex; monuments.—*

(1) *For purposes of this section, the term “monument” means a permanent structure such as a marker, statue, sculpture, plaque, or other artifice, including living plant material, placed in remembrance or recognition of a significant person or event in Florida history. The term does not include any “Official Florida Historical Marker” as defined in s. 267.021.*

(2) *The construction and placement of a monument on the premises of the Capitol Complex, as defined in s. 281.01, is prohibited unless authorized by general law and unless the design and placement of the monument is approved by the Department of Management Services after considering the recommendations of the Florida Historical Commission, pursuant to s. 267.0612(9). The Department of Management Services shall coordinate with the Division of Historical Resources of the Department of State regarding a monument's design and placement subject to the division's powers and duties under s. 267.031.*

(3) *The Department of Management Services, in consultation with the Florida Historical Commission, shall set aside an area of the Capitol Complex, not including the State Capital Circle Office Complex, and dedicate a memorial garden on which authorized monuments shall be placed.*

Section 3. Subsection (9) is added to section 267.0612, Florida Statutes, to read:

*267.0612 Florida Historical Commission; creation; membership; powers and duties.—In order to enhance public participation and involvement in the preservation and protection of the state's historic and archaeological sites and properties, there is created within the Department of State the “Florida Historical Commission.” The commission shall serve in an advisory capacity to the director of the Division of Historical Resources to assist the director in carrying out the purposes, duties, and responsibilities of the division, as specified in this chapter.*

(9) *The commission shall provide recommendations to the Department of Management Services on the design and placement of monuments authorized by general law to be placed on the premises of the Capitol Complex pursuant to s. 265.111.*

Section 4. *The provisions of s. 265.111, Florida Statutes, as created by this act, do not apply to a monument constructed and placed on the premises of the Capitol Complex before July 1, 2014.*

Section 5. This act shall take effect July 1, 2014.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to monuments on the Capitol Complex; creating s. 265.0031, F.S.; providing legislative intent; defining the term "Capitol Complex"; establishing the POW-MIA Chair of Honor Memorial; authorizing the Florida chapters of Rolling Thunder, Inc., to fund the memorial; requiring the Department of Management Services to consider recommendations of the Department of Veterans' Affairs, the Florida chapters of Rolling Thunder, Inc., and the Florida Historical Commission, regarding specific aspects of the memorial; requiring the Department of Management Services to coordinate with the Division of Historical Resources regarding design and placement; creating s. 265.111, F.S.; defining the term "monument"; prohibiting the construction and placement of a monument on the premises of the Capitol Complex unless authorized by general law and approved by the Department of Management Services; requiring the Department of Management Services to coordinate with the Division of Historical Resources regarding design and placement of a monument; requiring the Department of Management Services to set aside an area of the Capitol Complex for a memorial garden; establishing requirements for the memorial garden; amending s. 267.0612, F.S.; revising the powers and duties of the Florida Historical Commission to conform to changes made by the act; providing for applicability; providing an effective date.

Pursuant to Rule 4.19, **CS for HB 731** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Bean—

**CS for CS for SB 708**—A bill to be entitled An act relating to insurance claims; amending s. 626.601, F.S.; adding mediators and neutral evaluators to the list of individuals or entities that the Department of Financial Services or the Office of Insurance Regulation may investigate for alleged improper conduct; amending s. 627.3518, F.S.; conforming a cross-reference; amending s. 627.409, F.S.; providing that a claim for residential property insurance cannot be denied based on certain credit information; amending s. 627.4133, F.S.; providing that a policy or contract be cancelled based on certain credit information; amending s. 627.7015, F.S.; revising the rule requirements relating to the property insurance mediation program administered by the department; creating s. 627.70151, F.S.; providing grounds for challenging an umpire's impartiality in estimating the amount of a property loss; amending s. 627.706, F.S.; redefining the term "neutral evaluator"; amending s. 627.7074, F.S.; specifying grounds for denying, suspending, or revoking approval of a neutral evaluator; creating s. 627.7142, F.S.; establishing a Claims Bill of Rights for residential property insurance policyholders; providing that such bill of rights does not provide a cause of action; creating s. 627.715, F.S.; defining terms; providing requirements for emergency mitigation repair agreements; requiring an emergency mitigation contractor to be appropriately certified or to possess a contracting license; amending s. 627.745, F.S.; revising qualifications for mediators of personal injury claims; providing grounds for denying, suspending, or revoking the application or approval of a mediator; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Bean moved the following amendments which were adopted:

**Amendment 1 (526846)**—Delete line 321 and insert:  
*suspend or revoke its certification of, a neutral evaluator if the*

**Amendment 2 (910896) (with title amendment)**—Delete lines 261-292 and insert:

*627.70151 Appraisal; conflicts of interest.—An insurer that offers residential coverage as defined in s. 627.4025, or a policyholder that uses an appraisal clause in a property insurance contract to establish a process for estimating or evaluating the amount of loss through the use of an impartial umpire, may challenge an umpire's impartiality and disqualify the proposed umpire only if:*

(1) *A familial relationship within the third degree exists between the umpire and a party or a representative of a party;*

(2) *The umpire has previously represented a party in a professional capacity in the same claim or matter involving the same property;*

(3) *The umpire has represented another person in a professional capacity on the same or a substantially related matter that includes the claim, the same property or an adjacent property, and the other person's interests are materially adverse to the interests of a party; or*

(4) *The umpire has worked as an employer or employee of a party within the preceding 5 years.*

Section 7. Paragraphs (c) and (f) of subsection (2) of section 627.706, Florida Statutes, are amended to read:

627.706 Sinkhole insurance; catastrophic ground cover collapse; definitions.—

(2) As used in ss. 627.706-627.7074, and as used in connection with any policy providing coverage for a catastrophic ground cover collapse or for sinkhole losses, the term:

(c) "Neutral evaluator" means ~~an a professional~~ *an engineer licensed under chapter 471 who has experience and expertise in the identification of sinkhole activity as well as other potential causes of structural damage or a professional geologist. The licensed engineer or professional geologist must have who has completed a course of study in alternative dispute resolution designed or approved by the department for use in the neutral evaluation process, must be and who is determined by the department to be fair and impartial, and may not otherwise be ineligible for certification as provided under s. 627.7074.*

(f) "Professional engineer" means a person, as defined in s. 471.005, who has a bachelor's degree or higher in engineering. A professional engineer must also have experience and expertise in the identification of sinkhole activity ~~or as well as~~ *other potential causes of structural damage.*

And the title is amended as follows:

Delete lines 19-20 and insert: 627.706, F.S.; redefining the terms "neutral evaluator" and "professional engineer"; amending s. 627.7074, F.S.; specifying

**Amendment 3 (513494)**—Delete line 137 and insert:  
*available in public records.*

**Amendment 4 (577132) (with title amendment)**—Delete lines 38-95.

And the title is amended as follows:

Delete lines 3-7 and insert: 627.3518, F.S.;

**Amendment 5 (766328) (with title amendment)**—Delete lines 356-549 and insert:

Section 9. Effective October 1, 2014, section 627.7142, Florida Statutes, is created to read:

*627.7142 Homeowner Claims Bill of Rights.—An insurer issuing a personal lines residential property insurance policy in this state must provide a Homeowner Claims Bill of Rights to a policyholder within 14 days after receiving an initial communication with respect to a claim, unless the claim follows an event that is the subject of a declaration of a state of emergency by the Governor. The purpose of the bill of rights is to summarize, in simple, nontechnical terms, existing Florida law regarding*

the rights of a personal lines residential property insurance policyholder who files a claim of loss. The Homeowner Claims Bill of Rights is specific to the claims process and does not represent all of a policyholder's rights under Florida law regarding the insurance policy. The Homeowner Claims Bill of Rights does not create a civil cause of action by any individual policyholder or class of policyholders against an insurer or insurers. The failure of an insurer to properly deliver the Homeowner Claims Bill of Rights is subject to administrative enforcement by the office, but is not admissible as evidence in a civil action against an insurer. The Homeowner Claims Bill of Rights does not enlarge, modify, or contravene statutory requirements, including, but not limited to, ss. 626.854, 626.9541, 627.70131, 627.7015, and 627.7074, and does not prohibit an insurer from exercising its right to repair damaged property in compliance with the terms of an applicable policy or ss. 627.7011(5)(e) and 627.702(7). The Homeowner Claims Bill of Rights must state:

#### HOMEOWNER CLAIMS BILL OF RIGHTS

*This Bill of Rights is specific to the claims process and does not represent all of your rights under Florida law regarding your policy. There are also exceptions to the stated timelines when conditions are beyond your insurance company's control. This document does not create a civil cause of action by an individual policyholder, or a class of policyholders, against an insurer or insurers and does not prohibit an insurer from exercising its right to repair damaged property in compliance with the terms of an applicable policy.*

#### YOU HAVE THE RIGHT TO:

1. Receive from your insurance company an acknowledgment of your reported claim within 14 days after the time you communicated the claim.
2. Upon written request, receive from your insurance company within 30 days after you have submitted a complete proof-of-loss statement to your insurance company, confirmation that your claim is covered in full, partially covered, or denied, or receive a written statement that your claim is being investigated.
3. Within 90 days, subject to any dual interest noted in the policy, receive full settlement payment for your claim or payment of the undisputed portion of your claim, or your insurance company's denial of your claim.
4. Free mediation of your disputed claim by the Florida Department of Financial Services Division of Consumer Services, under most circumstances and subject to certain restrictions.
5. Neutral evaluation of your disputed claim, if your claim is for damage caused by a sinkhole and is covered by your policy.
6. Contact the Florida Department of Financial Services Division of Consumer Services' toll-free helpline for assistance with any insurance claim or questions pertaining to the handling of your claim. You can reach the Helpline by phone at           toll free phone number          , or you can seek assistance online at the Florida Department of Financial Services Division of Consumer Services' website at           website address          .

#### YOU ARE ADVISED TO:

1. Contact your insurance company before entering into any contract for repairs to confirm any managed repair policy provisions or optional preferred vendors.
2. Make and document emergency repairs that are necessary to prevent further damage. Keep the damaged property, if feasible, keep all receipts, and take photographs of damage before and after any repairs.
3. Carefully read any contract that requires you to pay out-of-pocket expenses or a fee that is based on a percentage of the insurance proceeds that you will receive for repairing or replacing your property.
4. Confirm that the contractor you choose is licensed to do business in Florida. You can verify a contractor's license and check to see if there are any complaints against him or her by calling the Florida

Department of Business and Professional Regulation. You should also ask the contractor for references from previous work.

5. Require all contractors to provide proof of insurance before beginning repairs.
6. Take precautions if the damage requires you to leave your home, including securing your property and turning off your gas, water, and electricity, and contacting your insurance company and provide a phone number where you can be reached.

Section 10. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2014.

And the title is amended as follows:

Delete lines 23-34 and insert: establishing a Homeowner Claims Bill of Rights for residential property insurance policyholders; providing that such bill of rights does not provide a cause of action; providing effective dates.

**Amendment 6 (430392)**—In title, delete line 12 and insert: that a policy or contract may not be cancelled based on

Pursuant to Rule 4.19, **CS for CS for SB 708** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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Consideration of **CS for CS for SB 820** was deferred.

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On motion by Senator Bean—

**CS for SB 862**—A bill to be entitled An act relating to prescription drug monitoring; amending s. 893.055, F.S.; defining and redefining terms; revising provisions relating to the comprehensive electronic database system and prescription drug monitoring program maintained by the Department of Health; allowing impaired practitioner consultants retained by the department access to certain information; providing requirements for the release of information shared with a state attorney in response to a discovery demand; providing procedures for the release of information to a law enforcement agency during an active investigation; requiring the department to adopt a user agreement by rule; requiring the department to enter into a user agreement with the law enforcement agency requesting the release of information; providing requirements for the user agreement; requiring a law enforcement agency under a user agreement to conduct annual audits; providing for the restriction, suspension, or termination of a user agreement; providing for access to the program database by the program manager and designated support staff; authorizing the department to provide a patient advisory report to the appropriate health care practitioner if the program manager determines that a specified pattern exists; authorizing the department to provide relevant information that does not contain personal identifying information to a law enforcement agency if the program manager determines that a specified pattern exists; authorizing the law enforcement agency to use such information to determine whether an active investigation is warranted; authorizing the department to fund the program with up to \$500,000 of funds generated under ch. 465, F.S.; authorizing the department to seek federal or private funds to support the program; repealing language creating a direct-support organization to fund the program; deleting obsolete provisions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 862** was placed on the calendar of Bills on Third Reading.

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Consideration of **CS for SB 1142** was deferred.

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**CS for SB 1176**—A bill to be entitled An act relating to divers; amending s. 327.331, F.S.; defining the terms “divers-down buoy” and “divers-down symbol”; revising the definition of “divers-down flag”; revising the requirements of display signs in which diving occurs; prohibiting a divers-down buoy from being used or displayed onboard a vessel; requiring divers and vessel operators encountering divers-down buoys to

take specified actions; conforming provisions to changes made by the act; making technical changes; amending ss. 327.395 and 327.73, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1176**, on motion by Senator Abruzzo, by two-thirds vote **HB 1049** was withdrawn from the Committees on Environmental Preservation and Conservation; Commerce and Tourism; and Judiciary.

On motion by Senator Abruzzo—

**HB 1049**—A bill to be entitled An act relating to divers; amending s. 327.331, F.S.; defining the terms “divers-down buoy” and “divers-down symbol”; revising the definition of “divers-down flag”; requiring all divers to prominently display a divers-down flag or buoy in the area in which the diving occurs; requiring vessel operators encountering divers-down buoys to take specified actions; prohibiting a divers-down buoy from being used or displayed onboard a vessel; conforming provisions to changes made by the act; making technical changes; amending ss. 327.395 and 327.73, F.S.; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 1176** and read the second time by title.

Pursuant to Rule 4.19, **HB 1049** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

**CS for CS for SB 1308**—A bill to be entitled An act relating to insurer solvency; amending s. 624.10, F.S.; providing additional definitions applicable to the Florida Insurance Code; amending s. 624.319, F.S.; clarifying that production of documents does not waive the attorney-client or work-product privileges; amending s. 624.402, F.S.; conforming a cross-reference; amending s. 624.4085, F.S.; revising a definition; providing additional calculations for determining whether an insurer has a company action level event; revising provisions relating to mandatory control level events; amending s. 624.424, F.S.; requiring an insurer’s annual statement to include an actuarial opinion summary; providing criteria for such summary; providing an exception for life and health insurers; updating provisions; requiring insurers reinsuring through a captive insurance company to file a report containing certain information; amending s. 625.121, F.S.; revising the Standard Valuation Law; distinguishing the provisions from valuations done pursuant to the National Association of Insurance Commissioner’s (NAIC) valuation manual and incorporating certain provisions included in the manual; exempting certain documents from civil proceedings; revising the methods for evaluating the valuation of industrial life insurance policies; revising provisions relating to calculating additional premium; updating provisions relating to reserve calculations for indeterminate premium plans; creating s. 625.1212, F.S.; providing for the valuation of policies and contracts after the adoption of the NAIC’s valuation manual; providing applicability; defining terms; requiring the office to value insurer reserves; requiring actuarial opinions of the reserves and a supporting memorandum to the opinions; requiring the insurer to apply the standard prescribed in the valuation manual; providing exceptions; providing requirements for a principle-based valuation of reserves; requiring an insurer to submit certain data to the office; directing the Financial Services Commission to adopt rules; creating s. 625.1214, F.S.; providing for the use of confidential information; prohibiting the use of such information in private civil actions; amending s. 627.476, F.S.; revising the Standard Nonforfeiture Law; distinguishing provisions subject to the valuation manual and providing for the application of tables found in the manual; amending s. 628.461, F.S.; revising the amount of outstanding voting securities of a domestic stock insurer or a controlling company which a person is prohibited from acquiring unless certain requirements have been met; deleting a provision authorizing an insurer to file a disclaimer of affiliation and control in lieu of a letter notifying the Office of Insurance Regulation of the Financial Services Commission of the acquisition of the voting securities of a domestic stock company under certain circumstances; requiring the statement notifying the office to include additional information; conforming a provision to changes made by the act; providing that control is presumed to exist under certain

conditions; specifying how control may be rebutted and how a controlling interest may be divested; deleting definitions; amending s. 628.801, F.S.; requiring an insurer to annually file a registration statement by a specified date; revising the requirements and standards for the rules establishing the information and statement form for the registration; requiring an insurer to file an annual enterprise risk report; authorizing the office to conduct examinations to determine the financial condition of registrants; providing that failure to file a registration or report is a violation of the section; providing additional grounds, requirements, and conditions with respect to a waiver from the registration requirements; amending s. 628.803, F.S.; providing sanctions for persons who violate certain provisions relating to the acquisition of controlling stock; creating s. 628.804, F.S.; providing for the groupwide supervision of international insurance groups; defining terms; providing for the selection of a groupwide supervisor; authorizing the commission to adopt rules; creating s. 628.805, F.S.; authorizing the office to participate in supervisory colleges; authorizing the office to assess fees on insurers for participation; amending ss. 636.045 and 641.225, F.S.; applying certain statutes related to solvency to prepaid limited health service organizations and health maintenance organizations; amending s. 641.255, F.S.; providing for applicability of specified provisions to a health maintenance organization that is a member of a holding company; providing effective dates and a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1308** was placed on the calendar of Bills on Third Reading.

**CS for CS for SB 1226**—A bill to be entitled An act relating to education; amending s. 11.45, F.S.; requiring the Auditor General to notify the Legislative Auditing Committee if a district school board fails to take corrective action subsequent to an audit; amending s. 120.74, F.S.; exempting educational units from rule review and reporting requirements; amending s. 120.81, F.S.; conforming cross-references; amending s. 409.1451, F.S.; conforming cross-references; amending s. 496.404, F.S.; conforming cross-references; amending s. 775.215, F.S.; conforming cross-references; amending s. 984.151, F.S.; authorizing a district school superintendent’s designee to submit a truancy petition; repealing s. 1000.01(5), F.S., relating to obsolete education governance transfers; amending s. 1000.21, F.S.; revising the definition of the term “Next Generation Sunshine State Standards”; repealing ss. 1000.33 and 1000.37, F.S., relating to the distribution of copies of educational compacts to other states; amending s. 1001.10, F.S.; deleting and revising certain duties of the Commissioner of Education relating to educational plans and programs; repealing s. 1001.25, F.S., relating to educational television; amending s. 1001.26, F.S.; revising Department of Education duties relating to the public broadcasting program system; prohibiting the use of educational television stations for the advancement of political candidates; providing penalties; amending s. 1001.34, F.S.; establishing a process for modifying the membership of a district school board; providing for a referendum; repealing ss. 1001.47(7) and 1001.50(6), F.S., relating to obsolete district school superintendent salary provisions; repealing s. 1001.62, F.S., relating to obsolete provisions for the transfer of benefits arising under local or special acts; repealing s. 1001.73(3), F.S., relating to the abolished Board of Regents as trustee; amending s. 1002.20, F.S.; correcting cross-references and conforming provisions; amending s. 1002.31, F.S.; revising provisions relating to school district controlled open enrollment plans; amending s. 1002.3105, F.S.; conforming provisions; amending s. 1002.321, F.S.; conforming provisions; amending s. 1002.33, F.S.; deleting required training before charter school application; conforming cross-references and provisions; amending s. 1002.34, F.S.; conforming cross-references; revising provisions relating to department assistance to charter technical career centers; amending s. 1002.345, F.S.; revising provisions relating to expedited review of deteriorating financial conditions for a charter school or charter technical career center; deleting an annual reporting requirement; amending s. 1002.39, F.S.; deleting obsolete provisions relating to eligibility for a John M. McKay Scholarship; amending s. 1002.41, F.S.; correcting cross-references; repealing s. 1002.415, F.S., relating to the K-8 Virtual School Program; amending s. 1002.45, F.S.; conforming cross-references; amending s. 1002.455, F.S.; conforming provisions; repealing s. 1002.65, F.S., relating to aspirational goals for credentials of pre-kindergarten instructors; amending s. 1003.01, F.S.; conforming cross-references; amending s. 1003.02, F.S.; requiring instructional materials to be consistent with course descriptions; amending s. 1003.03, F.S.;



conforming cross-references; amending s. 1003.41, F.S.; deleting an obsolete cost analysis requirement relating to a separate financial literacy course; amending s. 1003.4156, F.S.; revising course and assessment requirements for middle grades students for promotion to high school; providing an exemption for transfer students from certain course grade and assessment requirements; repealing s. 1003.428, F.S., relating to obsolete requirements for high school graduation; amending s. 1003.4281, F.S.; conforming cross-references; amending s. 1003.4282, F.S.; revising course and assessment requirements for the award of a standard high school diploma; providing requirements for a student in an adult general education program to be awarded a standard high school diploma; revising requirements for award of a certificate of completion; providing an exemption for transfer students from certain course grade and assessment requirements; providing specificity regarding course and assessment requirements for graduation for certain cohorts of high school students transitioning to new graduation requirements; providing for future repeal of transition requirements; amending s. 1003.4285, F.S.; revising requirements for standard high school diploma designations; amending s. 1003.438, F.S.; conforming cross-references; repealing s. 1003.451(5), F.S., relating to State Board of Education rulemaking; amending s. 1003.49, F.S.; conforming cross-references; amending s. 1003.493, F.S.; conforming a cross-reference; amending s. 1003.4935, F.S.; conforming a cross-reference; amending s. 1003.57, F.S., relating to exceptional student instruction; amending s. 1003.621, F.S.; revising audit criteria for academically high-performing school districts; repealing s. 1004.02(4), F.S., relating to the definition of the term “adult high school credit program”; amending s. 1004.0961, F.S.; providing for Board of Governors regulations; repealing s. 1004.3825, F.S., relating to authorization for a medical degree program; repealing s. 1004.387, F.S., relating to authorization for a pharmacy degree program; repealing s. 1004.445(2), F.S., relating to the board of directors of the Johnnie B. Byrd, Sr. Alzheimer’s Center and Research Institute; repealing s. 1004.75, F.S., relating to training school consolidation pilot projects; amending s. 1004.935, F.S.; revising the effective date of the Adults with Disabilities Workforce Education Pilot Program; increasing the age limitation for a program participant; conforming cross-references; repealing s. 1006.141, F.S., relating to a statewide school safety hotline; amending s. 1006.147, F.S.; deleting obsolete provisions relating to school district bullying and harassment policies; repealing s. 1006.148(2), F.S., relating to a department-developed model dating violence and abuse policy; amending s. 1006.15, F.S.; conforming cross-references; amending s. 1006.28, F.S.; conforming provisions relating to instructional materials; amending s. 1006.31, F.S.; conforming provisions relating to duties of an instructional materials reviewer; amending s. 1006.34, F.S.; revising provisions relating to standards used in the selection of instructional materials; amending s. 1006.40, F.S.; revising provisions relating to district school board purchase of instructional materials; amending s. 1006.42, F.S.; conforming provisions relating to the responsibility of parents for instructional materials; amending s. 1007.02, F.S.; deleting a popular name and providing applicability for the term “student with a disability”; amending s. 1007.2615, F.S.; deleting obsolete provisions relating to an American Sign Language task force; amending s. 1007.263, F.S.; conforming cross-references; amending ss. 1007.264 and 1007.265, F.S.; conforming provisions; amending s. 1007.271, F.S.; correcting cross-references; amending s. 1008.22, F.S.; conforming and revising provisions relating to the implementation of statewide, standardized comprehensive assessments, end-of-course assessments, and waivers for students with disabilities; requiring the commissioner to publish an implementation schedule for transition to new assessments; conforming provisions relating to concordant scores and comparative scores for assessments; amending s. 1008.25, F.S.; conforming assessment provisions for student progression; amending s. 1008.33, F.S.; deleting obsolete provisions relating to implementation of certain school turnaround options; repealing s. 1008.331, F.S., relating to supplemental educational services in Title I schools; amending s. 1008.3415, F.S.; correcting a cross-reference; repealing s. 1008.35, F.S., relating to best financial management practices for school districts; amending s. 1009.22, F.S.; deleting obsolete provisions relating to workforce education postsecondary student fees; amending s. 1009.40, F.S.; conforming cross-references; amending s. 1009.531, F.S.; conforming cross-references; amending s. 1009.532, F.S.; correcting cross-references; amending s. 1009.536, F.S.; correcting cross-references; repealing s. 1009.56, F.S., relating to the Seminole and Miccosukee Indian Scholarship Program; repealing s. 1009.69, F.S., relating to the Virgil Hawkins Fellows Assistance Program; amending s. 1009.91, F.S.; conforming a cross-reference; amending s. 1009.94, F.S.; conforming a cross-reference; repealing part V of chapter 1009, F.S., relating to the Florida

Higher Education Loan Authority; amending s. 1011.62, F.S.; deleting an obsolete provision; repealing s. 1011.71(3)(b) and (c), F.S., relating to expired authorization for certain millage levy; repealing s. 1011.76(4), F.S., relating to best financial management practices review under the Small School District Stabilization Program; amending s. 1011.80, F.S.; correcting a cross-reference; amending s. 1012.05, F.S.; deleting department and commissioner duties relating to teacher recruitment and retention; amending s. 1012.22, F.S.; conforming provisions; repealing s. 1012.33(9), F.S., relating to obsolete provisions for payment of professional service contracts; amending s. 1012.34, F.S.; correcting cross-references relating to measuring student performance in personnel evaluations; amending s. 1012.44, F.S.; deleting obsolete provisions; amending s. 1012.561, F.S.; deleting an obsolete provision; repealing s. 1012.595, F.S., relating to an obsolete saving clause for educator certificates; amending s. 1012.885, F.S.; deleting certain provisions relating to remuneration of Florida College System institution presidents; amending s. 1012.975, F.S.; deleting certain provisions relating to remuneration of state university presidents; amending s. 1012.98, F.S.; requiring continuing education training for kindergarten teachers; amending s. 1013.35, F.S.; revising audit requirements for school district educational planning and construction activities; amending s. 1013.47, F.S.; deleting provisions relating to payment of wages of certain persons employed by contractors; repealing s. 1013.49, F.S., relating to toxic substances in educational facilities; repealing s. 1013.512, F.S., relating to the Land Acquisition and Facilities Advisory Board; repealing s. 20 of chapter 2010-24, Laws of Florida, relating to Department of Revenue authorization to adopt emergency rules; providing an effective date.

—was read the second time by title.

An amendment was considered and failed to conform **CS for CS for SB 1226 to HB 7031**.

Pending further consideration of **CS for CS for SB 1226**, on motion by Senator Montford, by two-thirds vote **HB 7031** was withdrawn from the Committees on Education; Appropriations Subcommittee on Education; Appropriations; and Rules.

On motion by Senator Montford—

**HB 7031**—A bill to be entitled An act relating to education; amending s. 11.45, F.S.; requiring the Auditor General to notify the Legislative Auditing Committee if a district school board fails to take corrective action subsequent to an audit; amending s. 120.74, F.S.; exempting educational units from rule review and reporting requirements; amending s. 120.81, F.S.; conforming cross-references; amending s. 409.1451; conforming cross-references; repealing ss. 411.226, 411.227, and 411.228, F.S., relating to the Learning Gateway program; amending s. 496.404, F.S.; conforming cross-references; amending s. 775.215 F.S.; conforming cross-references; amending s. 984.151, F.S.; authorizing a district school superintendent’s designee to submit a truancy petition; repealing s. 1000.01(5), F.S., relating to obsolete education governance transfers; amending s. 1000.21, F.S.; revising the definition of the term “Next Generation Sunshine State Standards”; repealing ss. 1000.33 and 1000.37, F.S., relating to the distribution of copies of educational compacts to other states; amending s. 1001.10, F.S.; deleting and revising certain duties of the Commissioner of Education relating to educational plans and programs; repealing s. 1001.25, F.S., relating to educational television; amending s. 1001.26, F.S.; revising Department of Education duties relating to the public broadcasting program system; prohibiting the use of educational television stations for the advancement of political candidates; providing penalties; repealing ss. 1001.47(7) and 1001.50(6), F.S., relating to obsolete district school superintendent salary provisions; repealing s. 1001.62, F.S., relating to obsolete provisions for the transfer of benefits arising under local or special acts; repealing s. 1001.73(3), F.S., relating to the abolished Board of Regents as trustee; amending s. 1002.20, F.S.; correcting cross-references and conforming provisions; amending s. 1002.31, F.S.; revising provisions relating to school district controlled open enrollment plans; amending s. 1002.3105, F.S.; conforming provisions; amending s. 1002.321, F.S.; conforming provisions; amending s. 1002.33, F.S.; deleting required training before charter school application; conforming cross-references and provisions; amending s. 1002.34, F.S.; conforming cross-references; revising provisions relating to department assistance to charter technical career centers; amending s. 1002.345, F.S.; revising provisions relating to expedited review of deteriorating financial conditions for a charter school or charter technical career center; deleting an annual reporting requirement; amending s. 1002.39, F.S.; deleting obsolete provisions re-



lating to eligibility for a John M. McKay Scholarship; amending s. 1002.41, F.S.; correcting cross-references; repealing s. 1002.415, F.S., relating to the K-8 Virtual School Program; amending s. 1002.45, F.S.; conforming cross-references; amending s. 1002.455, F.S.; conforming provisions; repealing s. 1002.65, F.S., relating to aspirational goals for credentials of prekindergarten instructors; amending s. 1003.01, F.S.; conforming cross-references; amending s. 1003.02, F.S.; requiring instructional materials to be consistent with course descriptions; amending a. 1003.03, F.S.; conforming cross-references; amending s. 1003.41, F.S.; deleting an obsolete cost analysis requirement relating to a separate financial literacy course; amending s. 1003.4156, F.S.; revising course and assessment requirements for middle grades students for promotion to high school; providing an exemption for transfer students from certain course grade and assessment requirements; repealing s. 1003.428, F.S., relating to obsolete requirements for high school graduation; amending s. 1003.4281, F.S.; conforming cross-references; amending s. 1003.4282, F.S.; revising course and assessment requirements for the award of a standard high school diploma; providing requirements for a student in an adult general education program to be awarded a standard high school diploma; revising requirements for award of a certificate of completion; providing an exemption for transfer students from certain course grade and assessment requirements; providing specificity regarding course and assessment requirements for graduation for certain cohorts of high school students transitioning to new graduation requirements; providing for future repeal of transition requirements; amending s. 1003.4285, F.S.; revising requirements for standard high school diploma designations; amending s. 1003.438, F.S.; conforming cross-references; repealing s. 1003.451(5), F.S., relating to State Board of Education rulemaking; amending s. 1003.49, F.S.; conforming cross-references; amending s. 1003.493, F.S.; conforming a cross-reference; amending s. 1003.4935, F.S.; conforming a cross-reference; amending s. 1003.57, F.S., relating to exceptional student instruction; amending s. 1003.621, F.S.; revising audit criteria for academically high-performing school districts; repealing s. 1004.02(4), F.S., relating to the definition of the term "adult high school credit program"; amending s. 1004.0961, F.S.; providing for Board of Governors regulations; repealing s. 1004.3825, F.S., relating to authorization for a medical degree program; repealing s. 1004.387, F.S., relating to authorization for a pharmacy degree program; repealing s. 1004.445(2), F.S., relating to the board of directors of the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; repealing s. 1004.75, F.S., relating to training school consolidation pilot projects; amending s. 1004.935, F.S.; conforming cross-references; repealing s. 1006.141, F.S., relating to a statewide school safety hotline; amending s. 1006.147, F.S.; deleting obsolete provisions relating to school district bullying and harassment policies; repealing s. 1006.148(2), F.S., relating to a department-developed model dating violence and abuse policy; amending s. 1006.15, F.S.; conforming cross-references; amending s. 1006.28, F.S.; conforming provisions relating to instructional materials; amending s. 1006.31, F.S.; conforming provisions relating to duties of an instructional materials reviewer; amending s. 1006.34, F.S.; revising provisions relating to standards used in the selection of instructional materials; amending s. 1006.40, F.S.; revising provisions relating to district school board purchase of instructional materials; amending s. 1006.42, F.S.; conforming provisions relating to the responsibility of parents for instructional materials; amending s. 1007.02, F.S.; deleting a popular name and providing applicability for the term "student with a disability"; amending s. 1007.2615, F.S.; deleting obsolete provisions relating to an American Sign Language task force; amending s. 1007.263, F.S.; conforming cross-references; amending ss. 1007.264 and 1007.265, F.S.; conforming provisions; amending s. 1007.271, F.S.; correcting cross-references; amending s. 1008.22, F.S.; conforming and revising provisions relating to the implementation of statewide, standardized comprehensive assessments, end-of-course assessments, and waivers for students with disabilities; requiring the commissioner to publish an implementation schedule for transition to new assessments; conforming provisions relating to concordant scores and comparative scores for assessments; amending s. 1008.25, F.S.; conforming assessment provisions for student progression; amending s. 1008.33, F.S.; deleting obsolete provisions relating to implementation of certain school turnaround options; repealing s. 1008.331, F.S., relating to supplemental educational services in Title I schools; amending s. 1008.3415, F.S.; correcting a cross-reference; repealing s. 1008.35, F.S., relating to best financial management practices for school districts; amending s. 1009.22, F.S.; deleting obsolete provisions relating to workforce education post-secondary student fees; amending s. 1009.40, F.S.; conforming cross-references; amending s. 1009.531, F.S.; conforming cross-references;

amending s. 1009.532, F.S.; correcting cross-references; amending s. 1009.536, F.S.; correcting cross-references; repealing s. 1009.56, F.S., relating to the Seminole and Miccosukee Indian Scholarship Program; repealing s. 1009.69, F.S., relating to the Virgil Hawkins Fellows Assistance Program; amending s. 1009.91, F.S.; conforming a cross-reference; amending s. 1009.94, F.S.; conforming a cross-reference; repealing part V of chapter 1009, F.S., relating to the Florida Higher Education Loan Authority; repealing s. 1011.71(3)(b) and (c), F.S., relating to expired authorization for certain millage levy; repealing s. 1011.76(4), F.S., relating to best financial management practices review under the Small School District Stabilization Program; amending s. 1011.80, F.S.; correcting a cross-reference; amending s. 1012.05, F.S.; deleting department and commissioner duties relating to teacher recruitment and retention; amending s. 1012.22, F.S.; conforming provisions; repealing s. 1012.33(9), F.S., relating to obsolete provisions for payment of professional service contracts; amending s. 1012.34, F.S.; correcting cross-references relating to measuring student performance in personnel evaluations; amending s. 1012.44, F.S.; deleting obsolete provisions; amending s. 1012.561, F.S.; deleting an obsolete provision; repealing s. 1012.595, F.S., relating to an obsolete saving clause for educator certificates; amending s. 1012.885, F.S.; deleting certain provisions relating to remuneration of Florida College System institution presidents; amending s. 1012.975, F.S.; deleting certain provisions relating to remuneration of state university presidents; amending s. 1012.98, F.S.; requiring continuing education training for kindergarten teachers; amending s. 1013.35, F.S.; revising audit requirements for school district educational planning and construction activities; amending s. 1013.47, F.S.; deleting provisions relating to payment of wages of certain persons employed by contractors; repealing s. 1013.49, F.S., relating to toxic substances in educational facilities; repealing s. 1013.512, F.S., relating to the Land Acquisition and Facilities Advisory Board; repealing s. 1013.54, F.S., relating to the cooperative development and use of satellite educational facilities; repealing s. 20 of chapter 2010-24, Laws of Florida, relating to Department of Revenue authorization to adopt emergency rules; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1226** and read the second time by title.

Senator Montford moved the following amendment which was adopted:

**Amendment 1 (588260) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Paragraph (j) of subsection (7) of section 11.45, Florida Statutes, is amended to read:

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

(7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

(j) The Auditor General shall notify the Legislative Auditing Committee of any financial or operational audit report prepared pursuant to this section which indicates that a *district school board*, state university, or Florida College System institution has failed to take full corrective action in response to a recommendation that was included in the two preceding financial or operational audit reports.

1. The committee may direct *the district school board* or the governing body of the state university or Florida College System institution to provide a written statement to the committee explaining why full corrective action has not been taken or, if the governing body intends to take full corrective action, describing the corrective action to be taken and when it will occur.

2. If the committee determines that the written statement is not sufficient, the committee may require the chair of the *district school board* or *the chair of the governing body* of the state university or Florida College System institution, or the chair's designee, to appear before the committee.

3. If the committee determines that the *district school board*, state university, or Florida College System institution has failed to take full corrective action for which there is no justifiable reason or has failed to comply with committee requests made pursuant to this section, the committee shall refer the matter to the State Board of Education or the

Board of Governors, as appropriate, to proceed in accordance with s. 1008.32 or s. 1008.322, respectively.

Section 2. Subsection (5) is added to section 120.74, Florida Statutes, to read:

120.74 Agency review, revision, and report.—

(5) *An educational unit as defined in s. 120.52(6) is exempt from this section.*

Section 3. Paragraph (c) of subsection (1) of section 120.81, Florida Statutes, is amended to read:

120.81 Exceptions and special requirements; general areas.—

(1) EDUCATIONAL UNITS.—

(c) Notwithstanding s. 120.52(16), any tests, test scoring criteria, or testing procedures relating to student assessment which are developed or administered by the Department of Education pursuant to s. 1003.4282 ~~1003.428~~, ~~s. 1003.429~~, s. 1003.438, s. 1008.22, or s. 1008.25, or any other statewide educational tests required by law, are not rules.

Section 4. Paragraph (a) of subsection (2) of section 409.1451, Florida Statutes, is amended to read:

409.1451 The Road-to-Independence Program.—

(2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

(a) A young adult is eligible for services and support under this subsection if he or she:

1. Was living in licensed care on his or her 18th birthday or is currently living in licensed care; or was at least 16 years of age and was adopted from foster care or placed with a court-approved dependency guardian after spending at least 6 months in licensed care within the 12 months immediately preceding such placement or adoption;

2. Spent at least 6 months in licensed care before reaching his or her 18th birthday;

3. Earned a standard high school diploma *pursuant to s. 1002.3105(5), s. 1003.4281, or s. 1003.4282*, or its equivalent pursuant to ~~s. 1003.428~~, ~~s. 1003.4281~~, ~~s. 1003.429~~, s. 1003.435, or a *special diploma pursuant to s. 1003.438*;

4. Has been admitted for enrollment as a full-time student or its equivalent in an eligible postsecondary educational institution as provided in s. 1009.533. For purposes of this section, the term “full-time” means 9 credit hours or the vocational school equivalent. A student may enroll part-time if he or she has a recognized disability or is faced with another challenge or circumstance that would prevent full-time attendance. A student needing to enroll part-time for any reason other than having a recognized disability must get approval from his or her academic advisor;

5. Has reached 18 years of age but is not yet 23 years of age;

6. Has applied, with assistance from the young adult’s caregiver and the community-based lead agency, for any other grants and scholarships for which he or she may qualify;

7. Submitted a Free Application for Federal Student Aid which is complete and error free; and

8. Signed an agreement to allow the department and the community-based care lead agency access to school records.

Section 5. Subsection (8) of section 496.404, Florida Statutes, is amended to read:

496.404 Definitions.—As used in ss. 496.401-496.424:

(8) “Educational institutions” means those institutions and organizations described in s. 212.08(7)(cc)8.a. The term includes private nonprofit organizations, the purpose of which is to raise funds for schools teaching grades kindergarten through grade 12, colleges, and uni-

versities, including ~~a~~ ~~any~~ nonprofit newspaper of free or paid circulation primarily on university or college campuses which holds a current exemption from federal income tax under s. 501(c)(3) of the Internal Revenue Code, ~~an~~ ~~any~~ educational television network or system established pursuant to ~~s. 1001.25~~ or s. 1001.26, and ~~a~~ ~~any~~ nonprofit television or radio station that is a part of such network or system and that holds a current exemption from federal income tax under s. 501(c)(3) of the Internal Revenue Code. The term also includes a nonprofit educational cable consortium that holds a current exemption from federal income tax under s. 501(c)(3) of the Internal Revenue Code, whose primary purpose is the delivery of educational and instructional cable television programming and whose members are composed exclusively of educational organizations that hold a valid consumer certificate of exemption and that are either an educational institution as defined in this subsection or qualified as a nonprofit organization pursuant to s. 501(c)(3) of the Internal Revenue Code.

Section 6. Paragraph (d) of subsection (1) of section 775.215, Florida Statutes, is amended to read:

775.215 Residency restriction for persons convicted of certain sex offenses.—

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

(d) “School” has the same meaning as provided in s. 1003.01 and includes a private school as defined in s. 1002.01, a voluntary pre-kindergarten education program as described in s. 1002.53(3), a public school as described in s. 402.3025(1), the Florida School for the Deaf and the Blind, ~~and the Florida Virtual School as established under s. 1002.37~~, ~~and a K-8 Virtual School as established under s. 1002.415~~, but does not include facilities dedicated exclusively to the education of adults.

Section 7. Subsection (1) of section 984.151, Florida Statutes, is amended to read:

984.151 Truancy petition; prosecution; disposition.—

(1) If the school determines that a student subject to compulsory school attendance has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period pursuant to s. 1003.26(1)(b), or has had more than 15 unexcused absences in a 90-calendar-day period, the superintendent of schools or his or her designee may file a truancy petition.

Section 8. *Subsection (5) of section 1000.01, Florida Statutes, is repealed.*

Section 9. Subsection (7) of section 1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida K-20 Education Code:

(7) “Next Generation Sunshine State Standards” means the state’s public K-12 curricular standards, ~~including common core standards in English Language Arts and mathematics~~, adopted under s. 1003.41.

Section 10. *Section 1000.33, Florida Statutes, is repealed.*

Section 11. *Section 1000.37, Florida Statutes, is repealed.*

Section 12. Paragraphs (h) and (l) of subsection (6) of section 1001.10, Florida Statutes, are amended to read:

1001.10 Commissioner of Education; general powers and duties.—

(6) Additionally, the commissioner has the following general powers and duties:

~~(h) To develop and implement a plan for cooperating with the Federal Government in carrying out any or all phases of the educational program and to recommend policies for administering funds that are appropriated by Congress and apportioned to the state for any or all educational purposes. The Commissioner of Education shall submit to the Legislature the proposed state plan for the reauthorization of the No Child Left Behind Act before the proposed plan is submitted to federal~~

agencies. The President of the Senate and the Speaker of the House of Representatives shall appoint members of the appropriate education and appropriations committees to serve as a select committee to review the proposed plan.

(k)(4) To prepare, publish, and disseminate ~~maintain a Citizen Information Center responsible for the preparation, publication, and dissemination of~~ user-friendly materials relating to the state's education system, including the state's K-12 scholarship programs and the Voluntary Prekindergarten Education Program.

Section 13. *Section 1001.25, Florida Statutes, is repealed.*

Section 14. Section 1001.26, Florida Statutes, is amended to read:

1001.26 Public broadcasting program system.—

(1) There is created a public broadcasting program system for the state. The department shall *provide funds, as specifically appropriated in the General Appropriations Act, to educational television stations qualified by the Corporation for Public Broadcasting that are part of the public broadcasting program system* ~~administer this program system pursuant to rules adopted by the State Board of Education. This program system must complement and share resources with the instructional programming service of the Department of Education and educational UHF, VHF, EBS, and FM stations in the state. The program system must include:~~

(a) Support for existing Corporation for Public Broadcasting qualified program system educational television stations ~~and new stations meeting Corporation for Public Broadcasting qualifications and providing a first service to an audience that does not currently receive a broadcast signal or providing a significant new program service as defined by rule by the State Board of Education.~~

(b) Maintenance of quality broadcast capability for educational stations that are part of the program system.

(c) Interconnection of all educational stations that are part of the program system for simultaneous broadcast and of such stations with all universities and other institutions as necessary for sharing of resources and delivery of programming.

(d) Establishment and maintenance of a capability for statewide program distribution with facilities and staff, provided such facilities and staff complement and strengthen existing ~~or future~~ educational television stations ~~in accordance with paragraph (a) and s. 1001.25(2)(e).~~

(e) Provision of both statewide programming funds and station programming support for educational television to meet statewide priorities. Priorities for station programming need not be the same as priorities for programming to be used statewide. Station programming may include, but shall not be limited to, citizens' participation programs, music and fine arts programs, coverage of public hearings and governmental meetings, equal air time for political candidates, and other public interest programming.

(2)(a) ~~The Department of Education is responsible for implementing the provisions of this section pursuant to s. 282.702 and may employ personnel, acquire equipment and facilities, and perform all duties necessary for carrying out the purposes and objectives of this section.~~

(b) ~~The department shall provide through educational television and other electronic media a means of extending educational services to all the state system of public education. The department shall recommend to the State Board of Education rules necessary to provide such services.~~

(c) ~~The department is authorized to provide equipment, funds, and other services to extend and update both the existing and the proposed educational television systems of tax supported and nonprofit, corporate owned facilities. All stations funded must be qualified by the Corporation for Public Broadcasting. New stations eligible for funding shall provide a first service to an audience that is not currently receiving a broadcast signal or provide a significant new program service as defined by State Board of Education rules. Funds appropriated to the department for educational television may be used by the department for educational television only.~~

(3)(a) *The facilities, plant, or personnel of an educational television station that is supported in whole or in part by state funds may not be used directly or indirectly for the promotion, advertisement, or advancement of a political candidate for a municipal, county, legislative, congressional, or state office. However, fair, open, and free discussion between political candidates for municipal, county, legislative, congressional, or state office may be permitted in order to help materially reduce the excessive cost of campaigns and to ensure that the state's citizens are fully informed about issues and candidates in campaigns. This paragraph applies to the advocacy for, or opposition to, a specific existing or proposed program of governmental action, which includes, but is not limited to, constitutional amendments, tax referenda, and bond issues. This paragraph shall be implemented in accordance with rules of the State Board of Education.*

(b) *A violation of a prohibition contained in this subsection is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.*

Section 15. Section 1001.34, Florida Statutes, is amended to read:

1001.34 Membership of district school board.—

(1) Each district school board shall be composed of not less than five members. Each member of the district school board shall be a qualified elector of the district in which she or he serves, shall be a resident of the district school board member residence area from which she or he is elected, and shall maintain said residency throughout her or his term of office.

(2) *A district school board may modify the number of members on its board by adopting a resolution that establishes the total number of members on the board, which may not be less than five, and the number of members who shall be elected by residence areas or elected at large. The resolution must specify an orderly method and procedure for modifying the membership of the board, including staggering terms of additional members as necessary. If the resolution is adopted, the district school board shall submit to the electors for approval at a referendum held at the next primary or general election the question of whether the number of board members should be modified in accordance with the resolution adopted by the district school board. If the referendum is approved, election of additional school board members may occur at any primary, general, or otherwise-called special election.*

Section 16. *Subsection (7) of section 1001.47, Florida Statutes, is repealed.*

Section 17. *Subsection (6) of section 1001.50, Florida Statutes, is repealed.*

Section 18. *Section 1001.62, Florida Statutes, is repealed.*

Section 19. *Subsection (3) of section 1001.73, Florida Statutes, is repealed.*

Section 20. Subsections (8), (16), and (21) of section 1002.20, Florida Statutes, are amended to read:

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

(8) STUDENTS WITH DISABILITIES.—Parents of public school students with disabilities and parents of public school students in residential care facilities are entitled to notice and due process in accordance with the provisions of ss. 1003.57 and 1003.58. Public school students with disabilities must be provided the opportunity to meet the graduation requirements for a standard high school diploma *as set forth in s. 1003.4282* in accordance with the provisions of ss. 1003.57 and 1008.22 ~~s. 1003.428(3)~~. Pursuant to s. 1003.438, certain public school students with disabilities may be awarded a special diploma upon high school graduation.

(16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING REPORTS.—Parents of public school students are entitled to an easy-to-read report card about the *school's* grade designation

or, if applicable under s. 1008.341, the school's improvement rating, and the school's school accountability report, including the school financial report as required under s. 1010.215, and school improvement rating of their child's school in accordance with the provisions of ss. 1008.22, 1003.02(3), and 1010.215(5).

(21) PARENTAL INPUT AND MEETINGS.—

(a) Meetings with school district personnel.—Parents of public school students may be accompanied by another adult of their choice at a ~~any~~ meeting with school district personnel. School district personnel may not object to the attendance of such adult or discourage or attempt to discourage, through an ~~any~~ action, statement, or other means, ~~the~~ parents of students with disabilities from inviting another person of their choice to attend a ~~any~~ meeting. Such prohibited actions include, but are not limited to, attempted or actual coercion or harassment of parents or students or retaliation or threats of consequences to parents or students.

1. Such meetings include, but are not limited to, meetings related to: the eligibility for exceptional student education or related services; the development of an individual family support plan (IFSP); the development of an individual education plan (IEP); the development of a 504 accommodation plan issued under s. 504 of the Rehabilitation Act of 1973; the transition of a student from early intervention services to other services; the development of postsecondary goals for a student with a disability and the transition services needed to reach those goals; and other issues that may affect the a student's educational environment, discipline, or placement of a student with a disability.

2. The parents and school district personnel attending the meeting shall sign a document at the meeting's conclusion which states whether any school district personnel have prohibited, discouraged, or attempted to discourage the parents from inviting a person of their choice to the meeting.

~~(b) School district best financial management practice reviews.—Public school students and their parents may provide input regarding their concerns about the operations and management of the school district both during and after the conduct of a school district best financial management practices review, in accordance with the provisions of s. 1008.35.~~

~~(b)(e)~~ District school board educational facilities programs.—Parents of public school students and other members of the public have the right to receive proper public notice and opportunity for public comment regarding the district school board's educational facilities work program, in accordance with the provisions of s. 1013.35.

Section 21. Subsections (2) through (8) of section 1002.31, Florida Statutes, are amended to read:

1002.31 *Controlled open enrollment*; public school parental choice.—

(2) Each district school board may offer controlled open enrollment within the public schools ~~which is~~. ~~The controlled open enrollment program shall be offered~~ in addition to the existing choice programs such as virtual instruction programs, magnet schools, alternative schools, special programs, advanced placement, and dual enrollment.

(3) Each district school board ~~offering controlled open enrollment shall adopt by rule and post on its website~~ develop a controlled open enrollment plan which ~~must: describes the implementation of subsection (2).~~

~~(a)(4) School districts shall Adhere to federal desegregation requirements. No controlled open enrollment plan that conflicts with federal desegregation orders shall be implemented.~~

~~(5) Each school district shall develop a system of priorities for its plan that includes consideration of the following:~~

~~(b)(a)~~ Include an application process required to participate in the controlled open enrollment program.

~~(b)~~ A process that allows parents to declare school preferences, including:

~~(c)~~ A process that encourages placement of siblings within the same school.

~~(c)(d)~~ Provide a lottery procedure ~~used by the school district~~ to determine student assignment ~~and establish~~.

~~(e)~~ an appeals process for hardship cases.

~~(d)~~ Afford parents of students in multiple session schools preferred access to controlled open enrollment.

~~(e)(f)~~ The procedures to Maintain socioeconomic, demographic, and racial balance.

~~(f)(g)~~ Address the availability of transportation.

~~(h)~~ A process that promotes strong parental involvement, including the designation of a parent liaison.

~~(i)~~ A strategy that establishes a clearinghouse of information designed to assist parents in making informed choices.

~~(6) Plans shall be submitted to the Commissioner of Education. The Commissioner of Education shall develop an annual report on the status of school choice and deliver the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives at least 90 days prior to the convening of the regular session of the Legislature.~~

~~(7) Notwithstanding any provision of this section, a school district with schools operating on both multiple session schedules and single session schedules shall afford parents of students in multiple session schools preferred access to the controlled open enrollment program of the school district.~~

~~(4)(8)~~ In accordance with the reporting requirements of s. 1011.62, each district school board shall annually report the number of students ~~applying for and~~ attending the various types of public schools of choice in the district, including schools such as virtual instruction programs, magnet schools, and public charter schools, according to rules adopted by the State Board of Education.

Section 22. Subsection (5) of section 1002.3105, Florida Statutes, is amended to read:

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

(5) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—A student who meets the *applicable grade 9 cohort graduation* requirements of s. 1003.4282(3)(a)-(e) or s. 1003.4282(10)(a)1.-5., (b)1.-5., (c)1.-5., or (d)1.-5., earns three credits in electives, and earns a cumulative grade point average (GPA) of 2.0 on a 4.0 scale shall be awarded a standard high school diploma in a form prescribed by the State Board of Education.

Section 23. Subsection (3) of section 1002.321, Florida Statutes, is amended to read:

1002.321 Digital learning.—

(3) DIGITAL PREPARATION.—*As required under s. 1003.4282, a* ~~Each~~ student entering grade 9 in the 2011-2012 school year and thereafter who seeks a high school diploma must take ~~graduate from high school having taken~~ at least one online course, ~~as provided in s. 1003.428.~~

Section 24. Paragraph (a) of subsection (6), paragraph (a) of subsection (7), and subsection (25) of section 1002.33, Florida Statutes, are amended to read:

1002.33 Charter schools.—

(6) APPLICATION PROCESS AND REVIEW.—Charter school applications are subject to the following requirements:

(a) A person or entity wishing to open a charter school shall prepare and submit an application on a model application form prepared by the Department of Education which:

1. Demonstrates how the school will use the guiding principles and meet the statutorily defined purpose of a charter school.

2. Provides a detailed curriculum plan that illustrates how students will be provided services to attain the Sunshine State Standards.

3. Contains goals and objectives for improving student learning and measuring that improvement. These goals and objectives must indicate how much academic improvement students are expected to show each year, how success will be evaluated, and the specific results to be attained through instruction.

4. Describes the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level. A sponsor shall deny a charter if the school does not propose a reading curriculum that is consistent with effective teaching strategies that are grounded in scientifically based reading research.

5. Contains an annual financial plan for each year requested by the charter for operation of the school for up to 5 years. This plan must contain anticipated fund balances based on revenue projections, a spending plan based on projected revenues and expenses, and a description of controls that will safeguard finances and projected enrollment trends.

6. ~~Contains Documents that the applicant has participated in the training required in subparagraph (f)2. A sponsor may require an applicant to provide~~ additional information ~~a sponsor may require, which shall be attached~~ as an addendum to the charter school application described in this paragraph.

7. For the establishment of a virtual charter school, documents that the applicant has contracted with a provider of virtual instruction services pursuant to s. 1002.45(1)(d).

(7) CHARTER.—The major issues involving the operation of a charter school shall be considered in advance and written into the charter. The charter shall be signed by the governing board of the charter school and the sponsor, following a public hearing to ensure community input.

(a) The charter shall address and criteria for approval of the charter shall be based on:

1. The school's mission, the students to be served, and the ages and grades to be included.

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the Next Generation Sunshine State Standards and grounded in scientifically based reading research.

b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques. Charter schools may implement blended learning courses which combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school and receive the online instruction in a classroom setting at the charter school. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used. The criteria listed in this subparagraph shall include a detailed description of:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.

The district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. The methods shall provide a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs. Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s. 1003.4282.

6. A method for resolving conflicts between the governing board of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct.

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school. A description of internal audit procedures and establishment of controls to ensure that financial resources are properly managed must be included. Both public sector and private sector professional experience shall be equally valid in such a consideration.

10. The asset and liability projections required in the application which are incorporated into the charter and shall be compared with information provided in the annual report of the charter school.

11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for 4 or 5 years. In order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the district school board. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status

corporation are eligible for up to a 15-year charter, subject to approval by the district school board. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location. The sponsor may not require a charter school to have a certificate of occupancy or a temporary certificate of occupancy for such a facility earlier than 15 calendar days before the first day of school.

14. The qualifications to be required of the teachers and the potential strategies used to recruit, hire, train, and retain qualified staff to achieve best value.

15. The governance structure of the school, including the status of the charter school as a public or private employer as required in paragraph (12)(i).

16. A timetable for implementing the charter which addresses the implementation of each element thereof and the date by which the charter shall be awarded in order to meet this timetable.

17. In the case of an existing public school that is being converted to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach in the charter school after conversion in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

19. Implementation of the activities authorized under s. 1002.331 by the charter school when it satisfies the eligibility requirements for a high-performing charter school. A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable.

(25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER SCHOOL SYSTEMS.—A charter school *system's governing board system* shall be designated a local educational agency for the purpose of receiving federal funds, the same as though the charter school system were a school district, if the governing board of the charter school system has adopted and filed a resolution with its sponsoring district school board and the Department of Education in which the governing board of the charter school system accepts the full responsibility for all local education agency requirements and the charter school system meets all of the following:

- (a) Includes both conversion charter schools and nonconversion charter schools;
- (b) Has all schools located in the same county;
- (c) Has a total enrollment exceeding the total enrollment of at least one school district in the state;
- (d) Has the same governing board; and
- (e) Does not contract with a for-profit service provider for management of school operations.

Such designation does not apply to other provisions unless specifically provided in law.

Section 25. Paragraph (g) of subsection (4) and paragraph (d) of subsection (6) of section 1002.34, Florida Statutes, are amended to read:

1002.34 Charter technical career centers.—

(4) CHARTER.—A sponsor may designate centers as provided in this section. An application to establish a center may be submitted by a sponsor or another organization that is determined, by rule of the State Board of Education, to be appropriate. However, an independent school is not eligible for status as a center. The charter must be signed by the governing body of the center and the sponsor and must be approved by the district school board and Florida College System institution board of trustees in whose geographic region the facility is located. If a charter technical career center is established by the conversion to charter status of a public technical center formerly governed by a district school board, the charter status of that center takes precedence in any question of governance. The governance of the center or of any program within the center remains with its board of directors unless the board agrees to a change in governance or its charter is revoked as provided in subsection (15). Such a conversion charter technical career center is not affected by a change in the governance of public technical centers or of programs within other centers that are or have been governed by district school boards. A charter technical career center, or any program within such a center, that was governed by a district school board and transferred to a Florida College System institution prior to the effective date of this act is not affected by this provision. An applicant who wishes to establish a center must submit to the district school board or Florida College System institution board of trustees, or a consortium of one or more of each, an application on a form developed by the Department of Education which includes:

(g) A method for determining whether a student has satisfied the requirements for graduation specified in s. 1002.3105(5), s. 1003.4281, or s. 1003.4282 ~~1003.428~~ or s. 1003.429 and for completion of a post-secondary certificate or degree.

Students at a center must meet the same testing and academic performance standards as those established by law and rule for students at public schools and public technical centers. The students must also meet any additional assessment indicators that are included within the charter approved by the district school board or Florida College System institution board of trustees.

(6) SPONSOR.—A district school board or Florida College System institution board of trustees or a consortium of one or more of each may sponsor a center in the county in which the board has jurisdiction.

(d)1. The Department of Education shall offer or arrange for training and technical assistance to *centers which must include applicants in developing and amending business plans, and estimating and accounting for costs and income, complying with state and federal grant and student performance accountability reporting requirements, implementing good business practices.* ~~This assistance shall address estimating startup costs, projecting enrollment, and identifying the types and amounts of state and federal financial aid assistance the center may be eligible to receive. The training shall include instruction in accurate financial planning and good business practices.~~

2. An applicant must participate in the training provided by the department ~~after approval of its of Education before filing an application but at least 30 days before the first day of classes at the center.~~ The department of Education may provide technical assistance to an applicant upon written request.

Section 26. Paragraphs (a) and (b) of subsection (1) and subsection (3) of section 1002.345, Florida Statutes, are amended to read:

1002.345 Determination of deteriorating financial conditions and financial emergencies for charter schools and charter technical career centers.—This section applies to charter schools operating pursuant to s. 1002.33 and to charter technical career centers operating pursuant to s. 1002.34.

(1) EXPEDITED REVIEW; REQUIREMENTS.—

(a) A charter school or a charter technical career center is subject to an expedited review by the sponsor if one of the following occurs:

1. Failure to provide for an audit required by s. 218.39.

2. Failure to comply with reporting requirements pursuant to s. 1002.33(9) or s. 1002.34(11)(f) or (14).

3. A deteriorating financial condition identified through an annual audit pursuant to s. 218.39(5), ~~or a monthly financial statement pursuant to s. 1002.33(9)(g) or s. 1002.34(11)(f), or a quarterly financial statement pursuant to s. 1002.331(2)(c).~~ "Deteriorating financial condition" means a circumstance that significantly impairs the ability of a charter school or a charter technical career center to generate enough revenues to meet its expenditures without causing the occurrence of a condition described in s. 218.503(1).

4. Notification pursuant to s. 218.503(2) that one or more of the conditions specified in s. 218.503(1) have occurred or will occur if action is not taken to assist the charter school or charter technical career center.

(b) A sponsor shall notify the governing board *and the Commissioner of Education* within 7 business days after one or more of the conditions specified in paragraph (a) occur.

~~(3) REPORT.—The Commissioner of Education shall annually report to the State Board of Education each charter school and charter technical career center that is subject to a financial recovery plan or a corrective action plan under this section.~~

Section 27. Paragraph (a) of subsection (2) of section 1002.39, Florida Statutes, is amended to read:

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

(2) JOHN M. MCKAY SCHOLARSHIP ELIGIBILITY.—The parent of a student with a disability may request and receive from the state a John M. McKay Scholarship for the child to enroll in and attend a private school in accordance with this section if:

(a) The student has:

1. Received specialized instructional services under the Voluntary Prekindergarten Education Program pursuant to s. 1002.66 during the previous school year and the student has a current individual educational plan developed by the local school board in accordance with rules of the State Board of Education for the John M. McKay Scholarships for Students with Disabilities Program or a 504 accommodation plan has been issued under s. 504 of the Rehabilitation Act of 1973; *or*

2. Spent the prior school year in attendance at a Florida public school or the Florida School for the Deaf and the Blind. For purposes of this subparagraph, prior school year in attendance means that the student was enrolled and reported by:

a. A school district for funding during the preceding October and February Florida Education Finance Program surveys in kindergarten through grade 12, which includes time spent in a Department of Juvenile Justice commitment program if funded under the Florida Education Finance Program;

b. The Florida School for the Deaf and the Blind during the preceding October and February student membership surveys in kindergarten through grade 12; *or*

c. A school district for funding during the preceding October and February Florida Education Finance Program surveys, was at least 4 years of age when so enrolled and reported, and was eligible for services under s. 1003.21(1)(e); ~~or~~

~~3. Been enrolled and reported by a school district for funding, during the October and February Florida Education Finance Program surveys, in any of the 5 years prior to the 2010-2011 fiscal year; has a current individualized educational plan developed by the district school board in accordance with rules of the State Board of Education for the John M. McKay Scholarship Program no later than June 30, 2011; and receives a first-time John M. McKay scholarship for the 2011-2012 school year. Upon request of the parent, the local school district shall complete a matrix of services as required in subparagraph (5)(b)1. for a student~~

~~requesting a current individualized educational plan in accordance with the provisions of this subparagraph.~~

However, a dependent child of a member of the United States Armed Forces who transfers to a school in this state from out of state or from a foreign country due to a parent's permanent change of station orders is exempt from this paragraph but must meet all other eligibility requirements to participate in the program.

Section 28. Subsection (5) of section 1002.41, Florida Statutes, is amended to read:

1002.41 Home education programs.—

(5) Home education students may participate in the Bright Futures Scholarship Program in accordance with the provisions of ss. ~~1009.53-1009.538~~ ~~1009.53-1009.539~~.

Section 29. *Section 1002.415, Florida Statutes, is repealed.*

Section 30. Paragraph (b) of subsection (4) and subsection (10) of section 1002.45, Florida Statutes, are amended to read:

1002.45 Virtual instruction programs.—

(4) CONTRACT REQUIREMENTS.—Each contract with an approved provider must at minimum:

(b) Provide a method for determining that a student has satisfied the requirements for graduation in s. ~~1002.3105(5)~~, s. ~~1003.4281~~, ~~1003.428~~ or s. 1003.4282 if the contract is for the provision of a full-time virtual instruction program to students in grades 9 through 12.

(10) MARKETING.—Each school district shall provide information to parents and students about the ~~parents and~~ student's right to participate in a virtual instruction program under this section and in courses offered by the Florida Virtual School under s. 1002.37.

Section 31. Paragraph (c) of subsection (2) of section 1002.455, Florida Statutes, is amended to read:

1002.455 Student eligibility for K-12 virtual instruction.—

(2) A student is eligible to participate in virtual instruction if:

(c) The student was enrolled during the prior school year in a virtual instruction program under s. 1002.45, ~~the K-8 Virtual School Program under s. 1002.415~~, or a full-time Florida Virtual School program under s. 1002.37(8)(a);

Section 32. *Section 1002.65, Florida Statutes, is repealed.*

Section 33. Subsection (14) of section 1003.01, Florida Statutes, is amended to read:

1003.01 Definitions.—As used in this chapter, the term:

(14) "Core-curricula courses" means:

(a) Courses in language arts/reading, mathematics, social studies, and science in prekindergarten through grade 3, excluding ~~any~~ extracurricular courses pursuant to subsection (15);

(b) Courses in grades 4 through 8 in subjects that are measured by state assessment at any grade level and courses required for middle school promotion, excluding ~~any~~ extracurricular courses pursuant to subsection (15);

(c) Courses in grades 9 through 12 in subjects that are measured by state assessment at any grade level and courses that are specifically identified by name in statute as required for high school graduation and that are not measured by state assessment, excluding ~~any~~ extracurricular courses pursuant to subsection (15);

(d) Exceptional student education courses; and

(e) English for Speakers of Other Languages courses.

The term is limited in meaning and used for the sole purpose of designating classes that are subject to the maximum class size requirements



established in s. 1, Art. IX of the State Constitution. This term does not include courses offered under ss. 1002.321(4)(e), 1002.33(7)(a)2.b., 1002.37, ~~1002.415~~, 1002.45, and 1003.499.

Section 34. Paragraph (d) of subsection (1) of section 1003.02, Florida Statutes, is amended to read:

1003.02 District school board operation and control of public K-12 education within the school district.—As provided in part II of chapter 1001, district school boards are constitutionally and statutorily charged with the operation and control of public K-12 education within their school district. The district school boards must establish, organize, and operate their public K-12 schools and educational programs, employees, and facilities. Their responsibilities include staff development, public K-12 school student education including education for exceptional students and students in juvenile justice programs, special programs, adult education programs, and career education programs. Additionally, district school boards must:

(1) Provide for the proper accounting for all students of school age, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students in the following fields:

(d) Courses of study and instructional materials.—

1. Provide adequate instructional materials for all students as follows and in accordance with the requirements of chapter 1006, in the core courses of mathematics, language arts, social studies, science, reading, and literature, except for instruction for which the school advisory council approves the use of a program that does not include a textbook as a major tool of instruction.

2. Adopt courses of study for use in the schools of the district.

3. Provide for proper requisitioning, distribution, accounting, storage, care, and use of all instructional materials as may be needed, and ensure that instructional materials used in the district are consistent with the district goals and objectives and the *course descriptions curriculum frameworks* approved by the State Board of Education, as well as with the state and school district performance standards required by law and state board rule.

Section 35. Paragraph (c) of subsection (3) and subsection (6) of section 1003.03, Florida Statutes, are amended to read:

1003.03 Maximum class size.—

(3) IMPLEMENTATION OPTIONS.—District school boards must consider, but are not limited to, implementing the following items in order to meet the constitutional class size maximums described in subsection (1):

(c)1. Repeal district school board policies that require students to earn more than the 24 credits ~~required under s. 1003.428~~ to graduate from high school.

2. Implement the early graduation ~~options~~ *option* provided in ss. 1002.3105(5) and ~~s.~~ 1003.4281.

(6) COURSES FOR COMPLIANCE.—Consistent with s. ~~the provisions in ss.~~ 1003.01(14) and ~~1003.428~~, the Department of Education shall identify from the Course Code Directory the core-curricula courses for the purpose of satisfying the maximum class size requirement in this section. The department may adopt rules to implement this subsection, if necessary.

Section 36. Subsection (3) of section 1003.41, Florida Statutes, is amended to read:

1003.41 Next Generation Sunshine State Standards.—

(3) The Commissioner of Education, as needed, shall develop and submit proposed revisions to the standards for review and comment by Florida educators, school administrators, representatives of the Florida College System institutions and state universities who have expertise in the content knowledge and skills necessary to prepare a student for postsecondary education and careers, business and industry leaders, and the public. The commissioner, after considering reviews and comments,

shall submit the proposed revisions to the State Board of Education for adoption. ~~In addition, the commissioner shall prepare an analysis of the costs associated with implementing a separate, one-half credit course in financial literacy, including estimated costs for instructional personnel, training, and the development or purchase of instructional materials. The commissioner shall work with one or more nonprofit organizations with proven expertise in the area of personal finance, consider free resources that can be utilized for instructional materials, and provide data on the implementation of such a course in other states. The commissioner shall provide the cost analysis to the President of the Senate and the Speaker of the House of Representatives by October 1, 2013.~~

Section 37. Paragraphs (b) and (c) of subsection (1) and subsections (2) and (3) of section 1003.4156, Florida Statutes, are amended to read:

1003.4156 General requirements for middle grades promotion.—

(1) In order for a student to be promoted to high school from a school that includes middle grades 6, 7, and 8, the student must successfully complete the following courses:

(b) Three middle grades or higher courses in mathematics. Each school that includes middle grades must offer at least one high school level mathematics course for which students may earn high school credit. Successful completion of a high school level Algebra I or Geometry course is not contingent upon the student's performance on the statewide, standardized end-of-course (EOC) assessment ~~or, upon transition to common core assessments, the common core Algebra I or geometry assessments required under s. 1008.22~~. However, beginning with the ~~2011-2012 school year~~, To earn high school credit for Algebra I, a middle grades student must take the statewide, standardized Algebra I EOC assessment and pass the course, and in addition, beginning with the 2013-2014 school year and thereafter, a student's performance on the Algebra I EOC assessment constitutes 30 percent of the student's final course grade. ~~pass the Algebra I statewide, standardized assessment, and beginning with the 2012-2013 school year~~. To earn high school credit for a Geometry course, a middle grades student must take the statewide, standardized Geometry EOC assessment, which constitutes 30 percent of the student's final course grade, and earn a passing grade in the course.

(c) Three middle grades or higher courses in social studies. Beginning with students entering grade 6 in the 2012-2013 school year, one of these courses must be at least a one-semester civics education course that includes the roles and responsibilities of federal, state, and local governments; the structures and functions of the legislative, executive, and judicial branches of government; and the meaning and significance of historic documents, such as the Articles of Confederation, the Declaration of Independence, and the Constitution of the United States. Beginning with the 2013-2014 school year, each student's performance on the statewide, standardized EOC assessment in civics education required under s. 1008.22 constitutes 30 percent of the student's final course grade. *A middle grades student who transfers into the state's public school system from out of country, out of state, a private school, or a home education program after the beginning of the second term of grade 8 is not required to meet the civics education requirement for promotion from the middle grades if the student's transcript documents passage of three courses in social studies or two year-long courses in social studies that include coverage of civics education.*

Each school must inform parents about the course curriculum and activities. Each student shall complete a personal education plan that must be signed by the student and the student's parent. The Department of Education shall develop course frameworks and professional development materials for the career and education planning course. The course may be implemented as a stand-alone course or integrated into another course or courses. The Commissioner of Education shall collect longitudinal high school course enrollment data by student ethnicity in order to analyze course-taking patterns.

(2) If a middle grades student scores Level 1 or Level 2 on the *statewide, standardized FCAT Reading assessment* or, when implemented, ~~the state transitions to common core assessments on the English Language Arts (ELA) assessment assessments required under s. 1008.22~~, the following year the student must enroll in and complete a remedial course or a content area course in which remediation strategies are incorporated into course content delivery. The department shall provide

guidance on appropriate strategies for diagnosing and meeting the varying instructional needs of students performing below grade level.

(3) If a middle grades student scores Level 1 or Level 2 on the statewide, standardized FCAT Mathematics assessment or, when the state transitions to common core assessments, on the mathematics common core assessments required under s. 1008.22, the following year the student must receive remediation, which may be integrated into the student's required mathematics courses.

Section 38. Section 1003.428, Florida Statutes, is repealed.

Section 39. Subsection (1) of section 1003.4281, Florida Statutes, is amended to read:

1003.4281 Early high school graduation.—

(1) The purpose of this section is to provide a student the option of early graduation and receipt of a standard high school diploma if the student earns 24 credits and meets the graduation requirements set forth in s. 1003.428 or s. 1003.4282, as applicable. For purposes of this section, the term "early graduation" means graduation from high school in less than 8 semesters or the equivalent.

Section 40. Paragraphs (a), (b), (c), and (f) of subsection (3), subsections (4), (5), (7), and (8), and paragraphs (a) and (c) of subsection (9) of section 1003.4282, Florida Statutes, are amended, subsection (10) is renumbered as subsection (11), and a new subsection (10) is added to that section, to read:

1003.4282 Requirements for a standard high school diploma.—

(3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT REQUIREMENTS.—

(a) Four credits in English Language Arts (ELA).—The four credits must be in ELA I, II, III, and IV. A student must pass the statewide, standardized 10th grade 10 FCAT Reading assessment or, when implemented, the until the state transitions to a common core 10th grade 10 ELA assessment, or earn a concordant score, after which time a student must pass the ELA assessment in order to earn a standard high school diploma.

(b) Four credits in mathematics.—A student must earn one credit in Algebra I and one credit in Geometry. A student's performance on the statewide, standardized Algebra I end-of-course (EOC) assessment or common core assessment, as applicable, constitutes 30 percent of the student's final course grade. A student must pass the statewide, standardized Algebra I EOC assessment, or earn a comparative score, until the state transitions to a common core Algebra I assessment after which time a student must pass the common core assessment in order to earn a standard high school diploma. A student's performance on the statewide, standardized Geometry EOC assessment or common core assessment, as applicable, constitutes 30 percent of the student's final course grade. If when the state administers a statewide, standardized common core Algebra II assessment, a student selecting Algebra II must take the assessment, and the student's performance on the assessment constitutes 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for Algebra I and Geometry. Industry certification courses that lead to college credit may substitute for up to two math credits.

(c) Three credits in science.—Two of the three required credits must have a laboratory component. A student must earn one credit in Biology I and two credits in equally rigorous courses. The statewide, standardized Biology I EOC assessment constitutes 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one science credit, except for Biology I. Industry certification courses that lead to college credit may substitute for up to one science credit.

(f) One credit in physical education.—Physical education must include the integration of health. Participation in an interscholastic sport at the junior varsity or varsity level for two full seasons shall satisfy the one-credit requirement in physical education if the student passes a

competency test on personal fitness with a score of "C" or better. The competency test on personal fitness developed by the Department of Education must be used. A district school board may not require that the one credit in physical education be taken during the 9th grade year. Completion of one semester with a grade of "C" or better in a marching band class, in a physical activity class that requires participation in marching band activities as an extracurricular activity, or in a dance class shall satisfy one-half credit in physical education or one-half credit in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an individual education plan (IEP) or 504 plan. Completion of 2 years in a Reserve Officer Training Corps (R.O.T.C.) class, a significant component of which is drills, shall satisfy the one-credit requirement in physical education and the one-credit requirement in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an IEP or 504 plan. This requirement is subject to all of the provisions in s. 1003.428(2)(a)6.

(4) ONLINE COURSE REQUIREMENT.—Excluding a driver education course, At least one course within the 24 credits required under this section must be completed through online learning. Beginning with students entering grade 9 in the 2013-2014 school year, the required on-line course may not be a driver education course. A school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester. An online course taken in grade 6, grade 7, or grade 8 fulfills this requirement. This requirement is met through an online course offered by the Florida Virtual School, a virtual education provider approved by the State Board of Education, a high school, or an online dual enrollment course. A student who is enrolled in a full-time or part-time virtual instruction program under s. 1002.45 meets this requirement. This requirement does not apply to a student who has an individual education plan under s. 1003.57 which indicates that an online course would be inappropriate or to an out-of-state transfer student who is enrolled in a Florida high school and has 1 academic year or less remaining in high school.

(5) REMEDIATION FOR HIGH SCHOOL STUDENTS.—

(a) Each year a student scores Level 1 or Level 2 on the statewide, standardized 9th grade 9 or 10th grade 10 FCAT Reading assessment or, when implemented, the 9th grade 9, 10th grade 10, or 11th grade 11 ELA assessment common core English Language Arts (ELA) assessments, the student must be enrolled in and complete an intensive remedial course the following year or be placed in a content area course that includes remediation of skills not acquired by the student.

(b) Each year a student scores Level 1 or Level 2 on the statewide, standardized Algebra I EOC assessment, or upon transition to the common core Algebra I assessment, the student must be enrolled in and complete an intensive remedial course the following year or be placed in a content area course that includes remediation of skills not acquired by the student.

(7) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—

(a) A student who earns a cumulative grade point average (GPA) of 2.0 on a 4.0 scale and meets the requirements of this section or s. 1002.3105(5) shall be awarded a standard high school diploma in a form prescribed by the State Board of Education.

(b) An adult student in an adult general education program as provided under s. 1004.93 shall be awarded a standard high school diploma if the student meets the requirements of this section or s. 1002.3105(5), except that:

1. One elective credit may be substituted for the one-credit requirement in fine or performing arts, speech and debate, or practical arts.

2. The requirement that two of the science credits include a laboratory component may be waived by the district school board.

3. The one credit in physical education may be substituted with an elective credit. Notwithstanding any other law to the contrary, all students enrolled in high school as of the 2012-2013 school year who earned a passing grade in Biology I or geometry before the 2013-2014 school year shall be awarded a credit in that course if the student passed the

course. The student's performance on the EOC assessment is not required to constitute 30 percent of the student's final course grade.

(c) A student who ~~earns fails to earn~~ the required 24 credits, or the required 18 credits under s. 1002.3105(5), but fails to pass the assessments required under s. 1008.22(3) or achieve a 2.0 GPA shall be awarded a certificate of completion in a form prescribed by the State Board of Education. However, a student who is otherwise entitled to a certificate of completion may elect to remain in high school either as a full-time student or a part-time student for up to 1 additional year and receive special instruction designed to remedy his or her identified deficiencies.

(8) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.—Beginning with the 2012-2013 school year, if a student transfers to a Florida public high school from out of country, out of state, a private school, or a home education program and the student's transcript shows a ~~mathematics credit in Algebra I a course that requires passage of a statewide, standardized assessment in order to earn a standard high school diploma~~, the student must pass the statewide, standardized Algebra I EOC assessment in order to earn a standard high school diploma unless the student earned a comparative score pursuant to s. 1008.22, passed a statewide assessment in Algebra I that subject administered by the transferring entity, or passed the statewide mathematics assessment the transferring entity uses to satisfy the requirements of the Elementary and Secondary Education Act, 20 U.S.C. s. 6301. If a student's transcript shows a credit in high school reading or English Language Arts II or III, in order to earn a standard high school diploma, the student must take and pass the statewide, standardized grade 10 FCAT Reading assessment or, when implemented, the grade 10 ELA assessment, or earn a concordant score on the SAT or ACT as specified by state board rule or, when the state transitions to common core English Language Arts assessments, earn a passing score on the English Language Arts assessment as required under this section. If a transfer student's transcript shows a final course grade and course credit in Algebra I, Geometry, Biology I, or United States History, the transferring course final grade and credit shall be honored without the student taking the requisite statewide, standardized EOC assessment and without the assessment results constituting 30 percent of the student's final course grade.

(9) CAREER EDUCATION COURSES THAT SATISFY HIGH SCHOOL CREDIT REQUIREMENTS.—

(a) Participation in career education courses engages students in their high school education, increases academic achievement, enhances employability, and increases postsecondary success. By July 1, 2014, the department shall develop, for approval by the State Board of Education, multiple, additional career education courses or a series of courses that meet the requirements set forth in s. 1003.493(2), (4), and (5) and this subsection and allow students to earn credit in both the career education course and courses required for high school graduation under this section and s. ~~ss. 1003.428 and~~ 1003.4281.

1. The state board must determine if sufficient academic standards are covered to warrant the award of academic credit.

2. Career education courses must include workforce and digital literacy skills and the integration of required course content with practical applications and designated rigorous coursework that results in one or more industry certifications or clearly articulated credit or advanced standing in a 2-year or 4-year certificate or degree program, which may include high school junior and senior year work-related internships or apprenticeships. The department shall negotiate state licenses for material and testing for industry certifications. The instructional methodology used in these courses must be comprised of authentic projects, problems, and activities for contextually learning the academics.

(c) Regional consortium service organizations established pursuant to s. 1001.451 shall work with school districts, local workforce boards, postsecondary institutions, and local business and industry leaders to create career education courses that meet the requirements set forth in s. 1003.493(2), (4), and (5) and this subsection that students can take to earn required high school course credits. The regional consortium shall submit course recommendations to the department, on behalf of the consortium member districts, for state board approval. A strong emphasis should be placed on online coursework, digital literacy, and workforce literacy as defined in s. 1004.02(26) ~~1004.02(27)~~. For purposes of providing students the opportunity to earn industry certifications,

consortiums must secure the necessary site licenses and testing contracts for use by member districts.

(10) COHORT TRANSITION TO NEW GRADUATION REQUIREMENTS.—The requirements of this section, in addition to applying to students entering grade 9 in the 2013-2014 school year and thereafter, shall also apply to students entering grade 9 before the 2013-2014 school year, except as otherwise provided in this subsection.

(a) A student entering grade 9 before the 2010-2011 school year must earn:

1. Four credits in English/ELA. A student must pass the statewide, standardized grade 10 Reading assessment, or earn a concordant score, in order to graduate with a standard high school diploma.

2. Four credits in mathematics, which must include Algebra I. A student must pass grade 10 FCAT Mathematics, or earn a concordant score, in order to graduate with a standard high school diploma. A student who takes Algebra I or Geometry after the 2010-2011 school year must take the statewide, standardized EOC assessment for the course but is not required to pass the assessment in order to earn course credit. A student's performance on the Algebra I or Geometry EOC assessment is not required to constitute 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for Algebra I.

3. Three credits in science, two of which must have a laboratory component. A student who takes Biology I after the 2010-2011 school year must take the statewide, standardized Biology I EOC assessment but is not required to pass the assessment in order to earn course credit. A student's performance on the assessment is not required to constitute 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one science credit.

4. Three credits in social studies of which one credit in World History, one credit in United States History, one-half credit in United States Government, and one-half credit in economics is required. A student who takes United States History after the 2011-2012 school year must take the statewide, standardized United States History EOC assessment but the student's performance on the assessment is not required to constitute 30 percent of the student's final course grade.

5. One credit in fine or performing arts, speech and debate, or practical arts as provided in paragraph (3)(e).

6. One credit in physical education as provided in paragraph (3)(f).

7. Eight credits in electives.

(b) A student entering grade 9 in the 2010-2011 school year must earn:

1. Four credits in English/ELA. A student must pass the statewide, standardized grade 10 Reading assessment, or earn a concordant score, in order to graduate with a standard high school diploma.

2. Four credits in mathematics, which must include Algebra I and Geometry. The statewide, standardized Algebra I EOC assessment constitutes 30 percent of the student's final course grade. A student who takes Algebra I or Geometry after the 2010-2011 school year must take the statewide, standardized EOC assessment for the course but is not required to pass the assessment in order to earn course credit. A student's performance on the Geometry EOC assessment is not required to constitute 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for Algebra I and Geometry.

3. Three credits in science, two of which must have a laboratory component. A student who takes Biology I after the 2010-2011 school year must take the statewide, standardized Biology I EOC assessment but is not required to pass the assessment in order to earn course credit. A

student's performance on the assessment is not required to constitute 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one science credit, except for Biology I.

4. Three credits in social studies of which one credit in World History, one credit in United States History, one-half credit in United States Government, and one-half credit in economics is required. A student who takes United States History after the 2011-2012 school year must take the statewide, standardized United States History EOC assessment but the student's performance on the assessment is not required to constitute 30 percent of the student's final course grade.

5. One credit in fine or performing arts, speech and debate, or practical arts as provided in paragraph (3)(e).

6. One credit in physical education as provided in paragraph (3)(f).

7. Eight credits in electives.

(c) A student entering grade 9 in the 2011-2012 school year must earn:

1. Four credits in English/ELA. A student must pass the statewide, standardized grade 10 Reading assessment, or earn a concordant score, in order to graduate with a standard high school diploma.

2. Four credits in mathematics, which must include Algebra I and Geometry. A student who takes Algebra I after the 2010-2011 school year must pass the statewide, standardized Algebra I EOC assessment, or earn a comparative score, in order to earn a standard high school diploma. A student who takes Algebra I or Geometry after the 2010-2011 school year must take the statewide, standardized EOC assessment but is not required to pass the Algebra I or Geometry EOC assessment in order to earn course credit. A student's performance on the Algebra I or Geometry EOC assessment is not required to constitute 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for Algebra I and Geometry.

3. Three credits in science, two of which must have a laboratory component. One of the science credits must be Biology I. A student who takes Biology I after the 2010-2011 school year must take the statewide, standardized Biology I EOC assessment but is not required to pass the assessment in order to earn course credit. A student's performance on the assessment is not required to constitute 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one science credit, except for Biology I.

4. Three credits in social studies of which one credit in World History, one credit in United States History, one-half credit in United States Government, and one-half credit in economics is required. A student who takes United States History after the 2011-2012 school year student must take the statewide, standardized United States History EOC assessment but the student's performance on the assessment is not required to constitute 30 percent of the student's final course grade.

5. One credit in fine or performing arts, speech and debate, or practical arts as provided in paragraph (3)(e).

6. One credit in physical education as provided in paragraph (3)(f).

7. Eight credits in electives.

8. One online course as provided in subsection (4).

(d) A student entering grade 9 in the 2012-2013 school year must earn:

1. Four credits in English/ELA. A student must pass the statewide, standardized grade 10 Reading assessment, or earn a concordant score, in order to graduate with a standard high school diploma.

2. Four credits in mathematics, which must include Algebra I and Geometry. A student who takes Algebra I after the 2010-2011 school year

must pass the statewide, standardized Algebra I EOC assessment, or earn a comparative score, in order to earn a standard high school diploma. A student who takes Geometry after the 2010-2011 school year must take the statewide, standardized Geometry EOC assessment. A student is not required to pass the statewide, standardized EOC assessment in Algebra I or Geometry in order to earn course credit. A student's performance on the Algebra I or Geometry EOC assessment is not required to constitute 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for Algebra I and Geometry.

3. Three credits in science, two of which must have a laboratory component. One of the science credits must be Biology I. A student who takes Biology I after the 2010-2011 school year must take the statewide, standardized Biology I EOC assessment but is not required to pass the assessment to earn course credit. A student's performance on the assessment is not required to constitute 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one science credit, except for Biology I.

4. Three credits in social studies of which one credit in World History, one credit in United States History, one-half credit in United States Government, and one-half credit in economics is required. The statewide, standardized United States History EOC assessment constitutes 30 percent of the student's final course grade.

5. One credit in fine or performing arts, speech and debate, or practical arts as provided in paragraph (3)(e).

6. One credit in physical education as provided in paragraph (3)(f).

7. Eight credits in electives.

8. One online course as provided in subsection (4).

(e) Policy adopted in rule by the district school board may require for any cohort of students that performance on a statewide, standardized EOC assessment constitute 30 percent of a student's final course grade.

(f) This subsection is repealed July 1, 2020.

Section 41. Subsection (1) of section 1003.4285, Florida Statutes, is amended to read:

1003.4285 Standard high school diploma designations.—

(1) Each standard high school diploma shall include, as applicable, the following designations if the student meets the criteria set forth for the designation:

(a) Scholar designation.—In addition to the requirements of s. ~~ss-1003.428 and~~ 1003.4282, as applicable, in order to earn the Scholar designation, a student must satisfy the following requirements:

1. English Language Arts (ELA).—*Beginning with students entering grade 9 in the 2014-2015 school year* ~~When the state transitions to common core assessments,~~ pass the statewide, standardized ~~11th~~ grade 11 ELA ~~common core~~ assessment.

2. Mathematics.—Earn one credit in Algebra II and one credit in statistics or an equally rigorous course. *Beginning with students entering grade 9 in the 2014-2015 school year* ~~When the state transitions to common core assessments, students must pass~~ the Algebra II and Geometry statewide, standardized assessments ~~common core assessment~~.

3. Science.—Pass the statewide, standardized Biology I EOC ~~end-of-course~~ assessment and earn one credit in chemistry or physics and one credit in a course equally rigorous to chemistry or physics. *However, a student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) Biology course who takes the respective AP, IB, or AICE Biology assessment and earns the minimum score necessary to earn college credit as identified pursuant to s. 1007.27(2) meets the requirement of this subparagraph without having to take the statewide, standardized Biology I EOC assessment.*

4. Social studies.—Pass the statewide, standardized United States History *EOC end-of-course* assessment. *However, a student enrolled in an AP, IB, or AICE course that includes United States History topics who takes the respective AP, IB, or AICE assessment and earns the minimum score necessary to earn college credit as identified pursuant to s. 1007.27(2) meets the requirement of this subparagraph without having to take the statewide, standardized United States History EOC assessment.*

5. Foreign language.—Earn two credits in the same foreign language.

6. Electives.—Earn at least one credit in an Advanced Placement, an International Baccalaureate, an Advanced International Certificate of Education, or a dual enrollment course.

(b) Merit designation.—In addition to the requirements of s. ~~ss. 1003.428 and 1003.4282~~, ~~as applicable~~, in order to earn the Merit designation, a student must attain one or more industry certifications from the list established under s. 1003.492.

Section 42. Section 1003.438, Florida Statutes, is amended to read:

1003.438 Special high school graduation requirements for certain exceptional students.—A student who has been identified, in accordance with rules established by the State Board of Education, as a student with disabilities who has an intellectual disability; an autism spectrum disorder; a language impairment; an orthopedic impairment; an other health impairment; a traumatic brain injury; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; or students who are deaf or hard of hearing or dual sensory impaired shall not be required to meet all requirements of s. 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s. 1003.4282 and shall, upon meeting all applicable requirements prescribed by the district school board pursuant to s. 1008.25, be awarded a special diploma in a form prescribed by the commissioner; however, such special graduation requirements prescribed by the district school board must include minimum graduation requirements as prescribed by the commissioner. Any such student who meets all special requirements of the district school board, but is unable to meet the appropriate special state minimum requirements, shall be awarded a special certificate of completion in a form prescribed by the commissioner. However, this section does not limit or restrict the right of an exceptional student solely to a special diploma or special certificate of completion. Any such student shall, upon proper request, be afforded the opportunity to fully meet all requirements of s. 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s. 1003.4282 through the standard procedures established therein and thereby to qualify for a standard diploma upon graduation.

Section 43. *Subsection (5) of section 1003.451, Florida Statutes, is repealed.*

Section 44. Subsection (1) of section 1003.49, Florida Statutes, is amended to read:

1003.49 Graduation and promotion requirements for publicly operated schools.—

(1) Each state or local public agency, including the Department of Children and Family Services, the Department of Corrections, the boards of trustees of universities and Florida College System institutions, and the Board of Trustees of the Florida School for the Deaf and the Blind, which agency is authorized to operate educational programs for students at any level of grades kindergarten through 12, shall be subject to all applicable requirements of ss. 1002.3105(5), 1003.4281, 1003.4282 ~~1003.428, 1003.429~~, 1008.23, and 1008.25. Within the content of these cited statutes each such state or local public agency or entity shall be considered a “district school board.”

Section 45. Paragraph (e) of subsection (4) of section 1003.493, Florida Statutes, is amended to read:

1003.493 Career and professional academies and career-themed courses.—

(4) Each career and professional academy and secondary school providing a career-themed course must:

(e) Deliver academic content through instruction relevant to the career, including intensive reading and mathematics intervention required

by s. 1003.4282 ~~1003.428~~, with an emphasis on strengthening reading for information skills.

Section 46. Subsection (2) of section 1003.4935, Florida Statutes, is amended to read:

1003.4935 Middle grades career and professional academy courses and career-themed courses.—

(2) Each middle grades career and professional academy or career-themed course must be aligned with at least one high school career and professional academy or career-themed course offered in the district and maintain partnerships with local business and industry and economic development boards. Middle grades career and professional academies and career-themed courses must:

(a) Lead to careers in occupations designated as high-skill, high-wage, and high-demand in the Industry Certification Funding List approved under rules adopted by the State Board of Education;

(b) Integrate content from core subject areas;

(c) Integrate career and professional academy or career-themed course content with intensive reading, English Language Arts, and mathematics pursuant to s. ~~ss. 1003.428 and 1003.4282~~;

(d) Coordinate with high schools to maximize opportunities for middle grades students to earn high school credit;

(e) Provide access to virtual instruction courses provided by virtual education providers legislatively authorized to provide part-time instruction to middle grades students. The virtual instruction courses must be aligned to state curriculum standards for middle grades career and professional academy courses or career-themed courses, with priority given to students who have required course deficits;

(f) Provide instruction from highly skilled professionals who hold industry certificates in the career area in which they teach;

(g) Offer externships; and

(h) Provide personalized student advisement that includes a parent-participation component.

Section 47. Paragraph (a) of subsection (1) of section 1003.57, Florida Statutes, is amended to read:

1003.57 Exceptional students instruction.—

(1)(a) For purposes of providing exceptional student instruction under this section:

1. A school district shall use the following terms to describe the instructional setting for a student with a disability, 6 through 21 years of age, who is not educated in a setting accessible to all children who are together at all times:

a. “Exceptional student education center” or “special day school” means a separate public school to which nondisabled peers do not have access.

b. “Other separate environment” means a separate private school, residential facility, or hospital or homebound program.

c. “Regular class” means a class in which a student spends 80 percent or more of the school week with nondisabled peers.

d. “Resource room” means a classroom in which a student spends between 40 percent to 80 percent of the school week with nondisabled peers.

e. “Separate class” means a class in which a student spends less than 40 percent of the school week with nondisabled peers.

2. A school district shall use the term “inclusion” to mean that a student is receiving education in a general education regular class setting, reflecting natural proportions and age-appropriate heterogeneous groups in core academic and elective or special areas within the school community; a student with a disability is a valued member of the classroom and school community; the teachers and administrators sup-

port universal education and have knowledge and support available to enable them to effectively teach all children; and a ~~teacher student~~ is provided access to technical assistance in best practices, instructional methods, and supports tailored to the student's needs based on current research.

Section 48. Paragraph (a) of subsection (1) of section 1003.621, Florida Statutes, is amended to read:

1003.621 Academically high-performing school districts.—It is the intent of the Legislature to recognize and reward school districts that demonstrate the ability to consistently maintain or improve their high-performing status. The purpose of this section is to provide high-performing school districts with flexibility in meeting the specific requirements in statute and rules of the State Board of Education.

(1) ACADEMICALLY HIGH-PERFORMING SCHOOL DISTRICT.—

(a) A school district is an academically high-performing school district if it meets the following criteria:

1.a. ~~Beginning with the 2004-2005 school year,~~ Earns a grade of “A” under s. 1008.34(7) for 2 consecutive years; and

b. Has no district-operated school that earns a grade of “F” under s. 1008.34;

2. Complies with all class size requirements in s. 1, Art. IX of the State Constitution and s. 1003.03; and

3. Has no material weaknesses or instances of material non-compliance noted in the annual financial audit conducted pursuant to s. 11.45 or s. 218.39.

However, a district in which a district-operated school earns a grade of “F” under s. 1008.34 during the 3-year period may not continue to be designated as an academically high-performing school district during the remainder of that 3-year period. The district must meet the criteria in paragraph (a) in order to be redesignated as an academically high-performing school district.

Section 49. *Subsection (4) of section 1004.02, Florida Statutes, is repealed.*

Section 50. Section 1004.0961, Florida Statutes, is amended to read:

1004.0961 Credit for online courses.—Beginning in the 2015-2016 school year, the State Board of Education *shall adopt rules* and the Board of Governors shall adopt *regulations* ~~rules~~ that enable students to earn academic credit for online courses, including massive open online courses, ~~before~~ ~~prior to~~ initial enrollment at a postsecondary institution. The rules of the State Board of Education and *regulations* ~~rules~~ of the Board of Governors must include procedures for credential evaluation and the award of credit, including, but not limited to, recommendations for credit by the American Council on Education; equivalency and alignment of coursework with appropriate courses; course descriptions; type and amount of credit that may be awarded; and transfer of credit.

Section 51. *Section 1004.3825, Florida Statutes, is repealed.*

Section 52. *Section 1004.387, Florida Statutes, is repealed.*

Section 53. *Subsection (2) of section 1004.445, Florida Statutes, is repealed.*

Section 54. *Section 1004.75, Florida Statutes, is repealed.*

Section 55. Subsections (1), (2), and (7) of section 1004.935, Florida Statutes, are amended to read:

1004.935 Adults with Disabilities Workforce Education Pilot Program.—

(1) The Adults with Disabilities Workforce Education Pilot Program is established in the Department of Education *through June 30, 2016, for* ~~2 years~~ in Hardee, DeSoto, Manatee, and Sarasota Counties to provide the option of receiving a scholarship for instruction at private schools for up to 30 students who:

(a) Have a disability;

(b) Are 22 years of age;

(c) Are receiving instruction from an instructor in a private school to meet the high school graduation requirements in s. ~~1002.3105(5)~~ ~~1003.428~~ or s. 1003.4282;

(d) Do not have a standard high school diploma or a special high school diploma; and

(e) Receive “supported employment services,” which means employment that is located or provided in an integrated work setting with earnings paid on a commensurate wage basis and for which continued support is needed for job maintenance.

As used in this section, the term “student with a disability” includes a student who is documented as having an intellectual disability; a speech impairment; a language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory impairment; an orthopedic impairment; another health impairment; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder.

(2) A student participating in the pilot program may continue to participate in the program until the student graduates from high school or reaches the age of ~~40~~ ~~30~~ years, whichever occurs first.

(7) Funds for the scholarship shall be provided from the appropriation from the school district's Workforce Development Fund in the General Appropriations Act for students who reside in the Hardee County School District, the DeSoto County School District, the Manatee County School District, or the Sarasota County School District. During the ~~2-year~~ pilot program, the scholarship amount granted for an eligible student with a disability shall be equal to the cost per unit of a full-time equivalent adult general education student, multiplied by the adult general education funding factor, and multiplied by the district cost differential pursuant to the formula required by s. 1011.80(6)(a) for the district in which the student resides.

Section 56. *Section 1006.141, Florida Statutes, is repealed.*

Section 57. Subsections (4), (5), and (8) of section 1006.147, Florida Statutes, are amended to read:

1006.147 Bullying and harassment prohibited.—

(4) ~~By December 1, 2008,~~ Each school district shall adopt a policy prohibiting bullying and harassment of ~~a any~~ student or employee of a public K-12 educational institution. Each school district's policy shall be in substantial conformity with the Department of Education's model policy ~~mandated in subsection (5)~~. The school district bullying and harassment policy shall afford all students the same protection regardless of their status under the law. The school district may establish separate discrimination policies that include categories of students. The school district shall involve students, parents, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies in the process of adopting the policy. The school district policy must be implemented in a manner that is ongoing throughout the school year and integrated with a school's curriculum, a school's discipline policies, and other violence prevention efforts. The school district policy must contain, at a minimum, the following components:

(a) A statement prohibiting bullying and harassment.

(b) A definition of bullying and a definition of harassment that include the definitions listed in this section.

(c) A description of the type of behavior expected from each student and employee of a public K-12 educational institution.

(d) The consequences for a student or employee of a public K-12 educational institution who commits an act of bullying or harassment.

(e) The consequences for a student or employee of a public K-12 educational institution who is found to have wrongfully and intentionally accused another of an act of bullying or harassment.

(f) A procedure for reporting an act of bullying or harassment, including provisions that permit a person to anonymously report such an act. However, this paragraph does not permit formal disciplinary action to be based solely on an anonymous report.

(g) A procedure for the prompt investigation of a report of bullying or harassment and the persons responsible for the investigation. The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and begins with a report of such an act. Incidents that require a reasonable investigation when reported to appropriate school authorities shall include alleged incidents of bullying or harassment allegedly committed against a child while the child is en route to school aboard a school bus or at a school bus stop.

(h) A process to investigate whether a reported act of bullying or harassment is within the scope of the district school system and, if not, a process for referral of such an act to the appropriate jurisdiction. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated.

(i) A procedure for providing immediate notification to the parents of a victim of bullying or harassment and the parents of the perpetrator of an act of bullying or harassment, as well as notification to all local agencies where criminal charges may be pursued against the perpetrator.

(j) A procedure to refer victims and perpetrators of bullying or harassment for counseling.

(k) A procedure for including incidents of bullying or harassment in the school's report of data concerning school safety and discipline required under s. 1006.09(6). The report must include each incident of bullying or harassment and the resulting consequences, including discipline and referrals. The report must include in a separate section each reported incident of bullying or harassment that does not meet the criteria of a prohibited act under this section with recommendations regarding such incidents. The Department of Education shall aggregate information contained in the reports.

(l) A procedure for providing instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on identifying, preventing, and responding to bullying or harassment, including instruction on recognizing behaviors that lead to bullying and harassment and taking appropriate preventive action based on those observations.

(m) A procedure for regularly reporting to a victim's parents the actions taken to protect the victim.

(n) A procedure for publicizing the policy, which must include its publication in the code of student conduct required under s. 1006.07(2) and in all employee handbooks.

~~(5) To assist school districts in developing policies prohibiting bullying and harassment, the Department of Education shall develop a model policy that shall be provided to school districts no later than October 1, 2009.~~

~~(7)(9) Distribution of safe schools funds to a school district provided in the 2009-2010 General Appropriations Act is contingent upon and payable to the school district upon the Department of Education's approval of the school district's bullying and harassment policy. The department's approval of each school district's bullying and harassment policy shall be granted upon certification by the department that the school district's policy has been submitted to the department and is in substantial conformity with the department's model bullying and harassment policy as mandated in subsection (5). Distribution of safe schools funds provided to a school district in fiscal year 2010-2011 and thereafter shall be contingent upon and payable to the school district upon the school district's compliance with all reporting procedures contained in this section.~~

Section 58. *Subsection (2) of section 1006.148, Florida Statutes, is repealed.*

Section 59. Paragraph (a) of subsection (3) of section 1006.15, Florida Statutes, is amended to read:

1006.15 Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation.—

(3)(a) To be eligible to participate in interscholastic extracurricular student activities, a student must:

1. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. ~~1002.3105(5) 1003.428~~ or s. ~~1003.4282 1003.429~~.

2. Execute and fulfill the requirements of an academic performance contract between the student, the district school board, the appropriate governing association, and the student's parents, if the student's cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in the courses required by s. ~~1002.3105(5) 1003.428~~ or s. ~~1003.4282 1003.429~~. At a minimum, the contract must require that the student attend summer school, or its graded equivalent, between grades 9 and 10 or grades 10 and 11, as necessary.

3. Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. ~~1002.3105(5) 1003.428~~ or s. ~~1003.4282 1003.429~~ during his or her junior or senior year.

4. Maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct policies described in s. 1006.07(2). If a student is convicted of, or is found to have committed, a felony or a delinquent act that would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student's participation in interscholastic extracurricular activities is contingent upon established and published district school board policy.

Section 60. Subsection (1) and paragraph (a) of subsection (2) of section 1006.28, Florida Statutes, are amended to read:

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials.—

(1) DISTRICT SCHOOL BOARD.—The district school board has the duty to provide adequate instructional materials for all students in accordance with the requirements of this part. The term "adequate instructional materials" means a sufficient number of student or site licenses or sets of materials that are available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software that serve as the basis for instruction for each student in the core *subject areas* ~~courses~~ of mathematics, language arts, social studies, science, reading, and literature. The district school board has the following specific duties:

(a) Courses of study; adoption.—Adopt courses of study for use in the schools of the district.

(b) Instructional materials.—Provide for proper requisitioning, distribution, accounting, storage, care, and use of all instructional materials and furnish such other instructional materials as may be needed. ~~The district school board shall ensure that~~ Instructional materials used *must be in the district* are consistent with the district goals and objectives and the course descriptions established in rule of the State Board of Education, as well as with the *applicable Next Generation Sunshine State and district performance* Standards provided for in s. ~~1003.41 1001.03(1)~~.

(c) Other instructional materials.—Provide such other teaching accessories and aids as are needed for the school district's educational program.

(d) School library media services; establishment and maintenance.—Establish and maintain a program of school library media services for all public schools in the district, including school library media centers, or school library media centers open to the public, and, in addition such traveling or circulating libraries as may be needed for the proper operation of the district school system.



(2) DISTRICT SCHOOL SUPERINTENDENT.—

(a) The district school superintendent has the duty to recommend such plans for improving, providing, distributing, accounting for, and caring for instructional materials and other instructional aids as will result in general improvement of the district school system, as prescribed in this part, in accordance with adopted district school board rules prescribing the duties and responsibilities of the district school superintendent regarding the requisition, purchase, receipt, storage, distribution, use, conservation, records, and reports of, and management practices and property accountability concerning, instructional materials, and providing for an evaluation of any instructional materials to be requisitioned that have not been used previously in the district's schools. The district school superintendent must keep adequate records and accounts for all financial transactions for funds collected pursuant to subsection (3), ~~as a component of the educational service delivery scope in a school district best financial management practices review under s. 1008.35.~~

Section 61. Subsection (2) of section 1006.31, Florida Statutes, is amended to read:

1006.31 Duties of the Department of Education and school district instructional materials reviewer.—The duties of the instructional materials reviewer are:

(2) EVALUATION OF INSTRUCTIONAL MATERIALS.—~~To use evaluate carefully all instructional materials submitted, in order to ascertain which instructional materials, if any, submitted for consideration implement the selection criteria listed in s. 1006.34(2)(b) developed by the department and recommend for adoption only those instructional materials aligned with the Next Generation Sunshine State those curricular objectives included within applicable performance Standards provided for in s. 1003.41 1001.03(1).~~

(a) When recommending instructional materials for use in the schools, each reviewer shall include only instructional materials that accurately portray the ethnic, socioeconomic, cultural, and racial diversity of our society, including men and women in professional, career, and executive roles, and the role and contributions of the entrepreneur and labor in the total development of this state and the United States.

(b) When recommending instructional materials for use in the schools, each reviewer shall include only materials that accurately portray, whenever appropriate, humankind's place in ecological systems, including the necessity for the protection of our environment and conservation of our natural resources and the effects on the human system of the use of tobacco, alcohol, controlled substances, and other dangerous substances.

(c) When recommending instructional materials for use in the schools, each reviewer shall require such materials as he or she deems necessary and proper to encourage thrift, fire prevention, and humane treatment of people and animals.

(d) When recommending instructional materials for use in the schools, each reviewer shall require, when appropriate to the comprehension of students, that materials for social science, history, or civics classes contain the Declaration of Independence and the Constitution of the United States. A reviewer may not recommend any instructional materials for use in the schools which contain any matter reflecting unfairly upon persons because of their race, color, creed, national origin, ancestry, gender, or occupation.

(e) Any instructional material recommended by each reviewer for use in the schools shall be, to the satisfaction of each reviewer, accurate, objective, and current and suited to the needs and comprehension of students at their respective grade levels. Reviewers shall consider for adoption materials developed for academically talented students such as those enrolled in advanced placement courses.

Section 62. Paragraph (b) of subsection (2) of section 1006.34, Florida Statutes, is amended to read:

1006.34 Powers and duties of the commissioner and the department in selecting and adopting instructional materials.—

(2) SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS.—

(b) In the selection of instructional materials, library media, and other reading material used in the public school system, the standards used to determine the propriety of the material shall include:

1. The age of the students who normally could be expected to have access to the material.

2. The educational purpose to be served by the material. ~~In con-~~ ~~sidering instructional materials for classroom use,~~ Priority shall be given to the selection of materials *that align with the Next Generation Sunshine State Standards as provided for in s. 1003.41 which encompass the state and district school board performance standards provided for in s. 1001.03(1) and which include the instructional objectives contained within the curriculum frameworks for career and technical education and adult and adult general education adopted approved* by rule of the State Board of Education under s. 1004.92.

3. The degree to which the material would be supplemented and explained by mature classroom instruction as part of a normal classroom instructional program.

4. The consideration of the broad racial, ethnic, socioeconomic, and cultural diversity of the students of this state.

Any instructional material containing pornography or otherwise prohibited by s. 847.012 may not be used or made available within any public school.

Section 63. Subsection (2) and paragraph (a) of subsection (3) of section 1006.40, Florida Statutes, are amended, and subsection (8) is added to that section, to read:

1006.40 Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books.—

(2) Each district school board must purchase current instructional materials to provide each student with a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature for kindergarten through grade 12. Such purchase must be made within the first 3 years after the effective date of the adoption cycle *unless a district school board or a consortium of school districts has implemented an instructional materials program pursuant to s. 1006.283. For the 2012-2013 mathematics adoption, a district using a comprehensive mathematics instructional materials program adopted in the 2009-2010 adoption shall be deemed in compliance with this subsection if it provides each student with such additional state adopted materials as may be necessary to align the previously adopted comprehensive program to common core standards and the other criteria of the 2012-2013 mathematics adoption.*

(3)(a) *Beginning with* ~~By~~ the 2015-2016 fiscal year, each district school board shall use at least 50 percent of the annual allocation for the purchase of digital or electronic instructional materials that align with state standards included on the state-adopted list, except as otherwise authorized in paragraphs (b) and (c). ~~This section does not apply to a district school board or a consortium of school districts which implements an instructional materials program pursuant to s. 1006.283, except that by the 2015-2016 fiscal year, each district school board shall use at least 50 percent of the annual allocation for the purchase of digital or electronic instructional materials that align with state standards.~~

(8) *Subsections (3), (4), and (6) do not apply to a district school board or a consortium of school districts that implements an instructional materials program pursuant to s. 1006.283 except that, by the 2015-2016 fiscal year, each district school board shall use at least 50 percent of the annual instructional materials allocation for the purchase of digital or electronic instructional materials that align with state standards adopted by the State Board of Education pursuant to s. 1003.41.*

Section 64. Section 1006.42, Florida Statutes, is amended to read:

1006.42 Responsibility of students and parents for instructional materials.—

(4) All instructional materials purchased under the provisions of this part are the property of the district school board. When distributed to the

students, these instructional materials are on loan to the students while they are pursuing their courses of study and are to be returned at the direction of the school principal or the teacher in charge. Each parent of a student to whom or for whom instructional materials have been issued, is liable for any loss or destruction of, or unnecessary damage to, the instructional materials or for failure of the student to return the instructional materials when directed by the school principal or the teacher in charge, and shall pay for such loss, destruction, or unnecessary damage as provided *under s. 1006.28(3) by law.*

~~(2) Nothing in this part shall be construed to prohibit parents from exercising their right to purchase instructional materials from the district school board.~~

Section 65. Section 1007.02, Florida Statutes, is amended to read:

~~1007.02 Access to postsecondary education and meaningful careers for Students with disabilities; popular name; definition.—~~

~~(1) This section shall be known by the popular name the “Enhanced New Needed Opportunity for Better Life and Education for Students with Disabilities (ENNOBLES) Act.”~~

~~(2) For the purposes of this chapter act, the term “student with a disability” means a any student who is documented as having an intellectual disability; a hearing impairment, including deafness; a speech or language impairment; a visual impairment, including blindness; an emotional or behavioral disability; an orthopedic or other health impairment; an autism spectrum disorder; a traumatic brain injury; or a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia.~~

Section 66. Paragraph (a) of subsection (1) and subsection (3) of section 1007.2615, Florida Statutes, are amended to read:

1007.2615 American Sign Language; findings; foreign-language credits authorized; teacher licensing.—

(1) LEGISLATIVE FINDINGS; PURPOSE.—

(a) The Legislature finds that:

1. American Sign Language (ASL) is a fully developed visual-gestural language with distinct grammar, syntax, and symbols and is one of hundreds of signed languages of the world.

2. ASL is recognized as the language of the American deaf community and is the fourth most commonly used language in the United States and Canada.

3. The American deaf community is a group of citizens who are members of a unique culture who share ASL as their common language.

~~4. Thirty three state legislatures have adopted legislation recognizing ASL as a language that should be taught in schools.~~

(3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE BOARD OF EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE TEACHERS; PLAN FOR POSTSECONDARY EDUCATION PROVIDERS.—

~~(a) The Commissioner of Education shall appoint a seven member task force that includes representatives from two state universities and one private college or university located within this state which currently offer a 4 year deaf education or sign language interpretation program as a part of their respective curricula, two representatives from the Florida American Sign Language Teachers’ Association (FASLTA), and two representatives from Florida College System institutions located within this state which have established Interpreter Training Programs (ITPs). This task force shall develop and submit to the Commissioner of Education a report that contains the most up to date information about American Sign Language (ASL) and guidelines for developing and maintaining ASL courses as a part of the curriculum. This information must be made available to any administrator of a public or an independent school upon request of the administrator.~~

~~(a)(b) By January 1, 2005, The State Board of Education shall adopt rules establishing licensing/certification standards to be applied to teachers who teach American Sign Language (ASL) ASL as part of a school~~

~~curriculum. In developing the rules, the state board shall consult with the task force established under paragraph (a).~~

~~(b)(e) An ASL teacher must be certified by the Department of Education by July 1, 2009.~~

~~(c)(d) The Commissioner of Education shall work with providers of postsecondary education, except for state universities, to develop and implement a plan to ensure that these institutions in this state will accept secondary school credits in ASL as credits in a foreign language and to encourage postsecondary institutions to offer ASL courses to students as a fulfillment of the requirement for studying a foreign language.~~

Section 67. Subsection (4) of section 1007.263, Florida Statutes, is amended to read:

1007.263 Florida College System institutions; admissions of students.—Each Florida College System institution board of trustees is authorized to adopt rules governing admissions of students subject to this section and rules of the State Board of Education. These rules shall include the following:

(4) A student who has been awarded a special diploma ~~under as defined in s. 1003.438~~ or a certificate of completion ~~under as defined in s. 1003.4282 1003.428(7)(b)~~ is eligible to enroll in certificate career education programs.

Each board of trustees shall establish policies that notify students about developmental education options for improving their communication or computation skills that are essential to performing college-level work, including tutoring, extended time in gateway courses, free online courses, adult basic education, adult secondary education, or private provider instruction.

Section 68. Subsection (1) of section 1007.264, Florida Statutes, is amended to read:

1007.264 Persons with disabilities; admission to postsecondary educational institutions; substitute requirements; rules and regulations.—

(1) A ~~Any~~ student with a disability, ~~as defined in s. 1007.02(2)~~, who is otherwise eligible shall be eligible for reasonable substitution for any requirement for admission into a public postsecondary educational institution where documentation can be provided that the person’s failure to meet the admission requirement is related to the disability.

Section 69. Subsection (1) of section 1007.265, Florida Statutes, is amended to read:

1007.265 Persons with disabilities; graduation, study program admission, and upper-division entry; substitute requirements; rules and regulations.—

(1) A ~~Any~~ student with a disability, ~~as defined in s. 1007.02(2)~~, in a public postsecondary educational institution shall be eligible for reasonable substitution for any requirement for graduation, for admission into a program of study, or for entry into the upper division where documentation can be provided that the person’s failure to meet the requirement is related to the disability and where failure to meet the graduation requirement or program admission requirement does not constitute a fundamental alteration in the nature of the program.

Section 70. Subsections (2) and (9) of section 1007.271, Florida Statutes, are amended to read:

1007.271 Dual enrollment programs.—

(2) For the purpose of this section, an eligible secondary student is a student who is enrolled in *any of grades 6 through 12* in a Florida public secondary school or in a Florida private secondary school ~~that~~ which is in compliance with s. 1002.42(2) and provides a secondary curriculum pursuant to ~~s. 1003.428 or s. 1003.4282~~. Students who are eligible for dual enrollment pursuant to this section may enroll in dual enrollment courses conducted during school hours, after school hours, and during the summer term. However, if the student is projected to graduate from high school before the scheduled completion date of a postsecondary course, the student may not register for that course through dual en-

rollment. The student may apply to the postsecondary institution and pay the required registration, tuition, and fees if the student meets the postsecondary institution's admissions requirements under s. 1007.263. Instructional time for dual enrollment may vary from 900 hours; however, the full-time equivalent student membership value shall be subject to the provisions in s. 1011.61(4). ~~Any~~ student enrolled as a dual enrollment student is exempt from the payment of registration, tuition, and laboratory fees. Applied academics for adult education instruction, developmental education, and other forms of precollegiate instruction, as well as physical education courses that focus on the physical execution of a skill rather than the intellectual attributes of the activity, are ineligible for inclusion in the dual enrollment program. Recreation and leisure studies courses shall be evaluated individually in the same manner as physical education courses for potential inclusion in the program.

(9) The Commissioner of Education shall appoint faculty committees representing public school, Florida College System institution, and university faculties to identify postsecondary courses that meet the high school graduation requirements of ~~s. 1003.428~~ or s. 1003.4282 and to establish the number of postsecondary semester credit hours of instruction and equivalent high school credits earned through dual enrollment pursuant to this section that are necessary to meet high school graduation requirements. Such equivalencies shall be determined solely on comparable course content and not on seat time traditionally allocated to such courses in high school. The Commissioner of Education shall recommend to the State Board of Education those postsecondary courses identified to meet high school graduation requirements, based on mastery of course outcomes, by their course numbers, and all high schools shall accept these postsecondary education courses toward meeting the requirements of ~~s. 1003.428~~ or s. 1003.4282.

Section 71. Subsections (3), (7), and (8) of section 1008.22, Florida Statutes, are amended to read:

1008.22 Student assessment program for public schools.—

(3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The Commissioner of Education shall design and implement a statewide, standardized assessment program aligned to the core curricular content established in the Next Generation Sunshine State Standards. The commissioner also must develop or select and implement a common battery of assessment tools that will be used in all juvenile justice education programs in the state. These tools must accurately measure the core curricular content established in the Next Generation Sunshine State Standards. Participation in the assessment program is mandatory for all school districts and all students attending public schools, including *adult* students seeking a *standard* ~~an adult~~ high school diploma under s. 1003.4282 and students in Department of Juvenile Justice education programs, except as otherwise provided by law ~~prescribed by the commissioner~~. If a student does not participate in the assessment program, the school district must notify the student's parent and provide the parent with information regarding the implications of such non-participation. The statewide, standardized assessment program shall be designed and implemented as follows:

(a) *Statewide, standardized comprehensive assessments* ~~Florida Comprehensive Assessment Test (FCAT) until replaced by common core assessments~~.—*The statewide, standardized FCAT Reading assessment shall be administered annually in grades 3 through 10. The statewide, standardized Writing assessment shall be administered annually at least once at the elementary, middle, and high school levels. When the Reading and Writing assessments are replaced by English Language Arts (ELA) assessments, ELA assessments shall be administered to students in grades 3 through 11. Retake opportunities for the grade 10 Reading assessment or, upon implementation, the grade 10 ELA assessment must be provided. Students taking the ELA assessments shall not take the statewide, standardized assessments in Reading or Writing. ELA assessments shall be administered online. The statewide, standardized, FCAT Mathematics assessments shall be administered annually in grades 3 through 8. Students taking a revised Mathematics assessment shall not take the discontinued assessment. The statewide, standardized, FCAT Writing shall be administered annually at least once at the elementary, middle, and high school levels; and FCAT Science assessment shall be administered annually at least once at the elementary and middle grades levels. In order to earn a standard high school diploma, a student who has not earned a passing score on the grade 10 FCAT Reading assessment or, upon implementation, the grade 10 ELA assessment must*

*earn a passing score on the assessment retake or earn a concordant score as authorized under subsection (7) must participate in each retake of the assessment until the student earns a passing score. The commissioner shall recommend and the State Board of Education must adopt a score on both the SAT and ACT that is concordant to a passing score on grade 10 FCAT Reading that, if achieved by a student, meets the must pass requirement for grade 10 FCAT Reading.*

(b) End-of-course (EOC) assessments.—EOC assessments must be statewide, standardized, and developed or approved by the Department of Education as follows:

1. Statewide, standardized EOC assessments in mathematics shall be administered according to this subparagraph. Beginning with the 2010-2011 school year, all students enrolled in Algebra I must take the Algebra I EOC assessment. Except as otherwise provided in *paragraph (c) this section*, beginning with students entering grade 9 in the 2011-2012 school year, a student who is enrolled in Algebra I must earn a passing score on the Algebra I EOC assessment or attain a comparative score as authorized under subsection (8) in order to earn a standard high school diploma. *In order to earn a standard high school diploma, a student who has not earned a passing score on the Algebra I EOC assessment must earn a passing score on the assessment retake or a comparative score as authorized under subsection (8) must participate in each retake of the assessment until the student earns a passing score.* Beginning with the 2011-2012 school year, all students enrolled in Geometry must take the Geometry EOC assessment. Middle grades students enrolled in Algebra I, ~~or~~ *Geometry, or Biology I* must take the statewide, standardized EOC assessment for those courses and ~~shall be~~ *not required to* take the corresponding *subject and grade-level statewide, standardized assessment FCAT. When a statewide, standardized EOC assessment in Algebra II is administered, all students enrolled in Algebra II must take the EOC assessment. Pursuant to the commissioner's implementation schedule, student performance on the Algebra II EOC assessment constitutes 30 percent of a student's final course grade.*

2. Statewide, standardized EOC assessments in science shall be administered according to this subparagraph. Beginning with the 2011-2012 school year, all students enrolled in Biology I must take the Biology I EOC assessment. *Beginning with students entering grade 9 in the 2013-2014 school year, performance on the Biology I EOC assessment constitutes 30 percent of the student's final course grade.*

3. ~~During the 2012-2013 school year, an EOC assessment in civics education shall be administered as a field test at the middle grades level.~~ Beginning with the 2013-2014 school year, each student's performance on the statewide, standardized *middle grades Civics* EOC assessment ~~in civics education~~ constitutes 30 percent of the student's final course grade *in civics education*.

4. The commissioner may select one or more nationally developed comprehensive examinations, which may include examinations for a College Board Advanced Placement course, International Baccalaureate course, or Advanced International Certificate of Education course, or industry-approved examinations to earn national industry certifications identified in the Industry Certification Funding List, for use as EOC assessments under this paragraph if the commissioner determines that the content knowledge and skills assessed by the examinations meet or exceed the grade-level expectations for the core curricular content established for the course in the Next Generation Sunshine State Standards. Use of any such examination as an EOC assessment must be approved by the state board *in rule*.

5. Contingent upon funding provided in the General Appropriations Act, including the appropriation of funds received through federal grants, the commissioner may establish an implementation schedule for the development and administration of additional statewide, standardized EOC assessments that must be approved by the state board, *in rule*. If approved by the state board, student performance on such assessments constitutes 30 percent of a student's final course grade.

6. All statewide, standardized EOC assessments must be administered online except as otherwise provided in paragraph (c).

(c) Students with disabilities; Florida Alternate Assessment.—

1. Each district school board must provide instruction to prepare students with disabilities in the core content knowledge and skills ne-

cessary for successful grade-to-grade progression and high school graduation.

2. A student with a disability, as defined in s. 1007.02 ~~1007.02(2)~~, for whom the individual education plan (IEP) team determines that the statewide, standardized assessments under this section cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have assessment results waived for the purpose of receiving a course grade and a standard high school diploma. Such waiver shall be designated on the student's transcript. *The statement of waiver shall be limited to a statement that performance on an assessment was waived for the purpose of receiving a course grade or a standard high school diploma, as applicable.*

3. The State Board of Education shall adopt rules, based upon recommendations of the commissioner, for the provision of assessment accommodations for students with disabilities and for students who have limited English proficiency.

a. Accommodations that negate the validity of a statewide, standardized assessment are not allowed during the administration of the assessment. However, instructional accommodations are allowed in the classroom if identified in a student's IEP. Students using instructional accommodations in the classroom that are not allowed on a statewide, standardized assessment may have assessment results waived if the IEP team determines that the assessment cannot accurately measure the student's abilities.

b. If a student is provided with instructional accommodations in the classroom that are not allowed as accommodations for statewide, standardized assessments, the district must inform the parent in writing and provide the parent with information regarding the impact on the student's ability to meet expected performance levels. A parent must provide signed consent for a student to receive classroom instructional accommodations that would not be available or permitted on a statewide, standardized assessment and acknowledge in writing that he or she understands the implications of such instructional accommodations.

c. If a student's IEP states that online administration of a statewide, standardized assessment will significantly impair the student's ability to perform, the assessment shall be administered in hard copy.

4. For students with significant cognitive disabilities, the Department of Education shall provide for implementation of the Florida Alternate Assessment to accurately measure the core curricular content established in the Next Generation Sunshine State Standards.

(d) *Implementation schedule* ~~Common core assessments in English Language Arts (ELA) and mathematics.—~~

~~1.—Contingent upon funding, common core assessments in ELA shall be administered to students in grades 3 through 11. Retake opportunities for the grade 10 assessment must be provided. Students taking the ELA assessments are not required to take the assessments in FCAT Reading or FCAT Writing. Common core ELA assessments shall be administered online.~~

~~2.—Contingent upon funding, common core assessments in mathematics shall be administered to all students in grades 3 through 8, and common core assessments in Algebra I, Geometry, and Algebra II shall be administered to students enrolled in those courses. Retake opportunities must be provided for the Algebra I assessment. Students may take the common core mathematics assessments pursuant to the Credit Acceleration Program (CAP) under s. 1003.4295(3). Students taking common core assessments in mathematics are not required to take FCAT Mathematics or statewide, standardized EOC assessments in mathematics. Common core mathematics assessments shall be administered online.~~

~~1.3.~~ The Commissioner ~~State Board~~ of Education shall establish and publish on the department's website ~~adopt rules establishing~~ an implementation schedule to transition from the statewide, standardized FCAT Reading and FCAT Writing assessments to the ELA assessments and to the revised, FCAT Mathematics assessments, including the, and Algebra I and Geometry EOC assessments to common core assessments in English Language Arts and mathematics. The schedule must take into consideration funding, sufficient field and baseline data, access to assessments, instructional alignment, and school district readiness to

administer the ~~common core~~ assessments online. ~~Until the 10th grade common core ELA and Algebra I assessments become must pass assessments, students must pass 10th grade FCAT Reading and the Algebra I EOC assessment, or achieve a concordant or comparative score as authorized under this section, in order to earn a standard high school diploma under s. 1003.4292. Students taking 10th grade FCAT Reading or the Algebra I EOC assessment are not required to take the respective common core assessments.~~

2.4. The Department of Education shall publish minimum and recommended technology requirements that include specifications for hardware, software, networking, security, and broadband capacity to facilitate school district compliance with the requirement that ~~common core~~ assessments be administered online.

(e) Assessment scores and achievement levels.—

1. All statewide, standardized EOC assessments and ~~FCAT~~ Reading, FCAT Writing, and FCAT Science assessments shall use scaled scores and achievement levels. Achievement levels shall range from 1 through 5, with level 1 being the lowest achievement level, level 5 being the highest achievement level, and level 3 indicating satisfactory performance on an assessment. For purposes of the statewide, standardized FCAT Writing assessment, student achievement shall be scored using a scale of 1 through 6.

2. The state board shall designate by rule a passing score for each statewide, standardized EOC and FCAT assessment. ~~In addition, the state board shall designate a score for each statewide, standardized EOC assessment that indicates that a student is high achieving and has the potential to meet college readiness standards by the time the student graduates from high school.~~

3. If the commissioner seeks to revise a statewide, standardized assessment and the revisions require the state board to modify performance level scores, including the passing score, the commissioner shall provide a copy of the proposed scores and implementation plan to the President of the Senate and the Speaker of the House of Representatives at least 90 days before submission to the state board for review. Until the state board adopts the modifications by rule, the commissioner shall use calculations for scoring the assessment that adjust student scores on the revised assessment for statistical equivalence to student scores on the former assessment. The state board shall adopt by rule the passing score for the revised assessment that is statistically equivalent to the passing score on the discontinued assessment for a student who is required to attain a passing score on the discontinued assessment. The commissioner may, with approval of the state board, discontinue administration of the former assessment upon the graduation, based on normal student progression, of students participating in the final regular administration of the former assessment. If the commissioner revises a statewide, standardized assessment and the revisions require the state board to modify the passing score, only students taking the assessment for the first time after the rule is adopted are affected.

(f) Assessment schedules and reporting of results.—The Commissioner of Education shall establish schedules for the administration of assessments and the reporting of student assessment results. The commissioner shall consider the observance of religious and school holidays when developing the schedule. By August 1 of each year, the commissioner shall notify each school district in writing and publish on the department's website the assessment and reporting schedules for, at a minimum, the school year following the upcoming school year. The assessment and reporting schedules must provide the earliest possible reporting of student assessment results to the school districts. Assessment results for the statewide, standardized FCAT Reading assessments, or upon implementation the ELA assessments, and FCAT Mathematics assessments, including the EOC assessments in Algebra I and Geometry, must be made available no later than the week of June 8. The administration of the statewide, standardized FCAT Writing assessment and the Florida Alternate Assessment may be no earlier than the week of March 1. School districts shall administer assessments in accordance with the schedule established by the commissioner.

(g) Prohibited activities.—A district school board shall prohibit each public school from suspending a regular program of curricula for purposes of administering practice assessments or engaging in other assessment-preparation activities for a statewide, standardized assess-

ment. However, a district school board may authorize a public school to engage in the following assessment-preparation activities:

1. Distributing to students sample assessment books and answer keys published by the Department of Education.

2. Providing individualized instruction in assessment-taking strategies, without suspending the school's regular program of curricula, for a student who scores Level 1 or Level 2 on a prior administration of an assessment.

3. Providing individualized instruction in the content knowledge and skills assessed, without suspending the school's regular program of curricula, for a student who scores Level 1 or Level 2 on a prior administration of an assessment or a student who, through a diagnostic assessment administered by the school district, is identified as having a deficiency in the content knowledge and skills assessed.

4. Administering a practice assessment or engaging in other assessment-preparation activities that are determined necessary to familiarize students with the organization of the assessment, the format of assessment items, and the assessment directions or that are otherwise necessary for the valid and reliable administration of the assessment, as set forth in rules adopted by the State Board of Education with specific reference to this paragraph.

(h) Contracts for assessments.—The commissioner shall provide for the assessments to be developed or obtained, as appropriate, through contracts and project agreements with private vendors, public vendors, public agencies, postsecondary educational institutions, or school districts. The commissioner may enter into contracts for the continued administration of the assessments authorized and funded by the Legislature. Contracts may be initiated in 1 fiscal year and continue into the next fiscal year and may be paid from the appropriations of either or both fiscal years. The commissioner may negotiate for the sale or lease of tests, scoring protocols, test scoring services, and related materials developed pursuant to law.

(7) ~~CONCORDANT SCORES FOR 10TH GRADE FCAT READING.~~ ~~Until the state transitions to common core English Language Arts assessments,~~ The Commissioner of Education must identify scores on the SAT and ACT that if achieved satisfy the graduation requirement that a student pass the *grade 10 statewide, standardized 10th grade FCAT Reading assessment or, upon implementation, the grade 10 ELA assessment.* The commissioner may identify concordant scores on other assessments *other than the SAT and ACT as well.* If the content or scoring procedures change for the *grade 10 Reading assessment or, upon implementation, the grade 10 ELA assessment* ~~10th grade FCAT Reading~~, new concordant scores must be determined. If new concordant scores are not timely adopted, the last-adopted concordant scores remain in effect until such time as new scores are adopted. The state board shall adopt concordant scores in rule.

(8) ~~COMPARATIVE SCORES FOR END-OF-COURSE (EOC) ASSESSMENT ASSESSMENTS.~~—The Commissioner of Education must identify one or more comparative scores for the Algebra I EOC assessment ~~and may identify comparative scores for the other EOC assessments.~~ If the content or scoring procedures change for the *EOC assessment assessments*, new comparative scores must be determined. If new comparative scores are not timely adopted, the last-adopted comparative scores remain in effect until such time as new scores are adopted. The state board shall adopt comparative scores in rule.

Section 72. Paragraph (h) of subsection (2), paragraph (a) of subsection (4), paragraph (b) of subsection (6), and paragraph (b) of subsection (7) of section 1008.25, Florida Statutes, are amended to read:

1008.25 Public school student progression; remedial instruction; reporting requirements.—

(2) ~~COMPREHENSIVE STUDENT PROGRESSION PLAN.~~—Each district school board shall establish a comprehensive plan for student progression which must:

(h) Provide instructional sequences by which students in kindergarten through high school may attain progressively higher levels of skill in the use of digital tools and applications. The instructional sequences must include participation in curricular and instructional options and

the demonstration of competence of standards required pursuant to ss. 1003.41 and 1003.4203 through attainment of industry certifications and other means of demonstrating credit requirements identified under ss. 1002.3105, 1003.4203, ~~1003.428~~, and 1003.4282.

(4) ~~ASSESSMENT AND REMEDIATION.~~—

(a) Each student must participate in the statewide, standardized assessment program required by s. 1008.22. Each student who does not meet specific levels of performance on the required assessments as determined by the district school board or who scores below Level 3 on the *statewide, standardized Reading assessment or, upon implementation, the English Language Arts assessment or on the statewide, standardized Mathematics assessments in grades 3 through 8 and the Algebra I EOC assessment* ~~FCAT Reading or FCAT Mathematics or on the common core English Language Arts or mathematics assessments as applicable under s. 1008.22~~ must be provided with additional diagnostic assessments to determine the nature of the student's difficulty, the areas of academic need, and strategies for appropriate intervention and instruction as described in paragraph (b).

(6) ~~ELIMINATION OF SOCIAL PROMOTION.~~—

(b) The district school board may only exempt students from mandatory retention, as provided in paragraph (5)(b), for good cause. Good cause exemptions shall be limited to the following:

1. Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program.

2. Students with disabilities whose individual education plan indicates that participation in the statewide assessment program is not appropriate, consistent with the requirements of s. ~~1008.212~~ ~~State Board of Education rule.~~

3. Students who demonstrate an acceptable level of performance on an alternative standardized reading or English Language Arts assessment approved by the State Board of Education.

4. A student who demonstrates through a student portfolio that he or she is performing at least at Level 2 on the *statewide, standardized FCAT Reading assessment or, upon implementation, the common core English Language Arts assessment,* ~~as applicable under s. 1008.22.~~

5. Students with disabilities who *take the statewide, standardized participate in FCAT Reading assessment or, upon implementation, the common core English Language Arts assessment,* ~~as applicable under s. 1008.22,~~ and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive remediation in reading *or and* English Language Arts for more than 2 years but still demonstrates a deficiency and was previously retained in kindergarten, grade 1, grade 2, or grade 3.

6. Students who have received intensive remediation in reading *or and* English Language Arts, ~~as applicable under s. 1008.22,~~ for 2 or more years but still demonstrate a deficiency and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. Intensive instruction for students so promoted must include an altered instructional day that includes specialized diagnostic information and specific reading strategies for each student. The district school board shall assist schools and teachers to implement reading strategies that research has shown to be successful in improving reading among low-performing readers.

(7) ~~SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE STUDENTS.~~—

(b) Each school district shall:

1. Provide third grade students who are retained under the provisions of paragraph (5)(b) with intensive instructional services and supports to remediate the identified areas of reading deficiency, including participation in the school district's summer reading camp as required under paragraph (a) and a minimum of 90 minutes of daily, uninterrupted, scientifically research-based reading instruction which includes phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district, which may include, but are not limited to:

- a. Integration of science and social studies content within the 90-minute block.
  - b. Small group instruction.
  - c. Reduced teacher-student ratios.
  - d. More frequent progress monitoring.
  - e. Tutoring or mentoring.
  - f. Transition classes containing 3rd and 4th grade students.
  - g. Extended school day, week, or year.
2. Provide written notification to the parent of a ~~any~~ student who is retained under the provisions of paragraph (5)(b) that his or her child has not met the proficiency level required for promotion and the reasons the child is not eligible for a good cause exemption as provided in paragraph (6)(b). The notification must comply with the provisions of s. 1002.20(15) and must include a description of proposed interventions and supports that will be provided to the child to remediate the identified areas of reading deficiency.
3. Implement a policy for the midyear promotion of a ~~any~~ student retained under the provisions of paragraph (5)(b) who can demonstrate that he or she is a successful and independent reader and performing at or above grade level in reading or, upon implementation of ~~and~~ English Language Arts assessments, performing at or above grade level in *English Language Arts*, as applicable under s. ~~1008.22~~. Tools that school districts may use in reevaluating a ~~any~~ student retained may include subsequent assessments, alternative assessments, and portfolio reviews, in accordance with rules of the State Board of Education.
4. Provide students who are retained under the provisions of paragraph (5)(b) with a highly effective teacher as determined by the teacher's performance evaluation under s. 1012.34.
5. Establish at each school, when applicable, an Intensive Acceleration Class for retained grade 3 students who subsequently score Level 1 on the required statewide, standardized assessment identified in s. 1008.22. The focus of the Intensive Acceleration Class shall be to increase a child's reading and English Language Arts skill level at least two grade levels in 1 school year. The Intensive Acceleration Class shall:
- a. Be provided to a ~~any~~ student in grade 3 who scores Level 1 on the statewide, standardized FCAT Reading assessment or, upon implementation, the common core English Language Arts assessment, as applicable under s. ~~1008.22~~, and who was retained in grade 3 the prior year because of scoring Level 1.
  - b. Have a reduced teacher-student ratio.
  - c. Provide uninterrupted reading instruction for the majority of student contact time each day and incorporate opportunities to master the grade 4 Next Generation Sunshine State Standards in other core subject areas.
  - d. Use a reading program that is scientifically research-based and has proven results in accelerating student reading achievement within the same school year.
  - e. Provide intensive language and vocabulary instruction using a scientifically research-based program, including use of a speech-language therapist.
- Section 73. Paragraphs (b) and (c) of subsection (4) and subsections (5) and (7) of section 1008.33, Florida Statutes, are amended to read:
- 1008.33 Authority to enforce public school improvement.—
- (4)
- (b) ~~Except as provided in subsection (5)~~, The turnaround options available to a school district to address a school that earns a grade of "F" are:
1. Convert the school to a district-managed turnaround school;
  2. Reassign students to another school and monitor the progress of each reassigned student;
  3. Close the school and reopen the school as one or more charter schools, each with a governing board that has a demonstrated record of effectiveness;
  4. Contract with an outside entity that has a demonstrated record of effectiveness to operate the school; or
  5. Implement a hybrid of turnaround options set forth in subparagraphs 1.-4. or other turnaround models that have a demonstrated record of effectiveness.
- (c) ~~Except for schools required to implement a turnaround option pursuant to subsection (5)~~, A school earning a grade of "F" shall have a planning year followed by 2 full school years to implement the initial turnaround option selected by the school district and approved by the state board. Implementation of the turnaround option is no longer required if the school improves by at least one letter grade.
- (5) ~~A school that earns a grade of "F" within 2 years after raising its grade from a grade of "F" or that earns a grade of "F" within 2 years after exiting the lowest performing category under s. 3, chapter 2009-144, Laws of Florida, must implement one of the turnaround options in subparagraphs (4)(b)2.-5.~~
- (7) ~~A school classified in the lowest performing category under s. 3, chapter 2009-144, Laws of Florida, before July 1, 2012, is not required to continue implementing any turnaround option unless the school earns a grade of "F" or a third consecutive "D" for the 2011-2012 school year. A school earning a grade of "F" or a third consecutive "D" for the 2011-2012 school year may not restart the number of years it has been low performing by virtue of the 2012 amendments to this section.~~
- Section 74. *Section 1008.331, Florida Statutes, is repealed.*
- Section 75. Subsection (2) of section 1008.3415, Florida Statutes, is amended to read:
- 1008.3415 School grade or school improvement rating for exceptional student education centers.—
- (2) Notwithstanding s. 1008.34(3)(c)3., the achievement scores and learning gains of a student with a disability who attends an exceptional student education center and has not been enrolled in or attended a public school other than an exceptional student education center for grades K-12 within the school district shall not be included in the calculation of the home school's grade if the student is identified as an emergent student on the alternate assessment ~~tool~~ described in s. ~~1008.22(3)(c) 1008.22(3)(e)13~~.
- Section 76. *Section 1008.35, Florida Statutes, is repealed.*
- Section 77. Subsection (3) of section 1009.22, Florida Statutes, is amended to read:
- 1009.22 Workforce education postsecondary student fees.—
- (3)(a) Except as otherwise provided by law, fees for students who are nonresidents for tuition purposes must offset the full cost of instruction. Residency of students shall be determined as required in s. 1009.21. Fee-nonexempt students enrolled in applied academics for adult education instruction shall be charged fees equal to the fees charged for adult general education programs. Each Florida College System institution that conducts developmental education and applied academics for adult education instruction in the same class section may charge a single fee for both types of instruction.
- (b) Fees for continuing workforce education shall be locally determined by the district school board or Florida College System institution board of trustees. Expenditures for the continuing workforce education program provided by the Florida College System institution or school district must be fully supported by fees. Enrollments in continuing workforce education courses may not be counted for purposes of funding full-time equivalent enrollment.
- (c) ~~Effective July 1, 2011~~, For programs leading to a career certificate or an applied technology diploma, the standard tuition shall be \$2.22 per

contact hour for residents and nonresidents and the out-of-state fee shall be \$6.66 per contact hour. For adult general education programs, a block tuition of \$45 per half year or \$30 per term shall be assessed for residents and nonresidents, and the out-of-state fee shall be \$135 per half year or \$90 per term. Each district school board and Florida College System institution board of trustees shall adopt policies and procedures for the collection of and accounting for the expenditure of the block tuition. All funds received from the block tuition shall be used only for adult general education programs. Students enrolled in adult general education programs may not be assessed the fees authorized in subsection (5), subsection (6), or subsection (7).

(d) ~~Beginning with the 2008-2009 fiscal year and each year thereafter,~~ The tuition and the out-of-state fee per contact hour shall increase at the beginning of each fall semester at a rate equal to inflation, unless otherwise provided in the General Appropriations Act. The Office of Economic and Demographic Research shall report the rate of inflation to the President of the Senate, the Speaker of the House of Representatives, the Governor, and the State Board of Education each year prior to March 1. For purposes of this paragraph, the rate of inflation shall be defined as the rate of the 12-month percentage change in the Consumer Price Index for All Urban Consumers, U.S. City Average, All Items, or successor reports as reported by the United States Department of Labor, Bureau of Labor Statistics, or its successor for December of the previous year. In the event the percentage change is negative, the tuition and out-of-state fee shall remain at the same level as the prior fiscal year.

(e) Each district school board and each Florida College System institution board of trustees may adopt tuition and out-of-state fees that ~~may~~ vary no more than 5 percent below ~~or~~ and 5 percent above the combined total of the standard tuition and out-of-state fees established in paragraph (c).

~~(f) The maximum increase in resident tuition for any school district or Florida College System institution during the 2007-2008 fiscal year shall be 5 percent over the tuition charged during the 2006-2007 fiscal year.~~

~~(f)(g)~~ The State Board of Education may adopt, by rule, the definitions and procedures that district school boards and Florida College System institution boards of trustees shall use in the calculation of cost borne by students.

Section 78. Paragraph (a) of subsection (1) of section 1009.40, Florida Statutes, is amended to read:

1009.40 General requirements for student eligibility for state financial aid awards and tuition assistance grants.—

(1)(a) The general requirements for eligibility of students for state financial aid awards and tuition assistance grants consist of the following:

1. Achievement of the academic requirements of and acceptance at a state university or Florida College System institution; a nursing diploma school approved by the Florida Board of Nursing; a Florida college or university which is accredited by an accrediting agency recognized by the State Board of Education; ~~a~~ any Florida institution the credits of which are acceptable for transfer to state universities; ~~a~~ any career center; or ~~a~~ any private career institution accredited by an accrediting agency recognized by the State Board of Education.

2. Residency in this state for no less than 1 year preceding the award of aid or a tuition assistance grant for a program established pursuant to s. 1009.50, s. 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, ~~s. 1009.56~~, s. 1009.60, s. 1009.62, s. 1009.72, s. 1009.73, s. 1009.77, s. 1009.89, or s. 1009.891. Residency in this state must be for purposes other than to obtain an education. Resident status for purposes of receiving state financial aid awards shall be determined in the same manner as resident status for tuition purposes pursuant to s. 1009.21.

3. Submission of certification attesting to the accuracy, completeness, and correctness of information provided to demonstrate a student's eligibility to receive state financial aid awards or tuition assistance grants. Falsification of such information shall result in the denial of ~~a~~ any pending application and revocation of ~~an~~ any award or grant currently held to the extent that no further payments shall be made. Ad-

ditionally, students who knowingly make false statements in order to receive state financial aid awards or tuition assistance grants commit a misdemeanor of the second degree subject to the provisions of s. 837.06 and shall be required to return all state financial aid awards or tuition assistance grants wrongfully obtained.

Section 79. Subsection (1) of section 1009.531, Florida Statutes, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(1) ~~Effective January 1, 2008,~~ In order to be eligible for an initial award from any of the three types of scholarships under the Florida Bright Futures Scholarship Program, a student must:

(a) Be a Florida resident as defined in s. 1009.40 and rules of the State Board of Education.

(b) Earn a standard Florida high school diploma *pursuant to s. 1002.3105(5), s. 1003.4281, or s. 1003.4282* or a high school equivalency diploma ~~its equivalent pursuant to s. 1003.428, s. 1003.4281, s. 1003.4282, or s. 1003.435~~ unless:

1. The student completes a home education program according to s. 1002.41; or

2. The student earns a high school diploma from a non-Florida school while living with a parent or guardian who is on military or public service assignment away from Florida.

(c) Be accepted by and enroll in an eligible Florida public or independent postsecondary education institution.

(d) Be enrolled for at least 6 semester credit hours or the equivalent in quarter hours or clock hours.

(e) Not have been found guilty of, or entered a plea of nolo contendere to, a felony charge, unless the student has been granted clemency by the Governor and Cabinet sitting as the Executive Office of Clemency.

(f) Apply for a scholarship from the program by high school graduation. However, a student who graduates from high school midyear must apply no later than August 31 of the student's graduation year in order to be evaluated for and, if eligible, receive an award for the current academic year.

Section 80. Paragraph (c) of subsection (3) of section 1009.532, Florida Statutes, is amended to read:

1009.532 Florida Bright Futures Scholarship Program; student eligibility requirements for renewal awards.—

(3)

(c) A student who is initially eligible in the 2012-2013 academic year and thereafter may receive an award for a maximum of 100 percent of the number of credit hours required to complete an associate degree program, a baccalaureate degree program, or a postsecondary career certificate program or, for a Florida Gold Seal Vocational Scholars award, may receive an award for a maximum of 100 percent of the number of credit hours or equivalent clock hours required to complete one of the following at a Florida public or nonpublic education institution that offers these specific programs: for an applied technology diploma program as defined in s. 1004.02(7) ~~1004.02(8)~~, up to 60 credit hours or equivalent clock hours; for a technical degree education program as defined in s. 1004.02(13) ~~1004.02(14)~~, up to the number of hours required for a specific degree not to exceed 72 credit hours or equivalent clock hours; or for a career certificate program as defined in s. 1004.02(20) ~~1004.02(21)~~, up to the number of hours required for a specific certificate not to exceed 72 credit hours or equivalent clock hours. A student who transfers from one of these program levels to another program level becomes eligible for the higher of the two credit hour limits.

Section 81. Paragraph (c) of subsection (4) of section 1009.536, Florida Statutes, is amended to read:

1009.536 Florida Gold Seal Vocational Scholars award.—The Florida Gold Seal Vocational Scholars award is created within the Florida



Bright Futures Scholarship Program to recognize and reward academic achievement and career preparation by high school students who wish to continue their education.

(4)

(c) A student who is initially eligible in the 2012-2013 academic year and thereafter may earn a Florida Gold Seal Vocational Scholarship for a maximum of 100 percent of the number of credit hours or equivalent clock hours required to complete one of the following at a Florida public or nonpublic education institution that offers these specific programs: for an applied technology diploma program as defined in s. 1004.02(7) ~~1004.02(8)~~, up to 60 credit hours or equivalent clock hours; for a technical degree education program as defined in s. 1004.02(13) ~~1004.02(14)~~, up to the number of hours required for a specific degree not to exceed 72 credit hours or equivalent clock hours; or for a career certificate program as defined in s. 1004.02(20) ~~1004.02(21)~~, up to the number of hours required for a specific certificate not to exceed 72 credit hours or equivalent clock hours.

Section 82. *Section 1009.56, Florida Statutes, is repealed.*

Section 83. *Section 1009.69, Florida Statutes, is repealed.*

Section 84. Subsection (1) of section 1009.91, Florida Statutes, is amended to read:

1009.91 Assistance programs and activities of the department.—

(1) The department may contract for the administration of the student financial assistance programs as specifically provided in ss. 295.01, 1009.29, ~~1009.56~~, and 1009.78.

Section 85. Paragraph (c) of subsection (2) of section 1009.94, Florida Statutes, is amended to read:

1009.94 Student financial assistance database.—

(2) For purposes of this section, financial assistance includes:

(c) Any financial assistance provided under s. 1009.50, s. 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.55, ~~s. 1009.56~~, s. 1009.60, s. 1009.62, s. 1009.70, s. 1009.701, s. 1009.72, s. 1009.73, s. 1009.74, s. 1009.77, s. 1009.89, or s. 1009.891.

Section 86. *Part V of chapter 1009, Florida Statutes, consisting of sections 1009.99, 1009.991, 1009.992, 1009.993, 1009.994, 1009.995, 1009.996, 1009.9965, 1009.997, 1009.9975, 1009.9976, 1009.9977, 1009.9978, 1009.9979, 1009.998, 1009.9981, 1009.9982, 1009.9983, 1009.9984, 1009.9985, 1009.9986, 1009.9987, 1009.9988, 1009.9989, 1009.9990, 1009.9991, 1009.9992, 1009.9993, and 1009.9994, is repealed.*

Section 87. Paragraph (b) of subsection (13) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(13) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR CURRENT OPERATION.—The total annual state allocation to each district for current operation for the FEFP shall be distributed periodically in the manner prescribed in the General Appropriations Act.

(b) The amount thus obtained shall be the net annual allocation to each school district. However, if it is determined that any school district received an underallocation or overallocation for any prior year because of an arithmetical error, assessment roll change required by final judicial decision, full-time equivalent student membership error, or any allocation error revealed in an audit report, the allocation to that district shall be appropriately adjusted. ~~Beginning with audits for the 2001-2002 fiscal year, if the adjustment is the result of an audit finding in which group 2 FTE are reclassified to the basic program and the district weighted FTE are over the weighted enrollment ceiling for group 2 programs, the adjustment shall not result in a gain of state funds to the district. Beginning with the 2011-2012 fiscal year, if a special program~~

cost factor is less than the basic program cost factor, an audit adjustment may not result in the reclassification of the special program FTE to the basic program FTE. If the Department of Education audit adjustment recommendation is based upon controverted findings of fact, the Commissioner of Education is authorized to establish the amount of the adjustment based on the best interests of the state.

Section 88. *Paragraphs (b) and (c) of subsection (3) of section 1011.71, Florida Statutes, are repealed.*

Section 89. *Subsection (4) of section 1011.76, Florida Statutes, is repealed.*

Section 90. Paragraph (b) of subsection (1) of section 1011.80, Florida Statutes, is amended to read:

1011.80 Funds for operation of workforce education programs.—

(1) As used in this section, the terms “workforce education” and “workforce education program” include:

(b) Career certificate programs, as defined in s. 1004.02(20) ~~1004.02(21)~~.

Section 91. Paragraphs (b), (f), (j), (m), and (p) of subsection (2) and subsection (6) of section 1012.05, Florida Statutes, are amended to read:

1012.05 Teacher recruitment and retention.—

(2) The Department of Education shall:

(b) Advertise in major newspapers, national professional publications, and other professional publications and in public and nonpublic postsecondary educational institutions, *if needed*.

(f) Develop and distribute promotional materials related to teaching as a career, *if needed*.

~~(j) Develop, in consultation with school district staff including, but not limited to, district school superintendents, district school board members, and district human resources personnel, a long range plan for educator recruitment and retention.~~

~~(m) Develop and implement a First Response Center to provide educator candidates one stop shopping for information on teaching careers in Florida and establish the Teacher Lifeline Network to provide online support to beginning teachers and those needing assistance.~~

~~(n)(p) Notify each teacher, via e-mail, of each item in the General Appropriations Act and legislation that affects teachers, including, but not limited to, the Excellent Teaching Program, the Florida Teachers Classroom Supply Assistance Program, liability insurance protection for teachers, death benefits for teachers, substantive legislation, rules of the State Board of Education, and issues concerning student achievement.~~

~~(6) The Commissioner of Education shall take steps that provide flexibility and consistency in meeting the highly qualified teacher criteria as defined in the No Child Left Behind Act of 2001 through a High Objective, Uniform State Standard of Evaluation (HOUSSE).~~

Section 92. Paragraph (b) of subsection (1) of section 1012.22, Florida Statutes, is amended to read:

1012.22 Public school personnel; powers and duties of the district school board.—The district school board shall:

(1) Designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees as follows, subject to the requirements of this chapter:

(b) Time to act on nominations.—The district school board shall act ~~no not~~ later than 3 weeks following the receipt of statewide, standardized *assessment* scores and data under s. 1008.22 ~~and, including~~ school grades, or June 30, whichever is later, on the district school superintendent’s nominations of supervisors, principals, and members of the instructional staff.

Section 93. *Subsection (9) of section 1012.33, Florida Statutes, is repealed.*

Section 94. Paragraph (b) of subsection (1), paragraph (a) of subsection (3), and subsection (6) of section 1012.34, Florida Statutes, are amended to read:

1012.34 Personnel evaluation procedures and criteria.—

(1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

(b) The department must approve each school district's instructional personnel and school administrator evaluation systems. The department shall monitor each district's implementation of its instructional personnel and school administrator evaluation systems for compliance with the requirements of this section *and s. 1012.3401*.

(3) EVALUATION PROCEDURES AND CRITERIA.—Instructional personnel and school administrator performance evaluations must be based upon the performance of students assigned to their classrooms or schools, as provided in this section. Pursuant to this section, a school district's performance evaluation is not limited to basing unsatisfactory performance of instructional personnel and school administrators solely upon student performance, but may include other criteria approved to evaluate instructional personnel and school administrators' performance, or any combination of student performance and other approved criteria. Evaluation procedures and criteria must comply with, but are not limited to, the following:

(a) A performance evaluation must be conducted for each employee at least once a year, except that a classroom teacher, as defined in s. 1012.01(2)(a), excluding substitute teachers, who is newly hired by the district school board must be observed and evaluated at least twice in the first year of teaching in the school district. The performance evaluation must be based upon sound educational principles and contemporary research in effective educational practices. The evaluation criteria must include:

1. Performance of students.—At least 50 percent of a performance evaluation must be based upon data and indicators of student learning growth assessed annually by statewide assessments or, for subjects and grade levels not measured by statewide assessments, by school district assessments as provided in s. ~~1008.22(6)~~ ~~1008.22(8)~~. Each school district must use the formula adopted pursuant to paragraph (7)(a) for measuring student learning growth in all courses associated with statewide assessments and must select an equally appropriate formula for measuring student learning growth for all other grades and subjects, except as otherwise provided in subsection (7).

a. For classroom teachers, as defined in s. 1012.01(2)(a), excluding substitute teachers, the student learning growth portion of the evaluation must include growth data for students assigned to the teacher over the course of at least 3 years. If less than 3 years of data are available, the years for which data are available must be used and the percentage of the evaluation based upon student learning growth may be reduced to not less than 40 percent.

b. For instructional personnel who are not classroom teachers, the student learning growth portion of the evaluation must include growth data on statewide assessments for students assigned to the instructional personnel over the course of at least 3 years, or may include a combination of student learning growth data and other measurable student outcomes that are specific to the assigned position, provided that the student learning growth data accounts for not less than 30 percent of the evaluation. If less than 3 years of student growth data are available, the years for which data are available must be used and the percentage of the evaluation based upon student learning growth may be reduced to not less than 20 percent.

c. For school administrators, the student learning growth portion of the evaluation must include growth data for students assigned to the school over the course of at least 3 years. If less than 3 years of data are available, the years for which data are available must be used and the percentage of the evaluation based upon student learning growth may be reduced to not less than 40 percent.

2. Instructional practice.—Evaluation criteria used when annually observing classroom teachers, as defined in s. 1012.01(2)(a), excluding

substitute teachers, must include indicators based upon each of the Florida Educator Accomplished Practices adopted by the State Board of Education. For instructional personnel who are not classroom teachers, evaluation criteria must be based upon indicators of the Florida Educator Accomplished Practices and may include specific job expectations related to student support.

3. Instructional leadership.—For school administrators, evaluation criteria must include indicators based upon each of the leadership standards adopted by the State Board of Education under s. 1012.986, including performance measures related to the effectiveness of classroom teachers in the school, the administrator's appropriate use of evaluation criteria and procedures, recruitment and retention of effective and highly effective classroom teachers, improvement in the percentage of instructional personnel evaluated at the highly effective or effective level, and other leadership practices that result in student learning growth. The system may include a means to give parents and instructional personnel an opportunity to provide input into the administrator's performance evaluation.

4. Professional and job responsibilities.—For instructional personnel and school administrators, other professional and job responsibilities must be included as adopted by the State Board of Education. The district school board may identify additional professional and job responsibilities.

(6) ANNUAL REVIEW OF AND REVISIONS TO THE SCHOOL DISTRICT EVALUATION SYSTEMS.—The district school board shall establish a procedure for annually reviewing instructional personnel and school administrator evaluation systems to determine compliance with this section *and s. 1012.3401*. All substantial revisions to an approved system must be reviewed and approved by the district school board before being used to evaluate instructional personnel or school administrators. Upon request by a school district, the department shall provide assistance in developing, improving, or reviewing an evaluation system.

Section 95. Section 1012.44, Florida Statutes, is amended to read:

1012.44 Qualifications for certain persons providing speech-language services.—The State Board of Education shall adopt rules for speech-language services to school districts that qualify for the sparsity supplement as described in s. 1011.62(7). These services may be provided by baccalaureate degree level persons for a period of 3 years. The rules shall authorize the delivery of speech-language services by baccalaureate degree level persons under the direction of a certified speech-language pathologist with a master's degree or higher. ~~By October 1, 2003, these rules shall be reviewed by the State Board of Education.~~

Section 96. Section 1012.561, Florida Statutes, is amended to read:

1012.561 Address of record.—Each certified educator or applicant for certification is solely responsible for maintaining his or her current address with the Department of Education and for notifying the department in writing of a change of address. ~~By January 1, 2005, each educator and applicant for certification must have on file with the department a current mailing address. Thereafter,~~ A certified educator or applicant for certification who is employed by a district school board shall notify his or her employing school district within 10 days after a change of address. At a minimum, the employing district school board shall notify the department monthly of the addresses of the certified educators or applicants for certification in the manner prescribed by the department. A certified educator or applicant for certification who is not employed by a district school board shall personally notify the department in writing within 30 days after a change of address. The department shall permit electronic notification; however, it is the responsibility of the certified educator or applicant for certification to ensure that the department has received the electronic notification.

Section 97. *Section 1012.595, Florida Statutes, is repealed.*

Section 98. Subsections (2), (3), and (4) of section 1012.885, Florida Statutes, are amended to read:

1012.885 Remuneration of Florida College System institution presidents; limitations.—

~~(2) LIMITATION ON COMPENSATION.—Notwithstanding any other law, resolution, or rule to the contrary, a Florida College System~~

~~institution president may not receive more than \$225,000 in remuneration annually from appropriated state funds. Only compensation, as defined in s. 121.021(22), provided to a Florida College System institution president may be used in calculating benefits under chapter 121.~~

(2)(3) EXCEPTIONS.—This section does not prohibit a ~~any~~ party from providing cash or cash-equivalent compensation from funds that are not appropriated state funds to a Florida College System institution president in excess of the limit in subsection (3) (2). If a party is unable or unwilling to fulfill an obligation to provide cash or cash-equivalent compensation to a Florida College System institution president as permitted under this subsection, appropriated state funds may not be used to fulfill such obligation.

(3)(4) LIMITATION ON REMUNERATION.—Notwithstanding a law, resolution, or rule to the contrary ~~the provisions of this section~~, a Florida College System institution president may not receive more than \$200,000 in remuneration from appropriated state funds. Only compensation, as defined in s. 121.021(22), provided to a Florida College System institution president may be used in calculating benefits under chapter 121.

Section 99. Subsections (2), (3), and (4) of section 1012.975, Florida Statutes, are amended to read:

1012.975 Remuneration of state university presidents; limitations.—

~~(2) LIMITATION ON COMPENSATION. Notwithstanding any other law, resolution, or rule to the contrary, a state university president may not receive more than \$225,000 in remuneration annually from public funds. Only compensation, as such term is defined in s. 121.021(22), provided to a state university president may be used in calculating benefits under chapter 121.~~

(2)(3) EXCEPTIONS.—This section does not prohibit a ~~any~~ party from providing cash or cash-equivalent compensation from funds that are not public funds to a state university president in excess of the limit in subsection (3) (2). If a party is unable or unwilling to fulfill an obligation to provide cash or cash-equivalent compensation to a state university president as permitted under this subsection, public funds may not be used to fulfill such obligation.

(3)(4) LIMITATION ON REMUNERATION.—Notwithstanding a law, resolution, or rule to the contrary ~~the provisions of this section~~, a state university president may not receive more than \$200,000 in remuneration from public funds. Only compensation, as defined in s. 121.021(22), provided to a state university president may be used in calculating benefits under chapter 121.

Section 100. Subsection (12) of section 1012.98, Florida Statutes, is amended to read:

1012.98 School Community Professional Development Act.—

(12) The department shall require teachers in grades ~~K-12~~ ~~1-12~~ to participate in continuing education training provided by the Department of Children and Family Services on identifying and reporting child abuse and neglect.

Section 101. Paragraph (f) of subsection (2) of section 1013.35, Florida Statutes, is amended to read:

1013.35 School district educational facilities plan; definitions; preparation, adoption, and amendment; long-term work programs.—

(2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL FACILITIES PLAN.—

(f) Not less than once every 5 years, the district school board shall have ~~an a financial management and performance~~ audit conducted of the ~~district's~~ educational planning and construction activities ~~of the district~~. ~~An operational audit conducted by the Office of Program Policy Analysis and Government Accountability and the Auditor General pursuant to s. 11.45 1008.35~~ satisfies this requirement.

Section 102. Section 1013.47, Florida Statutes, is amended to read:

1013.47 Substance of contract; contractors to give bond; penalties.— Each board shall develop contracts consistent with this chapter and statutes governing public facilities. Such a contract must contain the drawings and specifications of the work to be done and the material to be furnished, the time limit in which the construction is to be completed, the time and method by which payments are to be made upon the contract, and the penalty to be paid by the contractor for a ~~any~~ failure to comply with the terms of the contract. The board may require the contractor to pay a penalty for any failure to comply with the terms of the contract and may provide an incentive for early completion. Upon accepting a satisfactory bid, the board shall enter into a contract with the party or parties whose bid has been accepted. The contractor shall furnish the board with a performance and payment bond as set forth in s. 255.05. A board or other public entity may not require a contractor to secure a surety bond under s. 255.05 from a specific agent or bonding company. ~~Notwithstanding any other provision of this section, if 25 percent or more of the costs of any construction project is paid out of a trust fund established pursuant to 31 U.S.C. s. 1243(a)(1), laborers and mechanics employed by contractors or subcontractors on such construction will be paid wages not less than those prevailing on similar construction projects in the locality, as determined by the Secretary of Labor in accordance with the Davis Bacon Act, as amended.~~ A person, firm, or corporation that constructs any part of any educational plant, or addition thereto, on the basis of any unapproved plans or in violation of any plans approved in accordance with the provisions of this chapter and rules of the State Board of Education or regulations of the Board of Governors relating to building standards or specifications is subject to forfeiture of the surety bond and unpaid compensation in an amount sufficient to reimburse the board for any costs that will need to be incurred in making any changes necessary to assure that all requirements are met and is also guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, for each separate violation.

Section 103. *Section 1013.49, Florida Statutes, is repealed.*

Section 104. *Section 1013.512, Florida Statutes, is repealed.*

Section 105. *Section 20 of chapter 2010-24, Laws of Florida, is repealed.*

Section 106. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to education; amending s. 11.45, F.S.; requiring the Auditor General to notify the Legislative Auditing Committee if a district school board fails to take corrective action subsequent to an audit; amending s. 120.74, F.S.; exempting educational units from rule review and reporting requirements; amending s. 120.81, F.S.; conforming cross-references; amending s. 409.1451, F.S.; conforming cross-references; amending s. 496.404, F.S.; conforming cross-references; amending s. 775.215, F.S.; conforming cross-references; amending s. 984.151, F.S.; authorizing a district school superintendent's designee to submit a truancy petition; repealing s. 1000.01(5), F.S., relating to obsolete education governance transfers; amending s. 1000.21, F.S.; revising the definition of the term "Next Generation Sunshine State Standards"; repealing ss. 1000.33 and 1000.37, F.S., relating to the distribution of copies of educational compacts to other states; amending s. 1001.10, F.S.; deleting and revising certain duties of the Commissioner of Education relating to educational plans and programs; repealing s. 1001.25, F.S., relating to educational television; amending s. 1001.26, F.S.; revising Department of Education duties relating to the public broadcasting program system; prohibiting the use of educational television stations for the advancement of political candidates; providing penalties; amending s. 1001.34, F.S.; establishing a process for modifying the membership of a district school board; providing for a referendum; repealing ss. 1001.47(7) and 1001.50(6), F.S., relating to obsolete district school superintendent salary provisions; repealing s. 1001.62, F.S., relating to obsolete provisions for the transfer of benefits arising under local or special acts; repealing s. 1001.73(3), F.S., relating to the abolished Board of Regents as trustee; amending s. 1002.20, F.S.; correcting cross-references and conforming provisions; amending s. 1002.31, F.S.; revising provisions relating to school district controlled open enrollment plans; amending s. 1002.3105, F.S.; conforming provisions; amending s. 1002.321, F.S.; conforming provisions; amending s. 1002.33, F.S.; deleting required training before charter school applica-

tion; conforming cross-references and provisions; amending s. 1002.34, F.S.; conforming cross-references; revising provisions relating to department assistance to charter technical career centers; amending s. 1002.345, F.S.; revising provisions relating to expedited review of deteriorating financial conditions for a charter school or charter technical career center; deleting an annual reporting requirement; amending s. 1002.39, F.S.; deleting obsolete provisions relating to eligibility for a John M. McKay Scholarship; amending s. 1002.41, F.S.; correcting cross-references; repealing s. 1002.415, F.S., relating to the K-8 Virtual School Program; amending s. 1002.45, F.S.; conforming cross-references; amending s. 1002.455, F.S.; conforming provisions; repealing s. 1002.65, F.S., relating to aspirational goals for credentials of prekindergarten instructors; amending s. 1003.01, F.S.; conforming cross-references; amending s. 1003.02, F.S.; requiring instructional materials to be consistent with course descriptions; amending s. 1003.03, F.S.; conforming cross-references; amending s. 1003.41, F.S.; deleting an obsolete cost analysis requirement relating to a separate financial literacy course; amending s. 1003.4156, F.S.; revising course and assessment requirements for middle grades students for promotion to high school; providing an exemption for transfer students from certain course grade and assessment requirements; repealing s. 1003.428, F.S., relating to obsolete requirements for high school graduation; amending s. 1003.4281, F.S.; conforming cross-references; amending s. 1003.4282, F.S.; revising course and assessment requirements for the award of a standard high school diploma; providing requirements for a student in an adult general education program to be awarded a standard high school diploma; revising requirements for award of a certificate of completion; providing an exemption for transfer students from certain course grade and assessment requirements; providing specificity regarding course and assessment requirements for graduation for certain cohorts of high school students transitioning to new graduation requirements; providing for future repeal of transition requirements; amending s. 1003.4285, F.S.; revising requirements for standard high school diploma designations; amending s. 1003.438, F.S.; conforming cross-references; repealing s. 1003.451(5), F.S., relating to State Board of Education rulemaking; amending s. 1003.49, F.S.; conforming cross-references; amending s. 1003.493, F.S.; conforming a cross-reference; amending s. 1003.4935, F.S.; conforming a cross-reference; amending s. 1003.57, F.S., relating to exceptional student instruction; amending s. 1003.621, F.S.; revising audit criteria for academically high-performing school districts; repealing s. 1004.02(4), F.S., relating to the definition of the term “adult high school credit program”; amending s. 1004.0961, F.S.; providing for Board of Governors regulations; repealing s. 1004.3825, F.S., relating to authorization for a medical degree program; repealing s. 1004.387, F.S., relating to authorization for a pharmacy degree program; repealing s. 1004.445(2), F.S., relating to the board of directors of the Johnnie B. Byrd, Sr. Alzheimer’s Center and Research Institute; repealing s. 1004.75, F.S., relating to training school consolidation pilot projects; amending s. 1004.935, F.S.; revising the effective date of the Adults with Disabilities Workforce Education Pilot Program; increasing the age limitation for a program participant; conforming cross-references; repealing s. 1006.141, F.S., relating to a statewide school safety hotline; amending s. 1006.147, F.S.; deleting obsolete provisions relating to school district bullying and harassment policies; repealing s. 1006.148(2), F.S., relating to a department-developed model dating violence and abuse policy; amending s. 1006.15, F.S.; conforming cross-references; amending s. 1006.28, F.S.; conforming provisions relating to instructional materials; amending s. 1006.31, F.S.; conforming provisions relating to duties of an instructional materials reviewer; amending s. 1006.34, F.S.; revising provisions relating to standards used in the selection of instructional materials; amending s. 1006.40, F.S.; revising provisions relating to district school board purchase of instructional materials; amending s. 1006.42, F.S.; conforming provisions relating to the responsibility of parents for instructional materials; amending s. 1007.02, F.S.; deleting a popular name and providing applicability for the term “student with a disability”; amending s. 1007.2615, F.S.; deleting obsolete provisions relating to an American Sign Language task force; amending s. 1007.263, F.S.; conforming cross-references; amending ss. 1007.264 and 1007.265, F.S.; conforming provisions; amending s. 1007.271, F.S.; correcting cross-references; amending s. 1008.22, F.S.; conforming and revising provisions relating to the implementation of statewide, standardized comprehensive assessments, end-of-course assessments, and waivers for students with disabilities; requiring the commissioner to publish an implementation schedule for transition to new assessments; conforming provisions relating to concordant scores and comparative scores for assessments; amending s. 1008.25, F.S.; conforming assessment provisions for student progression; amending s.

1008.33, F.S.; deleting obsolete provisions relating to implementation of certain school turnaround options; repealing s. 1008.331, F.S., relating to supplemental educational services in Title I schools; amending s. 1008.3415, F.S.; correcting a cross-reference; repealing s. 1008.35, F.S., relating to best financial management practices for school districts; amending s. 1009.22, F.S.; deleting obsolete provisions relating to workforce education postsecondary student fees; amending s. 1009.40, F.S.; conforming cross-references; amending s. 1009.531, F.S.; conforming cross-references; amending s. 1009.532, F.S.; correcting cross-references; amending s. 1009.536, F.S.; correcting cross-references; repealing s. 1009.56, F.S., relating to the Seminole and Miccosukee Indian Scholarship Program; repealing s. 1009.69, F.S., relating to the Virgil Hawkins Fellows Assistance Program; amending s. 1009.91, F.S.; conforming a cross-reference; amending s. 1009.94, F.S.; conforming a cross-reference; repealing part V of chapter 1009, F.S., relating to the Florida Higher Education Loan Authority; amending s. 1011.62, F.S.; deleting an obsolete provision; repealing s. 1011.71(3)(b) and (c), F.S., relating to expired authorization for certain millage levy; repealing s. 1011.76(4), F.S., relating to best financial management practices review under the Small School District Stabilization Program; amending s. 1011.80, F.S.; correcting a cross-reference; amending s. 1012.05, F.S.; deleting department and commissioner duties relating to teacher recruitment and retention; amending s. 1012.22, F.S.; conforming provisions; repealing s. 1012.33(9), F.S., relating to obsolete provisions for payment of professional service contracts; amending s. 1012.34, F.S.; correcting cross-references relating to measuring student performance in personnel evaluations; amending s. 1012.44, F.S.; deleting obsolete provisions; amending s. 1012.561, F.S.; deleting an obsolete provision; repealing s. 1012.595, F.S., relating to an obsolete saving clause for educator certificates; amending s. 1012.885, F.S.; deleting certain provisions relating to remuneration of Florida College System institution presidents; amending s. 1012.975, F.S.; deleting certain provisions relating to remuneration of state university presidents; amending s. 1012.98, F.S.; requiring continuing education training for kindergarten teachers; amending s. 1013.35, F.S.; revising audit requirements for school district educational planning and construction activities; amending s. 1013.47, F.S.; deleting provisions relating to payment of wages of certain persons employed by contractors; repealing s. 1013.49, F.S., relating to toxic substances in educational facilities; repealing s. 1013.512, F.S., relating to the Land Acquisition and Facilities Advisory Board; repealing s. 20 of chapter 2010-24, Laws of Florida, relating to Department of Revenue authorization to adopt emergency rules; providing an effective date.

Pursuant to Rule 4.19, **HB 7031** as amended was placed on the calendar of Bills on Third Reading.

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Consideration of **CS for CS for SB 926** was deferred.

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On motion by Senator Lee—

**CS for SB 1190**—A bill to be entitled An act relating to family law; providing legislative findings; creating Part III of ch. 61, F.S., entitled the “Collaborative Law Act”; creating s. 61.55, F.S.; declaring the purpose of the act; creating s. 61.56, F.S.; defining terms; creating s. 61.57, F.S.; declaring that a collaborative law process commences when the parties enter into a collaborative law participation agreement; providing that a tribunal may not order a party to participate in a collaborative law process over the party’s objection; providing conditions under which a collaborative law process is concluded; creating s. 61.58, F.S.; providing for confidentiality of communications made during the collaborative law process; providing exceptions; providing that the effective date of specified provisions are contingent upon approval and publication of Florida Supreme Court rules governing specified subjects; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1190** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Lee—

**CS for SB 1142**—A bill to be entitled An act relating to ticket sales; amending s. 817.355, F.S.; providing that a person who counterfeits, forges, alters, clones, or possesses a ticket, card, wristband, or other

medium that accesses or is associated with a specified ticket, token, or paper with the intent to defraud commits a misdemeanor of the first degree; providing enhanced criminal penalties for second and subsequent violations concerning fraudulent creation or possession of an admission ticket; providing criminal penalties for persons who commit such violations involving more than a specified number of tickets, cards, wristbands, or other media that access or are associated with a specified ticket, token, or paper; amending s. 817.361, F.S.; defining terms; prohibiting the sale, offer for sale, or transfer of certain multiuse tickets or a card, wristband, or other medium that accesses or is associated with such multiuse ticket; providing criminal penalties; providing enhanced criminal penalties for second or subsequent violations of provisions relating to the sale, offer for sale, or transfer of certain multiuse tickets; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1142** was placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

**CS for CS for SB 132**—A bill to be entitled An act relating to specialty license plates; amending s. 320.08056, F.S.; authorizing the collection of annual use fees for the Fallen Law Enforcement Officers license plate and the Florida Sheriffs Association license plate; amending s. 320.08058, F.S.; revising provisions relating to the distribution of annual use funds to the Astronauts Memorial Foundation, Inc., for the Challenger/Columbia specialty license plate; requiring the St. Johns River Alliance, Inc., and National Hispanic Corporate Achievers, Inc., to each record a certain number of sales within a certain timeframe; requiring the Department of Highway Safety and Motor Vehicles to discontinue the plates under certain circumstances; providing for repeal on a specified date; creating a Fallen Law Enforcement Officers license plate and a Florida Sheriffs Association license plate; establishing an annual use fee for the plates; providing for the distribution of use fees received from the sale of such plates; providing effective dates.

—was read the second time by title.

Senator Diaz de la Portilla moved the following amendment which was adopted:

**Amendment 1 (121898) (with directory and title amendments)**—Between lines 32 and 33 insert:

*(gggg) Keiser University license plate, \$25.*

And the directory clause is amended as follows:

Delete line 26 and insert:

Section 1. Paragraphs (eeee), (ffff), and (gggg) are added to

And the title is amended as follows:

Delete lines 5-6 and insert: Officers license plate, the Florida Sheriffs Association license plate, and the Keiser University license plate; amending s. 320.08058,

Senator Latvala moved the following amendments which were adopted:

**Amendment 2 (376314) (with directory and title amendments)**—Between lines 32 and 33 insert:

*(gggg) Moffitt Cancer Center license plate, \$25.*

And the directory clause is amended as follows:

Delete line 26 and insert:

Section 1. Paragraphs (eeee), (ffff), and (gggg) are added to

And the title is amended as follows:

Delete lines 5-6 and insert: Officers license plate, the Florida Sheriffs Association license plate, and the Moffitt Cancer Center license plate; amending s. 320.08058,

**Amendment 3 (899722) (with directory and title amendments)**—Between lines 152 and 153 insert:

*(85) MOFFITT CANCER CENTER LICENSE PLATES.—*

*(a) Notwithstanding s. 45, chapter 2008-176, Laws of Florida, as amended by s. 21, chapter 2010-223, Laws of Florida, and s. 320.08053(1), the department shall develop a Moffitt Cancer Center license plate as provided in s. 320.08053(2) and (3) and this section. The word “Florida” must appear at the top of the plate, and the words “Moffitt Cancer Center” must appear at the bottom of the plate.*

*(b) The department shall retain all annual use fees from the sale of such plates until the startup costs for developing and issuing the plates have been recovered. Thereafter, the annual use fees shall be distributed to H. Lee Moffitt Cancer Center and Research Institute, which may use up to 10 percent of the proceeds for administrative costs and for the marketing of the plate. The balance of the fees shall be used by the institute to support its research, education, treatment, prevention and detection, teaching, and research activities.*

And the directory clause is amended as follows:

Delete line 36 and insert: subsections (83), (84), and (85) are added to that section, to read:

And the title is amended as follows:

Delete lines 17-18 and insert: Fallen Law Enforcement Officers license plate, a Florida Sheriffs Association license plate, and a Moffitt Cancer Center license plate;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Diaz de la Portilla moved the following amendment which was adopted:

**Amendment 4 (115346) (with directory and title amendments)**—Between lines 152 and 153 insert:

*(85) KEISER UNIVERSITY LICENSE PLATES.—*

*(a) Notwithstanding s. 45, chapter 2008-176, Laws of Florida, as amended by s. 21, chapter 2010-223, Laws of Florida, and s. 320.08053(1), the department shall develop a Keiser University license plate as provided in s. 320.08053(2) and (3) and this section. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Keiser University” must appear at the bottom of the plate.*

*(b) The department shall retain all annual use fees from the sale of the plate until all startup costs for developing and issuing the plate have been recovered. Thereafter, the annual use fees from the sale of the plate shall be distributed to the Keiser Mills Foundation, which may use up to 10 percent of such fees for administrative costs and marketing of the plate. The balance of the fees shall be used by the Keiser Mills Foundation to provide annual college scholarships for students attending Keiser University.*

And the directory clause is amended as follows:

Delete line 36 and insert: subsections (83), (84), and (85) are added to that section, to read:

And the title is amended as follows:

Delete lines 17-18 and insert: Fallen Law Enforcement Officers license plate, a Florida Sheriffs Association license plate, and a Keiser University license plate;

Pursuant to Rule 4.19, **CS for CS for SB 132** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

**CS for SB 1654**—A bill to be entitled An act relating to tax administration; amending s. 196.1995, F.S.; requiring certain real property improvements and tangible personal property additions to occur within a specified period in order to qualify for a specified ad valorem tax exemption; providing that certain local ordinances conveying ad valorem tax exemptions may not be invalidated if the local governing body acted in accordance with this act; amending s. 212.03, F.S.; providing that charges for the storage of towed vehicles that are impounded by a local, state, or federal law enforcement agency are not taxable; amending s. 212.07, F.S.; conforming a cross-reference to changes made by the act; providing monetary and criminal penalties for a dealer's willful failure to collect certain taxes or fees after receiving notice of such duty to collect from the Department of Revenue; amending s. 212.12, F.S.; deleting provisions relating to the imposition of criminal penalties after Department of Revenue notice of requirements to register as a dealer or to collect taxes; making technical and grammatical changes to provisions specifying penalties for making a false or fraudulent return with the intent to evade payment of a tax or fee; amending s. 212.14, F.S.; modifying the definition of the term "person"; authorizing the department to adopt rules relating to requirements for a person to deposit cash, a bond, or other security with the department in order to ensure compliance with sales tax laws; making technical and grammatical changes; amending s. 212.18, F.S.; providing criminal penalties for a person who willfully fails to register as a dealer after receiving notice of such duty by the department; making technical and grammatical changes; reenacting s. 212.20, F.S., relating to the disposition of funds collected, to incorporate changes made by the act; amending s. 213.0535, F.S.; clarifying that confidential tax data may be published as statistics under certain circumstances; amending s. 213.13, F.S.; revising the date for transmitting funds collected by the clerks of court to the department; amending s. 213.21, F.S.; increasing the compromise authority for closing agreements with taxpayers which can be delegated to and approved by the executive director; creating s. 213.295, F.S., relating to automated sales suppression devices; defining terms; subjecting a person to criminal penalties and monetary penalties for knowingly selling or engaging in certain other actions involving a sales suppression device or phantom-ware; providing that sales suppression devices and phantom-ware are contraband articles under the Florida Contraband Forfeiture Act; amending s. 443.131, F.S.; imposing a requirement on employers to produce records for the Department of Economic Opportunity or its tax collection service provider as a prerequisite for a reduction in the rate of reemployment tax; amending s. 443.141, F.S.; providing a method to calculate the interest rate for past due employer contributions and reimbursements, and delinquent, erroneous, incomplete, or insufficient reports; increasing the number of days for an employer to protest an assessment; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for SB 1654**, on motion by Senator Hukill, by two-thirds vote **CS for HB 7081** was withdrawn from the Committees on Appropriations and Commerce and Tourism.

On motion by Senator Hukill—

**CS for HB 7081**—A bill to be entitled An act relating to tax administration; amending s. 196.1995, F.S.; requiring certain real property improvements and tangible personal property additions to occur within a specified period in order to qualify for a specified ad valorem tax exemption; amending s. 212.03, F.S.; providing that certain charges for the impoundment of an aircraft, boat, or motor vehicle by a law enforcement agency are not subject to taxation; amending s. 212.07, F.S.; conforming a cross-reference; providing that a dealer who willfully fails to collect certain taxes or fees after the Department of Revenue provides notice commits a criminal offense; providing civil and criminal penalties; amending s. 212.12, F.S.; deleting provisions providing criminal and civil penalties for failing to register a business as a dealer and for failing to collect specified taxes after the department provides notice; amending s. 212.14, F.S.; authorizing the department to adopt rules; defining the term "person"; amending s. 212.18, F.S.; providing that a person who engages in acts requiring a certificate of registration and willfully fails to register after the department provides notice commits a criminal offense; providing criminal penalties; reenacting s. 212.20(6)(c), F.S., relating to the disposition of funds collected from the imposition of specified fees, to incorporate the amendments made by the act to s. 212.18(3), F.S., in a reference thereto; amending s. 213.0535, F.S.; providing that certain tax data may be published as statistics under certain circumstances; amending s. 213.13, F.S.; revising the date for transmitting certain funds

collected by the clerks of court to the department; amending s. 213.21, F.S.; authorizing the department to delegate to the executive director of the department greater compromise authority for closing agreements; creating s. 213.295, F.S.; providing definitions; providing that a person who knowingly sells, purchases, installs, transfers, possesses, uses, or accesses an automated sales suppression device, a zipper, or phantom-ware commits a criminal offense; providing civil and criminal penalties; providing that automated sales suppression devices, zippers, and phantom-ware are contraband articles; amending s. 443.131, F.S.; requiring employers to produce certain records in order to receive a reduced contribution rate; amending s. 443.141, F.S.; revising the interest rate for unpaid employer contributions or reimbursements; increasing the number of days during which an employer may protest a determination and assessment; providing that certain local ordinances conveying ad valorem tax exemptions shall not be invalidated on specified grounds if the local governing body acted in accordance with this act; providing effective dates.

—a companion measure, was substituted for **CS for SB 1654** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 7081** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

**SB 392**—A bill to be entitled An act relating to state speed zones; amending s. 316.183, F.S.; conforming a provision to changes made by the act; making technical changes; amending s. 316.187, F.S.; raising the maximum allowable speed limit on certain highways; increasing the maximum allowable speed limit on roadways under the jurisdiction of the Department of Transportation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 392** was placed on the calendar of Bills on Third Reading.

## SPECIAL GUESTS

Senator Hays introduced his granddaughter, Emma Grace Broome, who was present in the gallery.

On motion by Senator Lee—

**SB 566**—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Program; amending ss. 1009.534, 1009.535, and 1009.536, F.S.; requiring a student, as a prerequisite for the Florida Academic Scholars award, the Florida Medallion Scholars award, or the Florida Gold Seal Vocational Scholars award, to identify a social or civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area; prohibiting the student from receiving remuneration or academic credit for the volunteer service work performed; providing examples of volunteer service work; requiring that the hours of volunteer service work performed be documented in writing and the document be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work; deleting obsolete provisions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 566** was placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

**CS for CS for SB 764**—A bill to be entitled An act relating to hearsay; amending s. 90.803, F.S.; providing that certain statements are an exception to the hearsay rule and thus admissible; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 764** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

**CS for CS for SB 782**—A bill to be entitled An act relating to government data practices; amending s. 257.36, F.S.; requiring the Division of Library and Information Services of the Department of State to adopt rules providing procedures for an agency to establish schedules for the physical destruction or other disposal of records containing personal identification information; creating part IV of ch. 282, F.S., consisting of s. 282.801, F.S.; providing definitions; requiring an agency that collects and maintains personal identification information to post a privacy policy on the agency's website; prescribing minimum requirements for a privacy policy; requiring an agency to provide notice of the installation of cookies on an individual's computer; requiring that an individual who would otherwise be granted access to an agency's website be granted access even if he or she declines to have the cookie installed; providing an exception; requiring that privacy policy requirements be specified in a contract between a public agency and a contractor; providing exceptions; specifying that a violation does not create a civil cause of action; requiring the Office of Program Policy Analysis and Government Accountability to submit a report to the Legislature by a specified date; providing report requirements; creating s. 429.55, F.S.; requiring the Agency for Health Care Administration to provide specified data on assisted living facilities by a certain date; providing minimum requirements for such data; authorizing the agency to create a comment webpage regarding assisted living facilities; providing minimum requirements; authorizing the agency to provide links to certain third-party websites; authorizing the agency to adopt rules; amending s. 408.05, F.S.; dissolving the Center for Health Information and Policy Analysis within the Agency for Health Care Administration; requiring the agency to coordinate a system to promote access to certain data and information; requiring that certain health-related data be included within the system; assigning duties to the agency relating to the collection and dissemination of data; establishing conditions for the funding of the system; requiring the Office of Program Policy Analysis and Government Accountability to monitor the agency's implementation of the health information system; requiring the Office of Program Policy Analysis and Government Accountability to submit a report to the Legislature after completion of the implementation; providing report requirements; reenacting s. 120.54(8), F.S., relating to rulemaking, to incorporate the amendment made to s. 257.36, F.S., in a reference thereto; amending ss. 20.42, 381.026, 395.301, 395.602, 395.6025, 408.07, 408.18, 465.0244, 627.6499, and 641.54, F.S.; conforming provisions to changes made by the act; providing appropriations; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 782** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bean—

**CS for CS for SB 1150**—A bill to be entitled An act relating to medical tourism; amending s. 288.0001, F.S.; requiring an analysis of medical tourism in the Economic Development Programs Evaluation; amending s. 288.901, F.S.; requiring Enterprise Florida, Inc., to collaborate with the Department of Economic Opportunity to market this state as a health care destination; amending s. 288.923, F.S.; requiring the Division of Tourism Marketing to include in its 4-year plan a discussion of the promotion of medical tourism; creating s. 288.924, F.S.; requiring the plan to promote national and international awareness of the qualifications, scope of services, and specialized expertise of health care providers in this state, to promote national and international awareness of certain business opportunities to attract practitioners to destinations in this state, and to include an initiative to showcase qualified health care providers; requiring a specified amount of funds appropriated to the Florida Tourism Industry Marketing Corporation to be allocated for the medical tourism marketing plan; requiring the Florida Tourism Industry Marketing Corporation to create a matching grant program; specifying criteria for the grant program; requiring that a specified amount of funds appropriated to the Florida Tourism Industry Marketing Corporation be allocated for the grant program; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1150** was placed on the calendar of Bills on Third Reading.

**SB 1060**—A bill to be entitled An act relating to the code of student conduct; amending s. 1006.07, F.S.; providing that simulating a firearm or weapon while playing or wearing certain clothing or accessories is not grounds for disciplinary action or referral to the criminal justice or juvenile justice system; providing actions that constitute simulating a firearm or weapon while playing; providing criteria for determining whether certain student conduct warrants disciplinary action; providing criteria for determining appropriate consequences for such conduct; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1060**, on motion by Senator Evers, by two-thirds vote **HB 7029** was withdrawn from the Committees on Criminal Justice; Education; and Judiciary.

On motion by Senator Evers—

**HB 7029**—A bill to be entitled An act relating to the code of student conduct; amending s. 1006.07, F.S.; providing that simulating a firearm or weapon while playing or wearing certain clothing or accessories is not grounds for disciplinary action or referral to the criminal justice or juvenile justice system; providing actions that constitute simulating a firearm or weapon while playing; providing criteria for determining whether certain student conduct warrants disciplinary action; providing criteria for determining appropriate consequences for such conduct; providing an effective date.

—a companion measure, was substituted for **SB 1060** and read the second time by title.

Pursuant to Rule 4.19, **HB 7029** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 1698** was deferred.

On motion by Senator Sobel—

**CS for SB 1726**—A bill to be entitled An act relating to crisis stabilization services; amending s. 394.9082, F.S.; requiring the Department of Children and Families to develop standards and protocols for the collection, storage, transmittal, and analysis of utilization data from public receiving facilities; defining the term "public receiving facility"; requiring the department to require compliance by managing entities by a specified date; requiring a managing entity to require public receiving facilities in its provider network to submit certain data within specified timeframes; requiring managing entities to reconcile data to ensure accuracy; requiring managing entities to submit certain data to the department within specified timeframes; requiring the department to create a statewide database; requiring the department to adopt rules; requiring the department to submit an annual report to the Governor and the Legislature; providing that implementation is subject to specific appropriations; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1726** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 828** was deferred.

On motion by Senator Latvala—

**CS for CS for CS for SB 602**—A bill to be entitled An act relating to the residency of candidates and public officers; creating ss. 99.0125 and 111.015, F.S.; requiring a candidate or public officer required to reside in a specific geographic area to have only one domicile at a time; providing factors that may be considered when determining residency; providing



exceptions for active duty military members; amending ss. 14.01, 16.01, 17.02, 19.23, and 114.03, F.S.; specifying the applicability of residency requirements on the Governor and Cabinet officers; specifying that the act does not apply to members of the Legislature; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 602** was placed on the calendar of Bills on Third Reading.

**CS for CS for SB 268**—A bill to be entitled An act relating to certificates of need; amending s. 408.034, F.S.; decreasing the subdistrict average occupancy rate that the Agency for Health Care Administration is required to maintain as a goal of its nursing-home-bed-need methodology; conforming a provision to changes made by the act; authorizing an applicant to aggregate the need of geographically contiguous subdistricts within a district for a proposed community nursing home under certain circumstances; requiring the proposed nursing home site to be located in the subdistrict with the greater need under certain circumstances; recognizing an additional positive application factor for an applicant who voluntarily relinquishes certain nursing home beds; requiring the applicant to demonstrate that it meets certain requirements; amending s. 408.036, F.S.; providing that, under certain circumstances, replacement of a nursing home and relocation of a portion of a nursing home's licensed beds to another facility, or to establish a new facility, is a health-care-related project subject to expedited review; conforming a cross-reference; revising the requirements for projects that are exempted from applying for a certificate of need; repealing s. 408.0435, F.S., relating to the moratorium on the approval of certificates of need for additional community nursing home beds; creating s. 408.0436, F.S.; prohibiting the agency from approving a certificate-of-need application for new community nursing home beds under certain circumstances; defining the term "batching cycle"; providing a repeal; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 268**, on motion by Senator Grimsley, by two-thirds vote **CS for CS for HB 287** was withdrawn from the Committees on Health Policy; Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Grimsley—

**CS for CS for HB 287**—A bill to be entitled An act relating to certificates of need; amending s. 408.034, F.S.; decreasing the subdistrict average occupancy rate that the Agency for Health Care Administration is required to maintain as a goal of its nursing-home-bed-need methodology; conforming a provision to changes made by the act; authorizing an applicant to aggregate the need of geographically contiguous subdistricts within a district for a proposed community nursing home under certain circumstances; requiring the proposed nursing home site to be located in the subdistrict with the greater need under certain circumstances; recognizing an additional positive application factor for an applicant who voluntarily relinquishes certain nursing home beds; requiring the applicant to demonstrate that it meets certain requirements; amending s. 408.036, F.S.; providing that, under certain circumstances, replacement of a nursing home and relocation of a portion of a nursing home's licensed beds to another facility, or to establish a new facility, is a health-care-related project subject to expedited review; conforming a cross-reference; revising the requirements for projects that are exempted from applying for a certificate of need; creating s. 408.0436, F.S.; prohibiting the agency from approving a certificate-of-need application for new community nursing home beds under certain circumstances; defining the term "batching cycle"; providing for future repeal; repealing s. 408.0435, F.S., relating to the moratorium on the approval of certificates of need for additional community nursing home beds; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 268** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 287** was placed on the calendar of Bills on Third Reading.

**CS for CS for SB 588**—A bill to be entitled An act relating to offenses against vulnerable persons; amending s. 90.803, F.S.; revising when an out-of-court statement by an elderly person or disabled adult is admissible in certain proceedings; amending s. 817.568, F.S.; expanding applicability of prohibition on the fraudulent use of personal identification information of specified victims without consent to include persons 60 years of age or older; amending s. 825.101, F.S.; revising and deleting definitions; amending s. 825.103, F.S.; deleting a requirement that property of an elderly person or disabled adult be obtained by deception or intimidation in order to constitute exploitation of such a person; specifying additional circumstances that constitute a breach of a fiduciary duty and specifying when an unauthorized appropriation occurs; creating a presumption that certain inter vivos transfers are a result of exploitation; providing exceptions; providing for jury instructions concerning the presumption; revising the valuation of funds, assets, or property involved for various degrees of offenses of exploitation of an elderly person or disabled adult; providing for return of property seized from a defendant to the victim before trial in certain circumstances; amending ss. 775.0844 and 921.0022, F.S.; conforming provisions to changes made by the act; reenacting s. 772.11(1), F.S., relating to a civil remedy for theft or exploitation, to incorporate the amendments made by the act to s. 825.103, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 588**, on motion by Senator Richter, by two-thirds vote **CS for CS for HB 409** was withdrawn from the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Judiciary.

On motion by Senator Richter—

**CS for CS for HB 409**—A bill to be entitled An act relating to offenses against vulnerable persons; amending s. 90.803, F.S.; revising when an out of court statement by an elderly person or disabled adult is admissible in certain proceedings; amending s. 817.568, F.S.; expanding applicability of prohibition on the fraudulent use of personal identification information of specified victims without consent to include persons 60 years of age or older; amending s. 825.101, F.S.; revising and deleting definitions; amending s. 825.103, F.S.; deleting a requirement that property of an elderly person or disabled adult be obtained by deception or intimidation in order to constitute exploitation of such a person; specifying additional circumstances that constitute a breach of a fiduciary duty and specifying when an unauthorized appropriation occurs; creating a presumption that certain inter vivos transfers are a result of exploitation; providing exceptions; providing for jury instructions concerning the presumption; revising the valuation of funds, assets, or property involved for various degrees of offenses of exploitation of an elderly person or disabled adult; providing for return of property seized from a defendant to the victim before trial in certain circumstances; amending ss. 775.0844 and 921.0022, F.S.; conforming provisions to changes made by the act; reenacting s. 772.11(1), F.S., relating to a civil remedy for theft or exploitation, to incorporate the amendments made by the act to s. 825.103, F.S., in a reference thereto; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 588** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 409** was placed on the calendar of Bills on Third Reading.

**CS for SB 1210**—A bill to be entitled An act relating to the Division of Insurance Agents and Agency Services; amending s. 20.121, F.S.; revising the name of the division; amending s. 624.310, F.S.; revising service delivery methods; amending s. 624.318, F.S.; prohibiting the removal of specified original documents under certain conditions; amending s. 624.501, F.S.; revising original appointment and renewal fees related to certain insurance representatives; amending s. 626.015, F.S.; defining the term "unaffiliated insurance agent"; amending s. 626.0428, F.S.; requiring a branch place of business to have an agent in charge; authorizing an agent to be in charge of more than one branch office under certain circumstances; providing requirements relating to the designation of an agent in charge; providing that the agent in charge is accountable for wrongful acts, misconduct, and violations committed by the licensee and any person under his or her supervision; prohibiting

an insurance agency from conducting insurance business at a location without a designated agent in charge; providing for expiration of an agency license under specified circumstances; amending s. 626.112, F.S.; prohibiting new limited customer representative licenses from being issued after a specified date; providing licensure exemptions that allow specified individuals or entities to conduct insurance business at specified locations under certain circumstances; revising licensure requirements and penalties with respect to registered insurance agencies; providing that the registration of an approved registered insurance agency automatically converts to an insurance agency license on a specified date; amending s. 626.171, F.S.; providing an exemption from certain licensure application fees; amending s. 626.172, F.S.; revising requirements relating to applications for insurance agency licenses; amending s. 626.207, F.S.; conforming a cross-reference; amending s. 626.241, F.S.; revising the scope of the examination for a limited agent license; amending s. 626.261, F.S.; deleting a provision requiring certain costs to be paid by applicants who request licensure examinations in Spanish; amending s. 626.311, F.S.; limiting the types of business that may be transacted by certain agents; amending s. 626.321, F.S.; providing that a license issued to a business renting or leasing motor vehicles applies to employees and authorized representatives; amending s. 626.382, F.S.; providing that an insurance agency license continues in force until canceled, suspended, revoked, terminated, or expired; amending s. 626.601, F.S.; revising terminology relating to investigations conducted by the Department of Financial Services and the Office of Insurance Regulation with respect to individuals and entities involved in the insurance industry; amending s. 626.611, F.S.; requiring the department to suspend certain licenses and appointments; amending s. 626.641, F.S.; conforming a cross-reference; amending s. 626.733, F.S.; revising applicability of certain appointment provisions; amending s. 626.7355, F.S.; revising qualifications for a temporary customer representative's license; repealing s. 626.747, F.S., relating to branch agencies, agents in charge, and the payment of additional county tax under certain circumstances on a specified date; amending s. 626.7845, F.S.; revising a prohibition against unlicensed transaction of life insurance; amending ss. 626.8411, 626.861, and 626.862, F.S.; conforming cross-references; amending s. 626.9272, F.S.; revising requirements for the licensure of nonresident surplus lines agents; creating s. 627.4553, F.S.; requiring an insurance agent who recommends the surrender of certain annuity or life insurance to provide certain information to the department; amending s. 627.7015, F.S.; revising the rulemaking authority of the department with respect to qualifications and specified types of penalties covered under the property insurance mediation program; amending s. 627.706, F.S.; revising the definition of the term "neutral evaluator"; amending s. 627.7074, F.S.; providing grounds for the department to deny an application, or suspend or revoke approval of certification, of a neutral evaluator; requiring the department to adopt rules; amending s. 627.745, F.S.; revising qualifications for approval as a mediator by the department; providing grounds for the department to deny an application, or suspend or revoke approval, of a mediator; requiring the department to adopt rules; amending s. 627.952, F.S.; providing that certain persons who are not residents of this state must be licensed and appointed as nonresident surplus lines agents in this state in order to engage in specified activities with respect to servicing insurance contracts, certificates, or agreements for purchasing or risk retention groups; deleting a fidelity bond requirement applicable to certain nonresident agents who are licensed as surplus lines agents in another state; amending s. 648.43, F.S.; revising requirements for the submission of a power of attorney; amending s. 648.49, F.S.; revising provisions relating to the duration of suspension or revocation of a license; amending ss. 943.0585 and 943.059, F.S.; prohibiting a person seeking a license from the Division of Insurance Agent and Agency Services who is the subject of an expunged or sealed criminal history record from denying or failing to acknowledge arrests covered by the record; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for SB 1210**, on motion by Senator Bean, by two-thirds vote **CS for CS for HB 633** was withdrawn from the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Bean—

**CS for CS for HB 633**—A bill to be entitled An act relating to the Division of Insurance Agents and Agency Services; amending s. 20.121, F.S.; revising the name of the division; amending s. 624.310, F.S.; re-

vising service delivery methods; amending s. 624.318, F.S.; prohibiting the removal of specified original documents under certain conditions; amending s. 624.501, F.S.; revising original appointment and renewal fees related to certain insurance representatives; amending s. 626.015, F.S.; prohibiting new limited customer representative licenses from being issued after a specified date; defining the term "unaffiliated insurance agent"; amending s. 626.0428, F.S.; revising prohibitions relating to binding insurance and soliciting insurance; requiring a branch place of business to have an agent in charge; authorizing an agent to be in charge of more than one branch office under certain circumstances; providing requirements relating to the designation of an agent in charge; providing that the agent in charge is accountable for misconduct and violations committed by the licensee and any person under his or her supervision; prohibiting an insurance agency from conducting insurance business at a location without a designated agent in charge; providing for expiration of an agency license under specified circumstances; amending s. 626.112, F.S.; providing licensure exemptions that allow specified individuals or entities to conduct insurance business at specified locations under certain circumstances; revising licensure requirements and penalties with respect to registered insurance agencies; providing that the registration of an approved registered insurance agency automatically converts to an insurance agency license on a specified date; amending s. 626.171, F.S.; providing an exemption from certain licensure application fees; amending s. 626.172, F.S.; revising requirements relating to applications for insurance agency licenses; amending s. 626.207, F.S.; conforming a cross-reference; amending s. 626.241, F.S.; revising the scope of the examination for a limited agent; amending s. 626.261, F.S.; deleting a provision requiring certain costs to be paid by applicants who request licensure examinations in Spanish; amending s. 626.311, F.S.; limiting the types of business that may be transacted by certain agents; amending s. 626.321, F.S.; providing that a limited license to offer motor vehicle rental insurance issued to a business that rents or leases motor vehicles encompasses employees and authorized representatives of such business; amending s. 626.382, F.S.; providing that an insurance agency license continues in force until canceled, suspended, revoked, terminated, or expired; amending s. 626.601, F.S.; revising terminology relating to investigations conducted by the Department of Financial Services and the Office of Insurance Regulation with respect to individuals and entities involved in the insurance industry; amending s. 626.611, F.S.; requiring the department to suspend certain licenses and appointments; amending s. 626.641, F.S.; conforming a cross-reference; amending s. 626.733, F.S.; revising applicability of certain appointment provisions; amending s. 626.7355, F.S.; revising qualifications for a temporary customer representative's license; repealing s. 626.747, F.S., relating to branch agencies, agents in charge, and the payment of additional county tax under certain circumstances on a specified date; amending s. 626.7845, F.S.; revising a prohibition against unlicensed transaction of life insurance; amending ss. 626.8411, 626.861, and 626.862, F.S.; conforming cross-references; amending s. 626.9272, F.S.; revising requirements for the licensure of nonresident surplus lines agents; creating s. 627.4553, F.S.; requiring an insurance agent who recommends the surrender of certain annuity or life insurance to provide certain information to the department; amending s. 627.7015, F.S.; revising the rulemaking authority of the department with respect to qualifications and specified types of penalties covered under the property insurance mediation program; amending s. 627.706, F.S.; revising definitions; amending s. 627.7074, F.S.; providing grounds for the department to deny an application, or suspend or revoke approval of certification, of a neutral evaluator; requiring the department to adopt rules; amending s. 627.745, F.S.; revising qualifications for approval as a mediator by the department; providing grounds for the department to deny an application, or suspend or revoke approval, of a mediator; authorizing the department to adopt rules; amending s. 627.952, F.S.; providing that certain persons who are not residents of this state must be licensed and appointed as nonresident surplus lines agents in this state in order to engage in specified activities with respect to servicing insurance contracts, certificates, or agreements for purchasing or risk retention groups; deleting a fidelity bond requirement applicable to certain nonresident agents who are licensed as surplus lines agents in another state; amending s. 648.43, F.S.; revising requirements for the submission of a power of attorney; amending s. 648.49, F.S.; revising provisions relating to the duration of suspension or revocation of a license; amending ss. 943.0585 and 943.059, F.S.; prohibiting persons seeking to be licensed by the Division of Insurance Agent and Agency Services from denying or failing to acknowledge certain expunged or sealed records; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for SB 1210** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 633** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

**CS for SB 1238**—A bill to be entitled An act relating to family trust companies; amending s. 655.005, F.S.; revising the definition of the term “financial institutions codes”; creating chapter 662, F.S.; creating s. 662.10, F.S.; providing a short title; creating s. 662.102, F.S.; providing the purpose of the act; creating s. 662.111, F.S.; defining terms; creating s. 662.112, F.S.; providing for the calculation of kinship; creating s. 662.114, F.S.; exempting a family trust company or foreign licensed family trust company from licensure; creating s. 662.115, F.S.; providing for the applicability of the chapter to a family trust company or foreign licensed family trust company; creating s. 662.120, F.S.; specifying the maximum number of designated relatives allowed for a family trust company and a licensed family trust company; creating s. 662.121, F.S.; providing procedures for applying for a family trust company license; requiring a fee; creating s. 662.1215, F.S.; providing for investigations of applicants by the Office of Financial Regulation; creating s. 662.122, F.S.; providing procedures for the registration of a family trust company or a foreign licensed family trust company; requiring a fee; creating s. 662.1225, F.S.; providing requirements for a family trust company, licensed family trust company, and foreign licensed family trust company; creating s. 662.123, F.S.; requiring organizational documents to include certain provisions; authorizing the use of the term “trust”; creating s. 662.124, F.S.; requiring a minimum capital account; creating s. 662.125, F.S.; vesting exclusive authority to manage a family trust company or licensed family trust company in a board of directors or managers; providing for appointment of directors and managers; requiring certain notice to the office in specified circumstances; requiring the office to issue a notice of disapproval of a proposed appointment in specified circumstances; creating s. 662.126, F.S.; requiring that licensed family trust companies procure and maintain fidelity bonds or specified minimum capital account and errors and omissions insurance; authorizing a family trust company that is not licensed to procure and maintain such coverage; authorizing licensed and unlicensed family trust companies to procure and maintain other insurance policies; creating s. 662.127, F.S.; requiring certain books and records to be segregated; creating s. 662.128, F.S.; requiring annual license and registration renewal; requiring a fee; creating s. 662.129, F.S.; providing for the discontinuance of a licensed family trust company; creating s. 662.130, F.S.; authorizing family trust companies to conduct certain activities; creating s. 662.131, F.S.; prohibiting certain activities on the part of family trust companies; creating s. 662.132, F.S.; imposing certain requirements on the assets that form the minimum capital of licensed family trust companies and family trust companies; authorizing such trust companies to purchase or rent real or personal property, invest funds, and, while acting as a fiduciary, make certain purchases; imposing a restriction on that authorization; clarifying the degree of prudence required of fiduciaries; restricting the authority of a fiduciary to purchase certain bonds or securities; specifying additional authority of fiduciaries; applying the duty of loyalty to family trust companies in certain cases; creating s. 662.133, F.S.; requiring certain officers, directors, or managers of a licensed family trust company or a family trust company to make an oath, affirmation, affidavit, or acknowledgment on behalf of the company in certain circumstances; creating s. 662.134, F.S.; prohibiting a family trust company from advertising to the public; creating s. 662.135, F.S.; providing that a licensed family trust company is not required to post a bond to serve as a court-appointed fiduciary; creating s. 662.140, F.S.; authorizing the commission to adopt rules; creating s. 662.141, F.S.; authorizing the office to conduct examinations and investigations; requiring that family trust companies be examined at least once every 18 months; authorizing the office to accept an independent audit in lieu of conducting an examination; requiring the office to examine the books and records of a family trust company or licensed family trust company; authorizing the office to rely on a certificate of trust, trust summary, or written statement in certain circumstances; authorizing the commission to adopt rules relating to records and requirements; authorizing the office to examine the books and records of a foreign licensed family trust company; requiring family trust companies to pay examination fees tied to actual costs incurred by the office; providing a penalty for late payment and authorizing an administrative fine if late payment is intentional; creating s.

662.142, F.S.; providing for license revocation; specifying acts and conduct that constitute grounds for revocation; authorizing the office to suspend a license pending revocation; creating s. 662.143, F.S.; authorizing the office to issue a cease and desist order and an emergency cease and desist order; creating s. 662.144, F.S.; authorizing the office to collect fines for the failure to submit required reports; creating s. 662.145, F.S.; providing grounds for the removal of an officer, director, manager, employee, or agent of a licensed family trust company or a family trust company; creating s. 662.146, F.S.; providing for the confidentiality of certain company books and records; creating s. 662.147, F.S.; providing requirements for books and records of family trust companies; requiring the office to retain certain records for a specified time; allowing the introduction of certain copies into evidence; requiring the office to establish a schedule of fees for such copies; providing requirements for orders issued by courts or administrative law judges for the production of confidential records or information; creating s. 662.150, F.S.; providing for the domestication of a foreign family trust company; creating s. 662.151, F.S.; providing for the registration of a foreign licensed family trust company; amending s. 120.80, F.S.; adding licensed family trust companies to the entities regulated by the office that are exempted from licensing timeframes under ch. 120, F.S.; amending s. 736.0802, F.S.; providing circumstances under which certain trust transactions are not voidable by a beneficiary affected by a transaction; providing circumstances under which certain transactions involving the investment or management of trust property are not presumed to be affected by conflicts of interest; providing an exception; amending s. 744.351, F.S.; exempting a family trust company from certain bond requirements and applying those requirements to licensed family trust companies and foreign licensed family trust companies; providing a contingent effective date.

—was read the second time by title.

Senator Richter moved the following amendment which was adopted:

**Amendment 1 (150990)**—Delete lines 1053-1054 and insert:  
*provision of this chapter or rules adopted by the commission pursuant to this chapter, or any applicable provision of the financial institution codes or rules adopted by the commission pursuant to such codes.*

Pursuant to Rule 4.19, **CS for SB 1238** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

**CS for CS for SB 544**—A bill to be entitled An act relating to licensure to carry a concealed weapon or firearm; amending s. 790.06, F.S.; authorizing an applicant for a license to carry a concealed weapon or firearm to submit the application to an appointed tax collector; creating s. 790.0625, F.S.; defining terms; authorizing the Department of Agriculture and Consumer Services to appoint tax collectors to accept applications for new or renewal licenses to carry a concealed weapon or firearm on behalf of the Division of Licensing of the Department of Agriculture and Consumer Services; requiring a tax collector seeking appointment to submit a written request to the division; providing requirements for the request; requiring the division and an appointed tax collector to enter into a memorandum of understanding; authorizing the department or the division to rescind a memorandum of understanding at any time; providing that certain personal identifying information of applicants for licensure is confidential and exempt; establishing license fees for new and renewal applications; requiring an appointed tax collector to remit fees to the department; prohibiting a tax collector from maintaining a list or record of concealed weapon or firearm licensees or applicants; prohibiting a person from processing a concealed weapon or firearm application for a fee or compensation unless he or she has been appointed by the department to do so; providing for criminal penalties; providing an appropriation; authorizing a specified number of full-time equivalent positions with associated salary rate within the department; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 544**, on motion by Senator Simpson, by two-thirds vote **CS for CS for HB 523** was withdrawn from the Committees on Criminal Justice; Agriculture; Community Affairs; and Appropriations.

On motion by Senator Simpson—

**CS for CS for HB 523**—A bill to be entitled An act relating to licensure to carry a concealed weapon or firearm; amending s. 790.06, F.S.; authorizing an applicant for a license to carry a concealed weapon or firearm to submit the application to an appointed tax collector; creating s. 790.0625, F.S.; defining terms; authorizing the Department of Agriculture and Consumer Services to appoint tax collectors to accept applications for new or renewal licenses to carry a concealed weapon or firearm on behalf of the Division of Licensing of the Department of Agriculture and Consumer Services; requiring a tax collector seeking appointment to submit a written request to the division; providing requirements for the request; requiring the division and an appointed tax collector to enter into a memorandum of understanding; authorizing the department or the division to rescind a memorandum of understanding at any time; providing that certain personal identifying information of applicants for licensure is confidential and exempt; establishing license fees for new and renewal applications; requiring an appointed tax collector to remit fees to the department; prohibiting a tax collector from maintaining a list or record of concealed weapon or firearm licensees or applicants; prohibiting a person from processing a concealed weapon or firearm application for a fee or compensation unless he or she has been appointed by the department to do so; providing for criminal penalties; providing an appropriation and authorizing positions; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 544** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 523** was placed on the calendar of Bills on Third Reading.

**CS for SB 616**—A bill to be entitled An act relating to public records; amending s. 338.155, F.S.; providing an exemption from public records requirements for personal identifying information held by the Department of Transportation, a county, a municipality, or an expressway authority for the purpose of paying, prepaying, or collecting tolls and associated administrative charges for the use of toll facilities; providing for application of the exemption; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 616**, on motion by Senator Evers, by two-thirds vote **CS for HB 7007** was withdrawn from the Committees on Transportation; Governmental Oversight and Accountability; and Rules.

On motion by Senator Evers—

**CS for HB 7007**—A bill to be entitled An act relating to public records; amending s. 338.155, F.S., relating to the payment of tolls and associated charges; providing an exemption from public records requirements for personal identifying information; providing for retroactive application of the exemption; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 616** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 7007** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 650**, **CS for SB 1140**, and **CS for SB 840** was deferred.

On motion by Senator Thrasher—

**CS for CS for SB 1526**—A bill to be entitled An act relating to public records; amending s. 501.171, F.S.; creating an exemption from public records requirements for information received by the Department of Legal Affairs pursuant to a notice of a data breach or pursuant to certain

investigations; authorizing disclosure under certain circumstances; defining the term “proprietary information”; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1526** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

**CS for SB 414**—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for personal identifying information of certain animal researchers at public research facilities, including state universities; providing for retroactive applicability of the exemption; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 414** was placed on the calendar of Bills on Third Reading.

On motion by Senator Abruzzo—

**CS for CS for SB 350**—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for personal identifying information of participants in a yellow dot critical motorist medical information program; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 350** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 1262** was deferred.

On motion by Senator Richter—

**CS for CS for SB 1278**—A bill to be entitled An act relating to public records; amending s. 655.057, F.S.; providing an exemption from public records requirements for certain informal enforcement actions by the Office of Financial Regulation, to which penalties apply for willful disclosure of such confidential information; providing an exemption from public records requirements for certain trade secrets held by the office, to which penalties apply for willful disclosure of such confidential information; defining terms; providing for future legislative review and repeal of the section; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Senator Richter moved the following amendment which was adopted:

**Amendment 1 (943256)**—Delete line 148 and insert:  
by the office for review of such order ~~shall~~ automatically *stays*

Pursuant to Rule 4.19, **CS for CS for SB 1278** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Ring—

**SB 1678**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records requirements for social security numbers of current and former agency employees held by an employing agency; saving the exemption from repeal under the Open Government Sunset Review Act; authorizing an employing agency to

disclose the social security number of a current or former agency employee under certain circumstances; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1678** was placed on the calendar of Bills on Third Reading.

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Consideration of **CS for SM 1298** was deferred.

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**CS for SM 368**—A memorial to the Congress of the United States, applying to Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States to provide that every law enacted by Congress shall embrace only one subject, which shall be clearly expressed in its title.

—was read the second time by title.

Pending further consideration of **CS for SM 368**, on motion by Senator Simpson, by two-thirds vote **CS for HM 261** was withdrawn from the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

On motion by Senator Simpson—

**CS for HM 261**—A memorial to the Congress of the United States, applying to Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States to provide that every law enacted by Congress shall embrace only one subject, which shall be clearly expressed in its title.

—a companion measure, was substituted for **CS for SM 368** and read the second time by title. On motion by Senator Simpson, **CS for HM 261** was adopted and certified to the House.

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**CS for SM 1174**—A memorial to the Congress of the United States, urging Congress to direct the United States Environmental Protection Agency to use specified criteria in developing guidelines for regulating carbon dioxide emissions from existing fossil-fueled electric generating units.

—was read the second time by title. On motion by Senator Gibson, **CS for SM 1174** was adopted and certified to the House.

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**SB 1698**—A bill to be entitled An act relating to the ratification of rules of the Office of Insurance Regulation; ratifying a specified rule requiring title insurance agencies and the retail offices of certain title insurance underwriters to electronically submit certain statistical data; providing applicability; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1698**, on motion by Senator Simmons, by two-thirds vote **HB 7097** was withdrawn from the Committees on Banking and Insurance; and Rules.

On motion by Senator Simmons—

**HB 7097**—A bill to be entitled An act relating to ratification of rules of the Office of Insurance Regulation; ratifying specified rules requiring title insurance agencies and the retail offices of certain title insurance underwriters to electronically submit certain statistical data, for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule meeting any specified thresholds for likely adverse impact or increase in regulatory costs; providing applicability; providing an effective date.

—a companion measure, was substituted for **SB 1698** and read the second time by title.

Pursuant to Rule 4.19, **HB 7097** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Hays—

**CS for SB 1140**—A bill to be entitled An act relating to public records; creating s. 252.905, F.S.; creating an exemption from public records requirements for information furnished to the Division of Emergency

Management by a person or business for the purpose of obtaining assistance with emergency planning; providing for retroactive application of the exemption; providing for future repeal and legislative review of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1140** was placed on the calendar of Bills on Third Reading.

### MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Negron, the rules were waived and the Committee on Appropriations was granted permission to meet Thursday, April 24, 2014, from 9:00 a.m. until 10:45 a.m.

### RECESS

The President declared the Senate in recess at 11:56 a.m. to reconvene at 2:30 p.m.

### AFTERNOON SESSION

The Senate was called to order by the President at 2:30 p.m. A quorum present—38:

Mr. President	Evers	Negron
Abruzzo	Flores	Richter
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simmons
Bradley	Gibson	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Lee	Stargel
Dean	Legg	Thompson
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	

### SPECIAL ORDER CALENDAR

On motion by Senator Bullard—

**CS for CS for SB 820**—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was read the second time by title.

Senator Bean moved the following amendment which was adopted:

**Amendment 1 (540444)**—Between lines 294 and 295 insert:

Section 34. *Nassau County Deputy Sheriffs Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of S.R. A1A/200 between I-95/S.R. 9 and Stratton Road in Nassau County is designated as “Nassau County Deputy Sheriffs Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Nassau County Deputy Sheriffs Memorial Highway as described in subsection (1).*

Senator Flores moved the following amendment:

**Amendment 2 (843884)**—Between lines 294 and 295 insert:

Section 34. *Betty Pino Way designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of U.S. 41/S.R. 90/Tamiami Trail/S.W. 8th Street between S.W. 37th Avenue and Ponce de Leon Boulevard in Miami-Dade County is designated as "Betty Pino Way."*

(2) *The Department of Transportation is directed to erect suitable markers designating Betty Pino Way as described in subsection (1).*

Section 35. *Sabre Way designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of S.R. 973/S.W. 87th Avenue between S.W. 24th Street/Coral Way and S.W. 32nd Street in Miami-Dade County is designated as "Sabre Way."*

(2) *The Department of Transportation is directed to erect suitable markers designating Sabre Way as described in subsection (1).*

Section 36. *Rene Ledesma Way designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of S.W. 87th Avenue between S.W. 68th Street and S.W. 70th Street in Miami-Dade County is designated as "Rene Ledesma Way."*

(2) *The Department of Transportation is directed to erect suitable markers designating Rene Ledesma Way as described in subsection (1).*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Flores moved the following amendment to **Amendment 2** which was adopted:

**Amendment 2A (588280)**—Delete line 23 and insert:

(1) *That portion of S.R. 973/S.W. 87th Avenue between S.W. 68th*

**Amendment 2 (843884)** as amended was adopted.

Pursuant to Rule 4.19, **CS for CS for SB 820** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

**SB 1262**—A bill to be entitled An act relating to public records and meetings; amending s. 627.0628, F.S.; providing an exemption from public records and public meetings requirements for trade secrets used to design an insurance flood loss model held in records or discussed in meetings of the Florida Commission on Hurricane Loss Projection Methodology, the Office of Insurance Regulation, or the appointed consumer advocate; providing for legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1262** was placed on the calendar of Bills on Third Reading.

**CS for SM 1298**—A memorial to the Congress of the United States, urging Congress to pass the Disaster Savings Accounts Act to encourage the mitigation of property damage and costs before a natural disaster strikes.

—was read the second time by title. On motion by Senator Brandes, **CS for SM 1298** was adopted and certified to the House.

## BILLS ON THIRD READING

**SB 160**—A bill to be entitled An act relating to canned or perishable food distributed free of charge; amending s. 768.136, F.S.; revising the definition of the term "donor"; limiting the liability of public schools with respect to canned or perishable food donated to charitable or nonprofit organizations; making grammatical changes; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 160**, on motion by Senator Bullard, by two-thirds vote **HB 23** was withdrawn from the Committees on Education; Children, Families, and Elder Affairs; and Judiciary.

On motion by Senator Bullard, by two-thirds vote—

**HB 23**—A bill to be entitled An act relating to canned or perishable food distributed free of charge; amending s. 768.136, F.S.; limiting the liability of public schools with respect to the donation of canned or perishable food to charitable or nonprofit organizations; revising a definition; providing an effective date.

—a companion measure, was substituted for **SB 160** and read the second time by title.

On motion by Senator Bullard, by two-thirds vote **HB 23** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Dean	Lee	Soto
Detert	Legg	Stargel
Diaz de la Portilla	Margolis	Thompson
Evers	Montford	Thrasher

Nays—None

Vote after roll call:

Yea—Abruzzo, Clemens

Vote preference:

April 24, 2014: Yea—Grimsley

**CS for SB 1024**—A bill to be entitled An act relating to off-highway vehicles; amending s. 261.03, F.S.; revising the terms "ATV" and "ROV"; amending s. 261.20, F.S.; revising a violation for carrying an operator and more than a single passenger on certain off-highway vehicles to prohibit carrying more passengers than the vehicle is designed to carry; amending a penalty provision to apply to off-highway vehicles; amending s. 316.2074, F.S.; revising the term "all-terrain vehicle"; amending s. 317.0003, F.S.; revising the terms "ATV" and "ROV"; providing an effective date.

—as amended April 11 was read the third time by title.

On motion by Senator Dean, **CS for SB 1024** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Negron
Abruzzo	Flores	Richter
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simmons
Bradley	Gibson	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Lee	Stargel
Dean	Legg	Thompson
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	

Nays—None

Vote preference:

April 24, 2014: Yea—Grimsley

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Consideration of **CS for CS for SB 1070** was deferred.

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**CS for CS for SB 1344**—A bill to be entitled An act relating to insurance; amending s. 626.8805, F.S.; revising insurance administrator application requirements; amending s. 626.8817, F.S.; authorizing an insurer's designee to provide certain coverage information to an insurance administrator; authorizing an insurer to contract a third party to conduct a review of the operations of an insurance administrator under certain circumstances; amending s. 626.882, F.S.; prohibiting a person from acting as an insurance administrator without a specific written agreement; amending s. 626.883, F.S.; requiring an insurance administrator to furnish fiduciary account records to an insurer or its designee; requiring administrator withdrawals from a fiduciary account to be made according to a specific written agreement; providing that an insurer's designee may authorize payment of claims; amending s. 626.884, F.S.; revising an insurer's right of access to certain administrator records; amending s. 626.89, F.S.; revising the deadline for filing certain financial statements; amending s. 626.9541, F.S.; revising provisions for unfair methods of competition and unfair or deceptive acts relating to conducting certain insurance transactions through credit card facilities; amending s. 627.351, F.S.; revising the entities that make recommendations to the Chief Financial Officer for appointment to the board of governors of the Joint Underwriting Association; amending s. 627.7283, F.S.; allowing the electronic transfer of unearned premiums under specified circumstances; amending s. 631.912, F.S.; revising the appointment process for members of the board of directors of the Florida Workers' Compensation Insurance Guaranty Association; amending s. 766.315, F.S.; revising the entities that make recommendations to the Chief Financial Officer for appointment to the board of directors of the Florida Birth-Related Neurological Injury Compensation Association; providing an effective date.

—was read the third time by title.

On motion by Senator Braynon, **CS for CS for SB 1344** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Evers	Richter
Abruzzo	Flores	Ring
Altman	Galvano	Sachs
Bean	Garcia	Simmons
Benacquisto	Gardiner	Simpson
Bradley	Gibson	Smith
Brandes	Hays	Sobel
Braynon	Hukill	Soto
Bullard	Joyner	Stargel
Clemens	Lee	Thompson
Dean	Legg	Thrasher
Detert	Montford	
Diaz de la Portilla	Negron	

Nays—None

Vote preference:

April 24, 2014: Yea—Grimsley

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Consideration of **CS for CS for SB 1524** was deferred.

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**CS for SB 998**—A bill to be entitled An act relating to estates; amending s. 732.806, F.S.; providing that certain restrictions on gifts to lawyers and other disqualified persons apply to written instruments executed on or after a specified date; providing for applicability; amending s. 733.107, F.S.; clarifying circumstances under which a burden of proof shifts in cases involving undue influence; providing for

retroactive application; amending s. 733.808, F.S.; requiring that a directive to apply certain death benefits for the payment of claims and administration expenses be specified in certain instruments; providing for retroactive application; amending s. 736.0207, F.S.; establishing which party bears the burden of proof in an action to contest the validity or revocation of a trust; providing for applicability; amending s. 736.05053, F.S.; requiring a specific directive for certain assets and death benefits to be used to pay estate expenses; providing for retroactive application; amending s. 736.1106, F.S.; providing for the vesting of outright devises in certain trust documents; providing for applicability; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 998**, on motion by Senator Hukill, by two-thirds vote **CS for CS for HB 757** was withdrawn from the Committees on Judiciary; Banking and Insurance; and Rules.

On motion by Senator Hukill, by two-thirds vote—

**CS for CS for HB 757**—A bill to be entitled An act relating to estates; amending s. 732.806, F.S.; specifying that certain restrictions on gifts to lawyers and persons related to such lawyers apply only to written instruments executed on or after a specified date; providing applicability; amending s. 733.107, F.S.; providing circumstances under which a burden of proof shifts in cases involving undue influence; providing applicability; amending s. 733.808, F.S.; requiring that a directive to apply certain death benefits for the payment of claims and administration expenses be specified in certain instruments; providing for retroactive applicability; amending s. 736.0207, F.S.; establishing which party bears the burden of proof in an action to contest the validity or revocation of a trust; providing applicability; amending s. 736.05053, F.S.; requiring a specific directive for certain assets and death benefits to be used to pay estate expenses; providing for retroactive applicability; amending s. 736.1106, F.S.; providing for the vesting of outright devises in certain trust documents; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for SB 998** and read the second time by title.

On motion by Senator Hukill, by two-thirds vote **CS for CS for HB 757** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Richter
Abruzzo	Galvano	Sachs
Altman	Gardiner	Simmons
Benacquisto	Gibson	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Joyner	Soto
Bullard	Latvala	Stargel
Clemens	Lee	Thompson
Dean	Margolis	Thrasher
Detert	Montford	
Evers	Negron	

Nays—None

Vote after roll call:

Yea—Bean, Diaz de la Portilla, Garcia, Legg

Vote preference:

April 24, 2014: Yea—Grimsley

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**CS for CS for SB 1524**—A bill to be entitled An act relating to security of confidential personal information; providing a short title; repealing s. 817.5681, F.S., relating to a breach of security concerning confidential personal information in third-party possession; creating s. 501.171, F.S.; providing definitions; requiring specified entities to take reasonable measures to protect and secure data containing personal information in electronic form; requiring specified entities to notify the



Department of Legal Affairs of data security breaches; requiring notice to individuals of data security breaches under certain circumstances; providing exceptions to notice requirements under certain circumstances; specifying contents and methods of notice; requiring notice to credit reporting agencies under certain circumstances; requiring the department to report annually to the Legislature; specifying report requirements; providing requirements for disposal of customer records; providing for enforcement actions by the department; providing civil penalties; specifying that no private cause of action is created; amending ss. 282.0041 and 282.318, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—as amended April 11 was read the third time by title.

On motion by Senator Thrasher, **CS for CS for SB 1524** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Negron
Abruzzo	Flores	Richter
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simmons
Bradley	Gibson	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Bullard	Latvala	Soto
Clemens	Lee	Stargel
Dean	Legg	Thompson
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	

Nays—None

Vote after roll call:

Yea—Hays

Vote preference:

April 24, 2014: Yea—Grimsley

#### SPECIAL GUESTS

Senator Thrasher recognized Attorney General Pam Bondi who was present in the chamber.

**CS for CS for SB 754**—A bill to be entitled An act relating to certificates of title; amending s. 319.23, F.S.; revising the required statement that is stamped on a certificate of title upon issuance of the certificate; requiring the department to provide a report regarding certificates of title for rebuilt motor vehicles; amending s. 319.30, F.S.; defining a term; revising requirements for the department to declare certain mobile homes and motor vehicles unrebuildable and to issue a certificate of destruction; requiring an owner of, or an insurance company for, a motor vehicle that is worth less than a specified amount or is above a certain age to obtain a certificate of destruction under certain circumstances; providing a criminal penalty; amending s. 860.146, F.S.; defining terms and redefining the term “fake airbag”; prohibiting the import, manufacture, offering for sale, or reinstallation of fake airbags; providing a criminal penalty; providing an effective date.

—as amended April 11 was read the third time by title.

On motion by Senator Bradley, **CS for CS for SB 754** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bradley	Dean
Abruzzo	Brandes	Detert
Altman	Braynon	Diaz de la Portilla
Bean	Bullard	Flores
Benacquisto	Clemens	Galvano

Garcia	Legg	Simpson
Gardiner	Margolis	Smith
Gibson	Montford	Sobel
Hays	Negron	Soto
Hukill	Richter	Stargel
Joyner	Ring	Thompson
Latvala	Sachs	Thrasher
Lee	Simmons	

Nays—1

Evers

Vote preference:

April 24, 2014: Yea—Grimsley

**CS for CS for HB 405**—A bill to be entitled An act relating to trusts; amending s. 736.0703, F.S.; limiting the liability of excluded trustees; providing that certain duties of trustees do not apply to an excluded trustee in certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Joyner, **CS for CS for HB 405** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Diaz de la Portilla	Montford
Abruzzo	Evers	Richter
Altman	Flores	Ring
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simmons
Bradley	Gibson	Simpson
Brandes	Hukill	Sobel
Braynon	Joyner	Soto
Bullard	Latvala	Stargel
Clemens	Lee	Thompson
Dean	Legg	Thrasher
Detert	Margolis	

Nays—None

Vote after roll call:

Yea—Hays

Vote preference:

April 24, 2014: Yea—Grimsley

**SB 374**—A bill to be entitled An act relating to growth management; amending s. 163.3167, F.S.; revising restrictions on an initiative or referendum process with regard to local comprehensive plan amendments and map amendments; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **SB 374** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Clemens	Joyner
Abruzzo	Dean	Latvala
Altman	Detert	Lee
Bean	Diaz de la Portilla	Legg
Benacquisto	Evers	Margolis
Bradley	Flores	Montford
Brandes	Garcia	Richter
Braynon	Gibson	Ring
Bullard	Hukill	Sachs

Simmons	Sobel	Thompson
Simpson	Soto	Thrasher
Smith	Stargel	

Nays—None

Vote after roll call:

Yea—Galvano, Hays

Vote preference:

April 24, 2014: Yea—Grimsley

**CS for HB 7035**—A bill to be entitled An act relating to juvenile sentencing; amending s. 775.082, F.S.; providing criminal penalties applicable to a juvenile offender for certain serious felonies; requiring a judge to consider specified factors before determining if life imprisonment is an appropriate sentence for a juvenile offender convicted of certain offenses; providing review of sentences for specified juvenile offenders; creating s. 921.140, F.S.; providing sentencing proceedings for determining if life imprisonment is an appropriate sentence for a juvenile offender convicted of certain offenses; providing certain factors a judge shall consider when determining if life imprisonment is appropriate for a juvenile offender; creating s. 921.1401, F.S.; defining the term “juvenile offender”; providing sentence review proceedings to be conducted after a specified period of time by the original sentencing court for juvenile offenders convicted of certain offenses; providing for subsequent reviews; requiring the Department of Corrections to notify a juvenile offender of his or her eligibility to participate in sentence review hearings; entitling a juvenile offender to be represented by counsel; providing factors that must be considered by the court in the sentence review; requiring the court to modify a juvenile offender’s sentence if certain factors are found; requiring the court to impose a term of probation for any sentence modified; requiring the court to make written findings if the court declines to modify a juvenile offender’s sentence; amending ss. 316.3026, 373.430, 403.161, and 648.571, F.S.; conforming cross-references; providing an effective date.

—as amended April 11 was read the third time by title.

**RECONSIDERATION OF AMENDMENT**

On motion by Senator Braynon, the Senate reconsidered the vote by which **Amendment 1 (978768)** was adopted.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Braynon moved the following substitute amendment which was adopted by two-thirds vote:

**Amendment 2 (841792) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Subsections (1) and (3) of section 775.082, Florida Statutes, are amended to read:

775.082 Penalties; applicability of sentencing structures; mandatory minimum sentences for certain reoffenders previously released from prison.—

(1)(a) *Except as provided in paragraph (b), a person who has been convicted of a capital felony shall be punished by death if the proceeding held to determine sentence according to the procedure set forth in s. 921.141 results in findings by the court that such person shall be punished by death, otherwise such person shall be punished by life imprisonment and shall be ineligible for parole.*

(b)1. *A person who actually killed, intended to kill, or attempted to kill the victim and who is convicted under s. 782.04 of a capital felony, or an offense that was reclassified as a capital felony, which was committed before the person attained 18 years of age shall be punished by a term of imprisonment for life if, after a sentencing hearing conducted by the court in accordance with s. 921.1401, the court finds that life imprisonment is an appropriate sentence. If the court finds that life imprisonment is not an appropriate sentence, such person shall be punished by a term of im-*

*prisonment of at least 40 years. A person sentenced pursuant to this subparagraph is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(a).*

2. *A person who did not actually kill, intend to kill, or attempt to kill the victim and who is convicted under s. 782.04 of a capital felony, or an offense that was reclassified as a capital felony, which was committed before the person attained 18 years of age may be punished by a term of imprisonment for life or by a term of years equal to life if, after a sentencing hearing conducted by the court in accordance with s. 921.1401, the court finds that life imprisonment is an appropriate sentence. A person who is sentenced to a term of imprisonment of more than 15 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(c).*

3. *The court shall make a written finding as to whether a person is eligible for a sentence review hearing under s. 921.1402(2)(a) or (2)(c). Such a finding shall be based upon whether the person actually killed, intended to kill, or attempted to kill the victim. The court may find that multiple defendants killed, intended to kill, or attempted to kill the victim.*

(3) A person who has been convicted of any other designated felony may be punished as follows:

(a)1. For a life felony committed ~~before~~ ~~prior to~~ October 1, 1983, by a term of imprisonment for life or for a term of ~~at least years not less than~~ 30 years.

2. For a life felony committed on or after October 1, 1983, by a term of imprisonment for life or by a term of imprisonment not exceeding 40 years.

3. Except as provided in subparagraph 4., for a life felony committed on or after July 1, 1995, by a term of imprisonment for life or by imprisonment for a term of years not exceeding life imprisonment.

4.a. Except as provided in sub-subparagraph b., for a life felony committed on or after September 1, 2005, which is a violation of s. 800.04(5)(b), by:

(I) A term of imprisonment for life; or

(II) A split sentence that is a term of ~~at least not less than~~ 25 years’ imprisonment and not exceeding life imprisonment, followed by probation or community control for the remainder of the person’s natural life, as provided in s. 948.012(4).

b. For a life felony committed on or after July 1, 2008, which is a person’s second or subsequent violation of s. 800.04(5)(b), by a term of imprisonment for life.

5. *Notwithstanding subparagraphs 1.-4., a person who is convicted under s. 782.04 of an offense that was reclassified as a life felony which was committed before the person attained 18 years of age may be punished by a term of imprisonment for life or by a term of years equal to life imprisonment if the judge conducts a sentencing hearing in accordance with s. 921.1401 and finds that life imprisonment or a term of years equal to life imprisonment is an appropriate sentence.*

a. *A person who actually killed, intended to kill, or attempted to kill the victim and is sentenced to a term of imprisonment of more than 25 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(b).*

b. *A person who did not actually kill, intend to kill, or attempt to kill the victim and is sentenced to a term of imprisonment of more than 15 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(c).*

c. *The court shall make a written finding as to whether a person is eligible for a sentence review hearing under s. 921.1402(2)(b) or (2)(c). Such a finding shall be based upon whether the person actually killed, intended to kill, or attempted to kill the victim. The court may find that multiple defendants killed, intended to kill, or attempted to kill the victim.*

(b)1. For a felony of the first degree, by a term of imprisonment not exceeding 30 years or, when specifically provided by statute, by imprisonment for a term of years not exceeding life imprisonment.

2. Notwithstanding subparagraph 1., a person convicted under s. 782.04 of a first-degree felony punishable by a term of years not exceeding life imprisonment, or an offense that was reclassified as a first degree felony punishable by a term of years not exceeding life, which was committed before the person attained 18 years of age may be punished by a term of years equal to life imprisonment if the judge conducts a sentencing hearing in accordance with s. 921.1401 and finds that a term of years equal to life imprisonment is an appropriate sentence.

a. A person who actually killed, intended to kill, or attempted to kill the victim and is sentenced to a term of imprisonment of more than 25 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(b).

b. A person who did not actually kill, intend to kill, or attempt to kill the victim and is sentenced to a term of imprisonment of more than 15 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(c).

c. The court shall make a written finding as to whether a person is eligible for a sentence review hearing under s. 921.1402(2)(b) or (2)(c). Such a finding shall be based upon whether the person actually killed, intended to kill, or attempted to kill the victim. The court may find that multiple defendants killed, intended to kill, or attempted to kill the victim.

(c) Notwithstanding paragraphs (a) and (b), a person convicted of an offense that is not included in s. 782.04 but that is an offense that is a life felony or is punishable by a term of imprisonment for life or by a term of years not exceeding life imprisonment, or an offense that was reclassified as a life felony or an offense punishable by a term of imprisonment for life or by a term of years not exceeding life imprisonment, which was committed before the person attained 18 years of age may be punished by a term of imprisonment for life or a term of years equal to life imprisonment if the judge conducts a sentencing hearing in accordance with s. 921.1401 and finds that life imprisonment or a term of years equal to life imprisonment is an appropriate sentence. A person who is sentenced to a term of imprisonment of more than 20 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(d).

(d)(e) For a felony of the second degree, by a term of imprisonment not exceeding 15 years.

(e)(d) For a felony of the third degree, by a term of imprisonment not exceeding 5 years.

Section 2. Section 921.1401, Florida Statutes, is created to read:

921.1401 Sentence of life imprisonment for persons who are under the age of 18 years at the time of the offense; sentencing proceedings.—

(1) Upon conviction or adjudication of guilt of an offense described in s. 775.082(1)(b), s. 775.082(3)(a)5., s. 775.082(3)(b)2., or s. 775.082(3)(c) which was committed on or after July 1, 2014, the court may conduct a separate sentencing hearing to determine if a term of imprisonment for life or a term of years equal to life imprisonment is an appropriate sentence.

(2) In determining whether life imprisonment or a term of years equal to life imprisonment is an appropriate sentence, the court shall consider factors relevant to the offense and the defendant's youth and attendant circumstances, including, but not limited to:

(a) The nature and circumstances of the offense committed by the defendant.

(b) The effect of the crime on the victim's family and on the community.

(c) The defendant's age, maturity, intellectual capacity, and mental and emotional health at the time of the offense.

(d) The defendant's background, including his or her family, home, and community environment.

(e) The effect, if any, of immaturity, impetuosity, or failure to appreciate risks and consequences on the defendant's participation in the offense.

(f) The extent of the defendant's participation in the offense.

(g) The effect, if any, of familial pressure or peer pressure on the defendant's actions.

(h) The nature and extent of the defendant's prior criminal history.

(i) The effect, if any, of characteristics attributable to the defendant's youth on the defendant's judgment.

(j) The possibility of rehabilitating the defendant.

Section 3. Section 921.1402, Florida Statutes, is created to read:

921.1402 Review of sentences for persons convicted of specified offenses committed while under the age of 18 years.—

(1) For purposes of this section, the term "juvenile offender" means a person sentenced to imprisonment in the custody of the Department of Corrections for an offense committed on or after July 1, 2014, and committed before he or she attained 18 years of age.

(2)(a) A juvenile offender sentenced under s. 775.082(1)(b)1. is entitled to a review of his or her sentence after 25 years. However, a juvenile offender is not entitled to review if he or she has previously been convicted of one of the following offenses, or conspiracy to commit one of the following offenses, if the offense for which the person was previously convicted was part of a separate criminal transaction or episode than that which resulted in the sentence under s. 775.082(1)(b)1.:

1. Murder;
2. Manslaughter;
3. Sexual battery;
4. Armed burglary;
5. Armed robbery;
6. Armed carjacking;
7. Home-invasion robbery;
8. Human trafficking for commercial sexual activity with a child under 18 years of age;
9. False imprisonment under s. 787.02(3)(a); or
10. Kidnapping.

(b) A juvenile offender sentenced to a term of more than 25 years under s. 775.082(3)(a)5.a. or s. 775.082(3)(b)2.a. is entitled to a review of his or her sentence after 25 years.

(c) A juvenile offender sentenced to a term of more than 15 years under s. 775.082(1)(b)2., s. 775.082(3)(a)5.b., or s. 775.082(3)(b)2.b. is entitled to a review of his or her sentence after 15 years.

(d) A juvenile offender sentenced to a term of 20 years or more under s. 775.082(3)(c) is entitled to a review of his or her sentence after 20 years. If the juvenile offender is not resentenced at the initial review hearing, he or she is eligible for one subsequent review hearing 10 years after the initial review hearing.

(3) The Department of Corrections shall notify a juvenile offender of his or her eligibility to request a sentence review hearing 18 months before the juvenile offender is entitled to a sentence review hearing under this section.

(4) A juvenile offender seeking sentence review pursuant to subsection (2) must submit an application to the court of original jurisdiction requesting that a sentence review hearing be held. The juvenile offender must submit a new application to the court of original jurisdiction to request subsequent sentence review hearings pursuant to paragraph (2)(d). The sentencing court shall retain original jurisdiction for the duration of the sentence for this purpose.

(5) A juvenile offender who is eligible for a sentence review hearing under this section is entitled to be represented by counsel, and the court shall appoint a public defender to represent the juvenile offender if the juvenile offender cannot afford an attorney.

(6) Upon receiving an application from an eligible juvenile offender, the court of original sentencing jurisdiction shall hold a sentence review hearing to determine whether the juvenile offender's sentence should be modified. When determining if it is appropriate to modify the juvenile offender's sentence, the court shall consider any factor it deems appropriate, including all of the following:

(a) Whether the juvenile offender demonstrates maturity and rehabilitation.

(b) Whether the juvenile offender remains at the same level of risk to society as he or she did at the time of the initial sentencing.

(c) The opinion of the victim or the victim's next of kin. The absence of the victim or the victim's next of kin from the sentence review hearing may not be a factor in the determination of the court under this section. The court shall permit the victim or victim's next of kin to be heard, in person, in writing, or by electronic means. If the victim or the victim's next of kin chooses not to participate in the hearing, the court may consider previous statements made by the victim or the victim's next of kin during the trial, initial sentencing phase, or subsequent sentencing review hearings.

(d) Whether the juvenile offender was a relatively minor participant in the criminal offense or acted under extreme duress or the domination of another person.

(e) Whether the juvenile offender has shown sincere and sustained remorse for the criminal offense.

(f) Whether the juvenile offender's age, maturity, and psychological development at the time of the offense affected his or her behavior.

(g) Whether the juvenile offender has successfully obtained a general educational development certificate or completed another educational, technical, work, vocational, or self-rehabilitation program, if such a program is available.

(h) Whether the juvenile offender was a victim of sexual, physical, or emotional abuse before he or she committed the offense.

(i) The results of any mental health assessment, risk assessment, or evaluation of the juvenile offender as to rehabilitation.

(7) If the court determines at a sentence review hearing that the juvenile offender has been rehabilitated and is reasonably believed to be fit to reenter society, the court shall modify the sentence and impose a term of probation of at least 5 years. If the court determines that the juvenile offender has not demonstrated rehabilitation or is not fit to reenter society, the court shall issue a written order stating the reasons why the sentence is not being modified.

Section 4. Subsection (2) of section 316.3026, Florida Statutes, is amended to read:

316.3026 Unlawful operation of motor carriers.—

(2) Any motor carrier enjoined or prohibited from operating by an out-of-service order by this state, any other state, or the Federal Motor Carrier Safety Administration may not operate on the roadways of this state until the motor carrier has been authorized to resume operations by the originating enforcement jurisdiction. Commercial motor vehicles owned or operated by any motor carrier prohibited from operation found on the roadways of this state shall be placed out of service by law enforcement officers of the Department of Highway Safety and Motor Vehicles, and the motor carrier assessed a \$10,000 civil penalty pursuant to 49 C.F.R. s. 383.53, in addition to any other penalties imposed on the driver or other responsible person. Any person who knowingly drives, operates, or causes to be operated any commercial motor vehicle in violation of an out-of-service order issued by the department in accordance with this section commits a felony of the third degree, punishable as provided in s. 775.082(3)(e) ~~775.082(3)(d)~~. Any costs associated with the impoundment or storage of such vehicles are the responsibility of the motor carrier. Vehicle out-of-service orders may be rescinded when the department receives proof of authorization for the motor carrier to resume operation.

Section 5. Subsection (3) of section 373.430, Florida Statutes, is amended to read:

373.430 Prohibitions, violation, penalty, intent.—

(3) Any person who willfully commits a violation specified in paragraph (1)(a) is guilty of a felony of the third degree, punishable as provided in ss. 775.082(3)(e) ~~775.082(3)(d)~~ and 775.083(1)(g), by a fine of not more than \$50,000 or by imprisonment for 5 years, or by both, for each offense. Each day during any portion of which such violation occurs constitutes a separate offense.

Section 6. Subsection (3) of section 403.161, Florida Statutes, is amended to read:

403.161 Prohibitions, violation, penalty, intent.—

(3) Any person who willfully commits a violation specified in paragraph (1)(a) is guilty of a felony of the third degree punishable as provided in ss. 775.082(3)(e) ~~775.082(3)(d)~~ and 775.083(1)(g) by a fine of not more than \$50,000 or by imprisonment for 5 years, or by both, for each offense. Each day during any portion of which such violation occurs constitutes a separate offense.

Section 7. Paragraph (c) of subsection (3) of section 648.571, Florida Statutes, is amended to read:

648.571 Failure to return collateral; penalty.—

(3)

(c) Allowable expenses incurred in apprehending a defendant because of a bond forfeiture or judgment under s. 903.29 may be deducted if such expenses are accounted for. The failure to return collateral under these terms is punishable as follows:

1. If the collateral is of a value less than \$100, as provided in s. 775.082(4)(a).

2. If the collateral is of a value of \$100 or more, as provided in s. 775.082(3)(e) ~~775.082(3)(d)~~.

3. If the collateral is of a value of \$1,500 or more, as provided in s. 775.082(3)(d) ~~775.082(3)(e)~~.

4. If the collateral is of a value of \$10,000 or more, as provided in s. 775.082(3)(b).

Section 8. This act shall take effect July 1, 2014.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to juvenile sentencing; amending s. 775.082, F.S.; providing criminal penalties applicable to a juvenile offender for certain serious felonies; requiring a judge to consider specified factors before determining if life imprisonment is an appropriate sentence for a juvenile offender convicted of certain offenses; providing review of sentences for specified juvenile offenders; creating s. 921.1401, F.S.; providing sentencing proceedings for determining if life imprisonment is an appropriate sentence for a juvenile offender convicted of certain offenses; providing certain factors a judge shall consider when determining if life imprisonment is appropriate for a juvenile offender; creating s. 921.1402, F.S.; defining the term "juvenile offender"; providing sentence review proceedings to be conducted after a specified period of time by the original sentencing court for juvenile offenders convicted of certain offenses; providing for subsequent reviews; requiring the Department of Corrections to notify a juvenile offender of his or her eligibility to participate in sentence review hearings; entitling a juvenile offender to be represented by counsel; providing factors that must be considered by the court in the sentence review; requiring the court to modify a juvenile offender's sentence if certain factors are found; requiring the court to impose a term of probation for any sentence modified; requiring the court to make written findings if the court declines to modify a juvenile offender's sentence; amending ss. 316.3026, 373.430, 403.161, and 648.571, F.S.; conforming cross-references; providing an effective date.

On motion by Senator Bradley, **CS for HB 7035** as amended was passed and certified to the House. The vote on passage was:

## Yeas—36

Mr. President	Diaz de la Portilla	Montford
Abruzzo	Evers	Negron
Altman	Flores	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Hukill	Simpson
Braynon	Joyner	Smith
Bullard	Latvala	Sobel
Clemens	Lee	Soto
Dean	Legg	Stargel
Detert	Margolis	Thompson

## Nays—None

## Vote after roll call:

Yea—Galvano, Hays, Thrasher

## Vote preference:

April 24, 2014: Yea—Grimsley

**CS for CS for SB 674**—A bill to be entitled An act relating to background screening; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to share reproductions of driver license images with the Department of Health and the Agency for Health Care Administration for specified purposes; amending s. 402.301, F.S.; revising provisions relating to the exemption of certain membership organizations affiliated with national organizations from certain child care facility licensing requirements; amending s. 408.806, F.S.; revising the requirements for health care licensure; revising a provision requiring an affidavit; amending s. 408.809, F.S.; exempting a person whose fingerprints are already enrolled in a specified Federal Bureau of Investigation program from the requirement that such fingerprints be forwarded to the bureau; requiring certain persons to submit their fingerprints electronically; requiring the Department of Law Enforcement to retain fingerprints when the department begins participation in a certain program; revising requirements for proof of compliance with level 2 screening standards; revising terminology; adding additional disqualifying offenses to background screening requirements; adding an exemption clause from disqualification for new offenses; amending s. 413.208, F.S.; providing applicability for background screening requirements for certain registrants; repealing s. 7 of chapter 2012-73, Laws of Florida, relating to background screening requirements; amending s. 435.04, F.S.; revising information required for vendors submitting employee fingerprints; adding an additional disqualifying offense to background screening requirements; amending s. 435.05, F.S.; revising a provision requiring the annual submission of an affidavit; amending s. 435.07, F.S.; revising criteria for an exemption from disqualification for an employee under certain conditions; amending s. 435.12, F.S.; requiring the fingerprints of an employee required to be screened by a specified agency and included in the clearinghouse also to be retained in the national retained print arrest notification program at a specified time; requiring simultaneous submission of a photographic image and electronic fingerprints to the Care Provider Background Screening Clearinghouse; requiring an employer to follow certain criminal history check procedures and include specified information regarding referral and registration of an employee for electronic fingerprinting with the clearinghouse; providing an effective date.

—as amended April 11 was read the third time by title.

On motion by Senator Bean, **CS for CS for SB 674** as amended was passed and certified to the House. The vote on passage was:

## Yeas—35

Mr. President	Brandes	Detert
Abruzzo	Braynon	Diaz de la Portilla
Altman	Bullard	Evers
Bean	Clemens	Flores
Benacquisto	Dean	Garcia

Gardiner	Margolis	Simpson
Gibson	Montford	Smith
Hukill	Negron	Sobel
Joyner	Richter	Soto
Latvala	Ring	Stargel
Lee	Sachs	Thompson
Legg	Simmons	

## Nays—None

## Vote after roll call:

Yea—Bradley, Galvano, Hays, Thrasher

## Vote preference:

April 24, 2014: Yea—Grimsley

**CS for CS for SB 836**—A bill to be entitled An act relating to medical gas; amending s. 499.001, F.S.; conforming provisions to changes made by this act; amending s. 499.003, F.S.; revising terms; amending ss. 499.01 and 499.0121, F.S.; conforming provisions to changes made by this act; amending s. 499.01211, F.S.; adding a member to the Drug Wholesale Distributor Advisory Council; authorizing the Compressed Gas Association to recommend one person to the council for appointment; amending ss. 499.041, 499.05, 499.051, 499.066, 499.0661, and 499.067, F.S.; conforming provisions to changes made by this act; creating part III of ch. 499, F.S., entitled “Medical Gas”; creating s. 499.81, F.S.; providing for the administration and enforcement of this part; creating s. 499.82, F.S.; defining terms; creating s. 499.83, F.S.; requiring a person or entity that intends to distribute medical gas within or into this state to obtain an applicable permit before operating; establishing categories of permits and setting requirements for each; creating s. 499.831, F.S.; requiring the Department of Business and Professional Regulation to establish the form and content of an application; authorizing the department to set fees within certain parameters; creating s. 499.832, F.S.; providing that a permit expires 2 years after the last day of the month in which the permit was originally issued; providing requirements for the renewal of a permit; requiring the department to adopt rules for the renewal of permits; creating s. 499.833, F.S.; authorizing the department to approve certain permitholder changes; creating s. 499.834, F.S.; authorizing the department to consider certain factors in determining the eligibility of an applicant; creating s. 499.84, F.S.; setting the minimum requirements for the storage and handling of medical gas; creating s. 499.85, F.S.; setting facility requirements for security purposes; authorizing a vehicle used for on-call delivery of oxygen USP and oxygen-related equipment to be parked at a place of residence; requiring the department to adopt rules governing the distribution of medical oxygen; creating s. 499.86, F.S.; requiring a wholesale distributor of medical gases to visually examine a medical gas container upon receipt in order to identify the medical gas stored within and to determine if the container has been damaged or is otherwise unfit for distribution; requiring a medical gas container that is damaged or otherwise unfit for distribution to be quarantined; requiring outgoing shipments of medical gas to be inspected; requiring wholesale distributors to review certain records; creating s. 499.87, F.S.; authorizing the return of medical gas that has left the control of a wholesale distributor; requiring that medical gas that is damaged, misbranded, or adulterated be quarantined from other medical gases until it is destroyed or returned to the manufacturer or wholesale distributor from which it was acquired; creating s. 499.88, F.S.; requiring a wholesale distributor to obtain certain information before the initial acquisition of a medical gas; providing certain exemptions; creating s. 499.89, F.S.; requiring a permitholder under this part to establish and maintain transactional records; providing a retention period for certain records and requiring that such records be available for inspection during that period; creating s. 499.90, F.S.; requiring a wholesale distributor to establish, maintain, and adhere to certain written policies and procedures; creating s. 499.91, F.S.; prohibiting certain acts; creating s. 499.92, F.S.; establishing criminal penalties; authorizing property or assets subject to forfeiture to be seized pursuant to a warrant; creating s. 499.93, F.S.; authorizing the department to require a facility that engages in the manufacture, retail sale, or wholesale distribution of medical gas to undergo an inspection; authorizing the department to authorize a third party to inspect such facilities; creating s. 499.931, F.S.; providing that trade secret information required to be submitted pursuant to this part

must be maintained by the department; creating s. 499.94, F.S.; requiring fees collected pursuant to this part to be deposited into the Professional Regulation Trust Fund; amending ss. 409.9201, 460.403, 465.0265, 499.01212, 499.015, and 499.024, F.S.; conforming cross-references; providing an effective date.

—as amended April 11 was read the third time by title.

On motion by Senator Bean, **CS for CS for SB 836** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Evers	Negron
Abruzzo	Flores	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Brandes	Hukill	Simpson
Braynon	Joyner	Smith
Bullard	Latvala	Sobel
Clemens	Lee	Soto
Dean	Legg	Stargel
Detert	Margolis	Thompson
Diaz de la Portilla	Montford	Thrasher

Nays—None

Vote after roll call:

Yea—Bradley, Galvano, Hays

Vote preference:

April 24, 2014: Yea—Grimsley

**CS for CS for CS for SB 218**—A bill to be entitled An act relating to transportation; amending s. 125.42, F.S.; requiring utility and television lines to be removed from county roads and highways at no cost to the county if the county finds the lines to be unreasonably interfering with the widening, repair, or reconstruction of any such road; providing certain exceptions; amending s. 316.2397, F.S.; expanding the types of vehicles that may show or display an amber light; amending s. 335.06, F.S.; authorizing the Department of Transportation to improve and maintain roads that provide access to property within the state park system if they are part of a county road system or city street system; requiring that the appropriate county or municipality maintain such a road if the department does not maintain it; amending s. 335.065, F.S.; authorizing the department to use appropriated funds for the establishment of a statewide system of interconnected multiuse trails; prioritizing projects for funding; requiring funded projects to be included in the department's work program; providing that the department is not responsible for or obligated to provide funds for the operation and maintenance of any such project; amending s. 337.403, F.S.; providing an exception for payment of certain utility work necessitated by a project on the State Highway System for municipally owned utilities or county-owned utilities located in rural areas of critical economic concern; authorizing the Department of Transportation to pay for such costs under certain circumstances; revising certain exceptions; providing an exception for certain rail service projects; creating s. 339.041, F.S.; providing legislative intent; describing the types of department property eligible for factoring future revenues received by the department from leases for communication facilities on department property; authorizing the department to enter into agreements with investors to purchase the revenue streams from department leases of wireless communication facilities on such property pursuant to an invitation to negotiate; prohibiting the department from pledging state credit; allowing the department to make certain covenants; providing for the appropriation and payment of moneys received from such agreements to investors; requiring the proceeds from such leases to be used for capital expenditures; amending s. 339.2818, F.S.; subject to the appropriation of specified additional funding, authorizing a municipality within a rural area of critical economic concern or a rural area of critical economic concern community to compete for certain funding; providing criteria; amending s. 479.16, F.S.; exempting certain signs from the provisions of ch. 479, F.S.; exempting from permitting certain signs placed by tourist-oriented businesses, certain farm signs

placed during harvest seasons, certain acknowledgment signs on publicly funded school premises, and certain displays on specific sports facilities; providing that certain provisions relating to the regulation of signs may not be implemented or continued if such actions will adversely impact the allocation of federal funds to the Department of Transportation; directing the department to notify a sign owner that the sign must be removed within a certain timeframe if federal funds are adversely impacted; authorizing the department to remove the sign and assess costs against the sign owner under certain circumstances; amending s. 479.262, F.S.; clarifying provisions relating to the tourist-oriented directional sign program; limiting the placement of such signs to intersections on certain rural roads; prohibiting such signs in urban areas or at interchanges on freeways or expressways; providing an effective date.

—as amended April 11 was read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Brandes moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (772214) (with title amendment)**—Between lines 335 and 336 insert:

Section 8. Section 348.53, Florida Statutes, is amended to read:

348.53 Purposes of the authority.—The authority is created for the purposes and shall have power to construct, reconstruct, improve, extend, repair, maintain and operate the expressway system. It is hereby found and declared that such purposes are in all respects for the benefit of the people of the State of Florida, the City of Tampa, and the County of Hillsborough, for the increase of their pleasure, convenience, and welfare; for the improvement of their health; and; to facilitate transportation, including managed lanes and other transit supporting facilities, for their recreation and commerce and for the common defense. The authority is shall be performing a public purpose and a governmental function in carrying out its corporate purpose and in exercising the powers granted herein.

Section 9. Subsection (15) is added to section 348.54, Florida Statutes, to read:

348.54 Powers of the authority.—Except as otherwise limited herein, the authority shall have the power:

(15) *With the consent of the county within whose jurisdiction the activities occur, to construct, operate, and maintain roads, bridges, avenues of access, thoroughfares, and boulevards and managed lanes and other transit supporting facilities outside of the jurisdictional boundaries of Hillsborough County and within the jurisdictional boundaries of counties contiguous to Hillsborough County, together with the right to construct, repair, replace, operate, install, and maintain such facilities and electronic toll payment systems thereon or incidental thereto, with all necessary and incidental powers to accomplish the foregoing.*

And the title is amended as follows:

Delete line 52 and insert: funding; providing criteria; amending ss. 348.53 and 348.54, F.S.; revising the powers of the Tampa-Hillsborough County Expressway Authority; amending s. 479.16, F.S.;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Diaz de la Portilla moved the following amendment:

**Amendment 2 (880148) (with title amendment)**—Between lines 335 and 336 insert:

Section 8. Section 341.103, Florida Statutes, is created to read:

341.103 *Disposal of personal property found on a public transportation system.—*

(1) *If personal property is found on a public transportation system, the director of the system or the director's designee shall take charge of the property and make a record of the date such property was found. If,*

within 90 calendar days after such property is found, or for a longer period of time as may be deemed appropriate by the director or the director's designee under the circumstances, the property is not claimed by the owner, the director or the director's designee may:

(a) Retain any or all of the property for use by the public transportation system or for use by the state or the unit of local government owning or operating the public transportation system;

(b) Trade or donate such property to another unit of local government or a state agency;

(c) Donate the property to a charitable organization;

(d) Sell the property; or

(e) Dispose of the property through an appropriate refuse removal company or a company that provides salvage services for the type of personal property found or located on the public transportation system.

(2) The public transportation system shall notify the owner, if known, that the property has been found and of its intent to dispose of such property.

(3) If the public transportation system elects to sell the property, it shall be sold at a public auction on the Internet or at a specified physical location. Notice of the time and place of sale must be given at least 10 calendar days before the date of sale in a publication of general circulation within the county where the public transportation system is located and after written notice, via certified mail, return receipt requested, is provided to the owner, if his or her identity and address are known. Such notice is sufficient if it refers to the public transportation system's intention to sell all then-accumulated found property. There is no requirement that the notice identify each item to be sold. The rightful owner of such property may reclaim the property at any time before sale by presenting acceptable evidence of ownership to the public transportation system director or the director's designee. All proceeds from the sale of the property shall be retained by the public transportation system for use by the public transportation system in any lawfully authorized manner.

(4) A purchaser or recipient of personal property sold or obtained in good faith under this section shall take possession of the property free of the rights of the persons previously holding any legal or equitable interest therein, whether or not recorded.

And the title is amended as follows:

Delete line 52 and insert: funding; providing criteria; creating s. 341.103, F.S.; authorizing the director of a transportation system or his or her designee to dispose of personal property found on a public transportation system; providing procedures for disposal; amending s. 479.16, F.S.;

On motion by Senator Brandes, further consideration of **CS for CS for CS for SB 218** with pending **Amendment 2 (880148)** was deferred.

**CS for SB 692**—A bill to be entitled An act relating to engineers; amending s. 471.007, F.S.; revising requirements for membership on the Board of Professional Engineers; authorizing the professional and technical engineering societies to provide a list of qualified nominees for consideration as board member appointments; providing for staggered terms; amending s. 471.013, F.S.; revising requirements for an engineer license applicant who fails the fundamentals examination; authorizing such applicant who is delayed in taking the examination by military service to have additional attempts to take the examination; amending s. 471.015, F.S.; revising requirements for obtaining a licensure by endorsement; amending s. 471.017, F.S.; revising requirements for professional development hours and license renewal for engineers; providing effective dates.

—was read the third time by title.

Pending further consideration of **CS for SB 692**, on motion by Senator Stargel, by two-thirds vote **CS for CS for HB 713** was withdrawn from the Committees on Regulated Industries; Ethics and Elections; and Governmental Oversight and Accountability.

On motion by Senator Stargel, by two-thirds vote—

**CS for CS for HB 713**—A bill to be entitled An act relating to engineers; amending s. 471.007, F.S.; revising qualifications for appointment of members of the Board of Professional Engineers; permitting a professional or technical engineering society to provide a list of qualified nominees for consideration for appointment to the board; providing for staggered terms and length of terms; amending s. 471.013, F.S.; revising requirements for an engineer license applicant who fails the fundamentals examination; authorizing such applicant who is delayed in taking the examination due to military service to have additional attempts to take the examination; amending s. 471.015, F.S.; revising requirements for obtaining licensure by endorsement; amending s. 471.017, F.S.; revising requirements for continuing education hours and license renewal for engineers; providing effective dates.

—a companion measure, was substituted for **CS for SB 692** and read the second time by title.

On motion by Senator Stargel, by two-thirds vote **CS for CS for HB 713** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Hukill	Simpson
Brandes	Joyner	Smith
Braynon	Latvala	Sobel
Bullard	Lee	Soto
Dean	Legg	Stargel
Detert	Margolis	Thompson
Diaz de la Portilla	Montford	Thrasher
Evers	Negron	

Nays—None

Vote after roll call:

Yea—Abruzzo, Galvano, Hays

Vote preference:

April 24, 2014: Yea—Grimsley

**SB 162**—A bill to be entitled An act relating to offenses against unborn children; providing a short title; amending s. 775.021, F.S.; providing a rule of construction that a person who engages in conduct that violates any provision of the Florida Criminal Code or of a criminal offense defined by another statute and causes the death of, or bodily injury to, an unborn child commits a separate offense if such an offense is not otherwise specifically provided for; providing for criminal penalties for such an offense; specifying that certain types of knowledge or intent are not necessary for such an offense; providing exceptions; providing a definition; amending ss. 316.193, 435.04, 782.071, 782.09, and 921.0022, F.S.; defining and substituting the term “unborn child” for similar terms used in provisions relating to driving under the influence, employment background screening standards, vehicular homicide, the killing of an unborn quick child by injury to the child's mother, and the offense severity ranking chart of the Criminal Punishment Code, respectively; conforming terminology; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 162**, on motion by Senator Stargel, by two-thirds vote **CS for HB 59** was withdrawn from the Committees on Criminal Justice; Judiciary; and Rules.

On motion by Senator Stargel, by two-thirds vote—

**CS for HB 59**—A bill to be entitled An act relating to offenses against unborn children; providing a short title; amending s. 775.021, F.S.; providing a rule of construction that a person who engages in conduct that violates any provision of the Florida Criminal Code or of a criminal offense defined by another statute and causes the death of, or bodily



injury to, an unborn child commits a separate offense if such an offense is not otherwise specifically provided for; providing for criminal penalties for such an offense; specifying that certain types of knowledge or intent are not necessary for such an offense; providing exceptions; providing a definition; amending s. 316.193, 435.04, 782.071, 782.09, and 921.0022, F.S.; defining and substituting the term "unborn child" for similar terms used in provisions relating to driving under the influence, employment background screening standards, vehicular homicide, the killing of an unborn quick child by injury to the child's mother; and the offense severity ranking chart of the Criminal Punishment Code, respectively; conforming terminology; providing an effective date.

—a companion measure, was substituted for **SB 162** and read the second time by title.

On motion by Senator Stargel, by two-thirds vote **CS for HB 59** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—25

Mr. President	Evers	Legg
Altman	Flores	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Simmons
Bradley	Gardiner	Simpson
Brandes	Hays	Stargel
Dean	Hukill	Thrasher
Detert	Latvala	
Diaz de la Portilla	Lee	

Nays—14

Abruzzo	Joyner	Smith
Braynon	Margolis	Sobel
Bullard	Montford	Soto
Clemens	Ring	Thompson
Gibson	Sachs	

Vote preference:

April 24, 2014: Yea—Grimsley

Consideration of **CS for CS for SB 586** was deferred.

**CS for CS for SB 1138**—A bill to be entitled An act relating to the civil liability of farmers; amending s. 768.137, F.S.; expanding an existing exemption from civil liability for farmers who gratuitously allow a person to enter upon their land for the purpose of removing farm produce or crops left in the field after harvesting to include farmers who gratuitously allow a person to enter upon their land to remove any farm produce or crops; revising exceptions to the exemption from civil liability; providing an effective date.

—was read the third time by title.

On motion by Senator Evers, **CS for CS for SB 1138** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Legg
Abruzzo	Evers	Margolis
Altman	Flores	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gardiner	Ring
Brandes	Gibson	Sachs
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lee	Soto

Stargel Thompson Thrasher

Nays—None

Vote preference:

April 24, 2014: Yea—Grimsley

**CS for CS for SB 280**—A bill to be entitled An act relating to public records; amending s. 397.334, F.S.; exempting from public records requirements information from the screenings for participation in a treatment-based drug court program, substance abuse screenings, behavioral health evaluations, and subsequent treatment status reports regarding a participant or a person considered for participation in a treatment-based program; providing for exceptions to the exemption; providing for retroactive application of the public record exemption; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, **CS for CS for SB 280** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Negron
Abruzzo	Flores	Richter
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simmons
Bradley	Gibson	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Lee	Stargel
Dean	Legg	Thompson
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	

Nays—None

Vote preference:

April 24, 2014: Yea—Grimsley

Consideration of **CS for CS for SB 850** was deferred.

**HB 627**—A bill to be entitled An act relating to service of process; amending s. 30.231, F.S.; requiring sheriffs to charge a uniform fee for service of process; providing that such uniform fee does not include the cost of docketing; amending s. 48.031, F.S.; requiring an employer to allow an authorized individual to make service on an employee in a private area designated by the employer; providing a civil fine for employers who fail to comply with the process; revising provisions relating to substitute service if a specified number of attempts of service have been made at a business that is a sole proprietorship under certain circumstances; requiring the person requesting service or the person authorized to serve the process to file the return-of-service form; amending s. 48.081, F.S.; revising a provision related to service on a corporation; amending s. 56.27, F.S.; providing that a sheriff may rely on the affidavit submitted by the levying creditor; authorizing a sheriff to apply for instructions from the court regarding the distribution of proceeds from the sale of a levied property; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **HB 627** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Evers	Negron
Abruzzo	Flores	Richter
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simmons
Bradley	Gibson	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Thompson
Dean	Lee	Thrasher
Detert	Legg	
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Montford, Stargel

Vote preference:

April 24, 2014: Yea—Grimsley

**CS for SB 1002**—A bill to be entitled An act relating to public records; creating s. 559.5558, F.S.; providing a public records exemption for information held by the Office of Financial Regulation pursuant to an investigation or examination of consumer collection agencies; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 1002**, on motion by Senator Hays, by two-thirds vote **CS for CS for HB 415** was withdrawn from the Committees on Banking and Insurance; Governmental Oversight and Accountability; and Rules.

On motion by Senator Hays, by two-thirds vote—

**CS for CS for HB 415**—A bill to be entitled An act relating to public records; creating s. 559.5558, F.S.; providing an exemption from public records requirements for information collected in connection with investigations and examinations by the Office of Financial Regulation of the Financial Services Commission; providing a definition; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 1002** and read the second time by title.

On motion by Senator Hays, by two-thirds vote **CS for CS for HB 415** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Bean, Detert, Stargel

Vote preference:

April 24, 2014: Yea—Grimsley

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 Consideration of **SB 1108** was deferred.
 

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**CS for CS for SB 1300**—A bill to be entitled An act relating to public records; creating s. 624.4212, F.S.; defining the term “proprietary business information”; creating an exemption from public records requirements for proprietary business information and information that is confidential when held by another entity in this state, the Federal Government, or another state or nation, and which is held by the Office of Insurance Regulation; providing exceptions; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

—as amended April 11 was read the third time by title.

On motion by Senator Simmons, **CS for CS for SB 1300** as amended was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Hays	Simmons
Braynon	Hukill	Simpson
Bullard	Joyner	Smith
Clemens	Latvala	Sobel
Dean	Lee	Soto
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Brandes, Detert, Stargel

Vote preference:

April 24, 2014: Yea—Grimsley

**CS for CS for SB 730**—A bill to be entitled An act relating to municipal governing body meetings; amending s. 166.0213, F.S.; authorizing the governing body of a municipality to hold joint meetings with the governing body of the county within which the municipality is located or the governing body of another municipality; authorizing the governing body of a municipality to prescribe the time and place of joint meetings by ordinance or resolution; providing an effective date.

—was read the third time by title.

On motion by Senator Galvano, **CS for CS for SB 730** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Braynon	Galvano
Abruzzo	Bullard	Garcia
Altman	Clemens	Gardiner
Bean	Dean	Gibson
Benacquisto	Diaz de la Portilla	Hays
Bradley	Evers	Hukill
Brandes	Flores	Joyner

Latvala	Negron	Smith
Lee	Richter	Sobel
Legg	Ring	Soto
Margolis	Sachs	Thompson
Montford	Simpson	Thrasher

Nays—None

Vote after roll call:

Yea—Detert, Simmons, Stargel

Vote preference:

April 24, 2014: Yea—Grimsley

**HB 513**—A bill to be entitled An act relating to the State Poet Laureate; amending s. 265.285, F.S.; assigning duties to the Florida Council on Arts and Culture relating to the promotion of poetry and recommendations for the appointment of the State Poet Laureate; creating s. 265.2863, F.S.; creating the honorary position of State Poet Laureate within the Department of State; establishing procedures for the acceptance of nominations, the qualifications and recommendation of nominees, and the appointment of the State Poet Laureate; providing for filling vacancies; specifying that a former poet laureate becomes a State Poet Laureate Emeritus or Emerita; providing that the State Poet Laureate, the State Poet Laureate Emeritus, and the State Poet Laureate Emerita serve without compensation; authorizing the department to adopt rules; providing an effective date.

—was read the third time by title.

On motion by Senator Hukill, **HB 513** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Bullard	Latvala	Soto
Clemens	Lee	Stargel
Dean	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	

Nays—None

Vote after roll call:

Yea—Detert

Vote preference:

April 24, 2014: Yea—Grimsley

The Senate resumed consideration of—

**CS for CS for CS for SB 218**—A bill to be entitled An act relating to transportation; amending s. 125.42, F.S.; requiring utility and television lines to be removed from county roads and highways at no cost to the county if the county finds the lines to be unreasonably interfering with the widening, repair, or reconstruction of any such road; providing certain exceptions; amending s. 316.2397, F.S.; expanding the types of vehicles that may show or display an amber light; amending s. 335.06, F.S.; authorizing the Department of Transportation to improve and maintain roads that provide access to property within the state park system if they are part of a county road system or city street system; requiring that the appropriate county or municipality maintain such a road if the department does not maintain it; amending s. 335.065, F.S.; authorizing the

department to use appropriated funds for the establishment of a statewide system of interconnected multiuse trails; prioritizing projects for funding; requiring funded projects to be included in the department's work program; providing that the department is not responsible for or obligated to provide funds for the operation and maintenance of any such project; amending s. 337.403, F.S.; providing an exception for payment of certain utility work necessitated by a project on the State Highway System for municipally owned utilities or county-owned utilities located in rural areas of critical economic concern; authorizing the Department of Transportation to pay for such costs under certain circumstances; revising certain exceptions; providing an exception for certain rail service projects; creating s. 339.041, F.S.; providing legislative intent; describing the types of department property eligible for factoring future revenues received by the department from leases for communication facilities on department property; authorizing the department to enter into agreements with investors to purchase the revenue streams from department leases of wireless communication facilities on such property pursuant to an invitation to negotiate; prohibiting the department from pledging state credit; allowing the department to make certain covenants; providing for the appropriation and payment of moneys received from such agreements to investors; requiring the proceeds from such leases to be used for capital expenditures; amending s. 339.2818, F.S.; subject to the appropriation of specified additional funding, authorizing a municipality within a rural area of critical economic concern or a rural area of critical economic concern community to compete for certain funding; providing criteria; amending s. 479.16, F.S.; exempting certain signs from the provisions of ch. 479, F.S.; exempting from permitting certain signs placed by tourist-oriented businesses, certain farm signs placed during harvest seasons, certain acknowledgment signs on publicly funded school premises, and certain displays on specific sports facilities; providing that certain provisions relating to the regulation of signs may not be implemented or continued if such actions will adversely impact the allocation of federal funds to the Department of Transportation; directing the department to notify a sign owner that the sign must be removed within a certain timeframe if federal funds are adversely impacted; authorizing the department to remove the sign and assess costs against the sign owner under certain circumstances; amending s. 479.262, F.S.; clarifying provisions relating to the tourist-oriented directional sign program; limiting the placement of such signs to intersections on certain rural roads; prohibiting such signs in urban areas or at interchanges on freeways or expressways; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 2 (880148)** by Senator Diaz de la Portilla was adopted by two-thirds vote.

On motion by Senator Brandes, **CS for CS for CS for SB 218** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Hukill	Simpson
Braynon	Joyner	Smith
Bullard	Latvala	Sobel
Clemens	Lee	Soto
Dean	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Detert, Stargel

Vote preference:

April 24, 2014: Yea—Grimsley, Hays

**CS for CS for SB 1070**—A bill to be entitled An act relating to fuel terminals; creating s. 163.3206, F.S.; providing legislative intent; defining terms; prohibiting a local government from amending its local comprehensive plan, land use map, zoning districts, or land development regulations to make a fuel terminal a nonconforming use under the provisions thereof; requiring a local government to allow the repair of a fuel terminal damaged or destroyed by a natural disaster or other catastrophe; providing applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Simpson, **CS for CS for SB 1070** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Hukill	Simpson
Braynon	Joyner	Smith
Bullard	Latvala	Sobel
Clemens	Lee	Soto
Dean	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Detert, Stargel

Vote preference:

April 24, 2014: Yea—Grimsley, Hays

## SPECIAL ORDER CALENDAR

On motion by Senator Lee—

**CS for SB 650**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 733.604, F.S., which provides exemptions from public records requirements for the inventories of an estate or elective estate filed with the clerk of court or the accountings filed with the clerk of court in an estate proceeding; saving the exemptions from repeal under the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 650** was placed on the calendar of Bills on Third Reading.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Abruzzo, by two-thirds vote **CS for CS for SB 1474** was withdrawn from the committee of reference and further consideration.

On motion by Senator Margolis, by two-thirds vote **SJR 704, SB 982, SB 988, and SB 1240** were withdrawn from the committees of reference and further consideration.

## MOTIONS

On motion by Senator Thrasher, the rules were waived and the bills remaining on the Special Order Calendar this day, except **CS for SB 840**, were retained on the Special Order Calendar.

## REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Wednesday, April 23, 2014: CS for CS for SB 172, CS for SB 828, CS for CS for SB 286, SB 392, CS for SB 616, CS for CS for SB 708, CS for CS for SB 926, SB 1060, CS for SM 1174, CS for SB 1190, CS for SB 1238, SB 1262, CS for SM 1298, CS for SB 1654, CS for CS for SB 132, CS for CS for SB 268, CS for CS for SB 350, CS for SM 368, CS for SB 414, CS for SB 544, CS for SB 564, SB 566, CS for CS for SB 588, CS for CS for CS for SB 602, CS for CS for SB 608, CS for SB 650, CS for CS for SB 702, CS for CS for CS for SB 722, SB 724, CS for SB 726, SB 762, CS for CS for SB 764, CS for SB 782, CS for CS for SB 820, CS for SB 840, CS for SB 862, CS for SB 1140, CS for SB 1142, CS for CS for SB 1150, CS for SB 1176, CS for SB 1210, CS for SB 1226, CS for CS for SB 1278, CS for CS for SB 1308, CS for CS for SB 1526, SB 1678, SB 1698, SB 1726.

Respectfully submitted,  
*John Thrasher*, Rules Chair  
*Lizbeth Benacquisto*, Majority Leader  
*Christopher L. Smith*, Minority Leader

The Committee on Appropriations recommends the following pass: SB 388; CS for SB 780; SB 914; CS for SB 1006; CS for SB 1068; CS for SB 1126; CS for CS for SB 1208; SB 1486; CS for CS for CS for SB 1630; SB 1674

**The bills were placed on the Calendar.**

The Committee on Appropriations recommends committee substitutes for the following: SB 294; CS for CS for SB 634; CS for SB 700; CS for SB 1012; CS for SB 1032; CS for SB 1212; CS for CS for SB 1632; SB 1666

The Committee on Rules recommends a committee substitute for the following: CS for SB 326

**The bills with committee substitute attached were placed on the Calendar.**

## REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

### EXECUTIVE ORDER NUMBER 10-260 (Executive Order of Suspension)

WHEREAS, Jeffrey Dwayne Carlson is presently serving as County Commissioner for Highlands County; and

WHEREAS, on November 22, 2010, The State Attorney for the Nineteenth Judicial Circuit of the State of Florida, filed an information alleging that Jeffrey Dwayne Carlson committed Boating Under the Influence Manslaughter, in violation of sections 327.35(1) and 327.35(3)(c)3, Florida Statutes, and Vessel Homicide, in violation of section 782.072(1), Florida Statutes; and

WHEREAS, violations of sections 327.35(1), 327.35(3)(c)3, and 782.072(1), Florida Statutes constitute felonies of second degree; and

WHEREAS, Article IV, Section 7, Florida Constitution, provides that the Governor may suspend from office any county officer for the commission of a felony; and

WHEREAS, it is in the best interest of the residents of Highlands County and the citizens of the State of Florida that Jeffrey Dwayne Carlson be immediately suspended from the public office which he now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, CHARLIE CRIST, Governor of Florida, pursuant to Article IV, Section 7, Florida Constitution, find as follows:

A. Jeffrey Dwayne Carlson is, and at all times material was, County Commissioner for Highlands County, Florida.

B. The office of County Commissioner for Highlands County is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7, Florida Constitution.

C. The attached information alleges that Jeffrey Dwayne Carlson committed acts in violation of the laws of Florida. This suspension is predicated upon the attached information, which alleges conduct constituting felonies and is incorporated as if fully set forth in this Executive Order.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective today:

*Section 1.* Jeffrey Dwayne Carlson is suspended from the public office which he now holds, to wit: County Commissioner for Highlands County, Florida.

*Section 2.* Jeffrey Dwayne Carlson is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until a further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 29th day of November, 2010.

*Charlie Crist*  
GOVERNOR

ATTEST:  
*Dawn K. Roberts*  
INTERIM SECRETARY OF STATE

[Original publication in March 8, 2011, Senate Journal, page 120.]

The Honorable Don Gaetz April 23, 2014  
President of the Senate

Re: Suspension of:  
CARLSON, Jeffery Dwayne  
County Commissioner, Highlands County

Dear President Gaetz:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Jeffrey Dwayne Carlson.

By Executive Order Number 10-260 filed with the Secretary of State on November 29, 2010, and pursuant to Article IV, Section 7(a) of the Florida Constitution, the Honorable Charlie Crist, Governor, suspended Jeffrey Dwayne Carlson as a Highlands County Commissioner alleging that Mr. Carlson committed two felonies: Boating Under the Influence Manslaughter and Vessel Homicide. Boating Under the Influence Manslaughter is a second degree felony pursuant to s. 327.35(3)(c)3.a., Florida Statutes. Vessel Homicide is a second degree felony pursuant to s. 782.071(1), Florida Statutes. On October 21, 2013, Mr. Carlson was convicted by a jury on both charges. Therefore, he is disqualified from holding office. Additionally, a successor was elected to Mr. Carlson's seat on November 6, 2012.

Based on the foregoing, I advise and recommend that the Senate take no action on the above-named suspension during the 2014 Regular Session of the Florida Legislature, and consider the matter closed.

Sincerely,  
*Jack Latvala*, Chair

**EXECUTIVE ORDER NUMBER 12-214**  
(Executive Order of Suspension)

WHEREAS, James Campbell is currently serving as the Commissioner for District 5 of the Okaloosa County Board of County Commissioners, and

WHEREAS, on September 17, 2012, James Campbell was arrested on four counts of official misconduct, in violation of section 838.022(1)(a), Florida Statutes, and four counts of perjury, in violation of section 837.012, Florida Statutes; and

WHEREAS, violations of section 838.022(1)(a), Florida Statutes, constitute third-degree felonies; and

WHEREAS, violations of section 837.012, Florida Statutes, constitute malfeasance; and

WHEREAS, Article IV, Section 7, Florida Constitution, provides that the Governor may suspend from office any county officer for commission of a felony or for malfeasance; and

WHEREAS, it is in the best interest of the residents of Okaloosa County; and the citizens of the State of Florida, that James Campbell be immediately suspended from the public office he now holds, upon the grounds set forth in this Executive Order.

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to the Article IV, Section 7, Florida Constitution, Florida Statutes, find as follows:

A. James Campbell is, and was at all relevant times, currently serving as the Commissioner for District 5 of the Okaloosa County Board of County Commissioners.

B. The office of Commissioner of the Okaloosa County Board of County Commissioners is within the purview of the suspension power of the Governor, pursuant to Article IV, Section 7, Florida Constitution.

C. The attached arrest warrant and affidavit alleges that James Campbell committed felonies, and misdemeanors constituting malfeasance, in violation of the laws of the State of Florida.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective immediately:

*Section 1.* James Campbell is suspended from the public office that he now holds, to wit: Commissioner of the Okaloosa County Board of County Commissioners.

*Section 2.* James Campbell is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until a further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 17th day of September, 2012.

*Rick Scott*  
GOVERNOR

ATTEST:  
*Kenneth W. Detzner*  
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 5, 2013.]

The Honorable Don Gaetz April 23, 2014  
President of the Senate

Re: Suspension of:  
CAMPBELL, James  
County Commissioner, Okaloosa County

Dear President Gaetz:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of James Campbell.

By Executive Order Number 12-214 filed with the Secretary of State on September 17, 2012, and pursuant to Article IV, Section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended James Campbell as County Commissioner (District 5 seat) of Okaloosa County alleging that Mr. Campbell committed four felonies and committed malfeasance. Specifically, it was alleged that Mr. Campbell committed four counts of official misconduct in violation of s. 838.022(1), Florida Statutes. Official Misconduct is a third degree felony. Additionally, it is alleged that Mr. Campbell committed four counts of perjury in violation of s. 837.012, Florida Statutes, and that the commission of perjury constitutes malfeasance. Perjury is a first degree misdemeanor. On October 14, 2013, Mr. Campbell pled no contest to the misdemeanor perjury charges. Additionally, a successor was elected to Mr. Campbell's seat on August 4, 2012.

Based on the foregoing, I advise and recommend that the Senate take no action on the above-named suspension during the 2014 Regular Session of the Florida Legislature, and consider the matter closed.

Sincerely,  
Jack Latvala, Chair

**EXECUTIVE ORDER NUMBER 13-140**  
(Executive Order of Suspension)

WHEREAS, Nicholas Finch is currently the Sheriff of Liberty County, Florida; and

WHEREAS, on June 4, 2013, Nicholas Finch was arrested on one count of official misconduct, in violation of section 838.022(1), Florida Statutes; and

WHEREAS, a violation of section 838.022(1), Florida Statutes, constitute a third-degree felony; and

WHEREAS, Article IV, Section 7, Florida Constitution, provides that the Governor may suspend from office any county officer for commission of a felony; and

WHEREAS, it is in the best interests of the residents of Liberty County, and the citizens of the State of Florida, that Nicholas Finch be immediately suspended from the public office he now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7, Florida Constitution, Florida Statutes, find as follows:

A. Nicholas Finch is, and was at all relevant times, currently serving as the Sheriff of Liberty County.

B. The office of Sheriff of Liberty County within the purview of the suspension power of the Governor, pursuant to Article IV, Section 7, Florida Constitution.

C. The attached arrest warrant and affidavit alleges that Nicholas Finch committed a felony, in violation of the laws of the State of Florida.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective immediately:

*Section 1.* Nicholas Finch is suspended from the public office that he now holds, to wit: Sheriff of Liberty County.

*Section 2.* Nicholas Finch is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until a further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 4th day of June, 2013.

Rick Scott  
GOVERNOR

ATTEST:  
Ken Detzner  
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

**EXECUTIVE ORDER NUMBER 13-311**  
(Executive Order of Reinstatement)

WHEREAS, by Executive Order Number 13-140, Nicholas Finch was suspended from his office as Sheriff of Liberty County effective June 4, 2013, resulting from his arrest on one count of official misconduct, in violation of section 838.022(1); and

WHEREAS, on October 31, 2013, a jury acquitted Nicholas Finch on all charges arising from this arrest (see attached);

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7(a), Florida Constitution, issue this Executive Order:

*Section 1.* Executive Order Number 13-140 is revoked and the suspension of Nicholas Finch is terminated.

*Section 2.* Nicholas Finch is reinstated as Sheriff of Liberty County, effective immediately.



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of the State of Florida to be affixed at Tallahassee this 31st day of October, 2013.

Rick Scott  
GOVERNOR

ATTEST:  
Ken Detzner  
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Don Gaetz  
President of the Senate

April 23, 2014

Re: Suspension of:  
FINCH, Nicholas  
Sheriff, Liberty County

Dear President Gaetz:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Nicholas Finch.

By Executive Order Number 13-140 filed with the Secretary of State on June 4, 2013, and pursuant to Article IV, Section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Nicholas Finch as Sheriff of Liberty County alleging that Sheriff Finch committed a felony. Specifically, it is alleged that Sheriff Finch committed one count of official misconduct in violation of s. 838.022(1), Florida Statutes, which is a third degree felony. On October 31, 2013, the Honorable Rick Scott, Governor, issued Executive Order 13-311 rescinding Executive Order 13-140 because Sheriff Finch was acquitted by a jury.

Based on the foregoing, I advise and recommend that the Senate take no action on the above-named suspension during the 2014 Regular Session of the Florida Legislature, and consider the matter closed.

Sincerely,  
Jack Latvala, Chair

**COMMITTEE SUBSTITUTES**

**FIRST READING**

By the Committee on Appropriations; and Senator Hays—

**CS for SB 294**—A bill to be entitled An act relating to emergency communication systems; amending s. 365.172, F.S., relating to the Emergency Communications Number E911 System; revising definitions; revising provisions relating to oversight of certain fees by the Technology Program within the Department of Management Services; revising E911 board appointment provisions; revising duties of the board; revising provisions for administration, distribution, and use of the E911 fee; revising provisions for state E911 Grant Program funding; revising E911 fee provisions; revising fee collection procedures; providing that the state and local governments are not consumers for certain purposes; specifying the amount of the fee; revising provisions for use of the fees collected; authorizing the board to adjust the rate of the fee; providing that fees collected may not be included in the base for imposition of any tax, fee, surcharge, or other charge; providing for a prepaid wireless E911 fee; limiting the amount of the fee; providing procedures for adjustment and imposition of the fee; requiring the Department of Revenue to provide notice to sellers; providing requirements for collection of the fee by the seller; providing criteria for the location of the transaction; providing requirements and procedures for filing returns and remitting fees to the Department of Revenue; providing that the Department of Revenue is the agent for the E911 Board for purposes of collecting the prepaid wireless E911 fee; requiring sellers of prepaid wireless services to register with the department; providing for distribution of funds remitted; limiting liability of provider or seller of prepaid wireless service; prohibiting a local government from imposing a fee on sellers of prepaid

wireless services; providing that the state and local governments are not consumers for certain purposes; providing definitions for specified purposes; revising provisions for authorized expenditures of the E911 fee; providing that certain costs of the Department of Health are functions of 911 services; amending s. 365.173, F.S.; revising provisions for accounting, distribution, use, and auditing of the Emergency Communications Number E911 System Fund; providing for a prepaid wireless category in such fund; amending s. 401.465, F.S.; conforming a cross-reference; providing appropriations; providing effective dates.

By the Committees on Rules; and Judiciary; and Senator Thompson—

**CS for CS for SB 326**—A bill to be entitled An act relating to victims of wrongful incarceration; creating s. 961.055, F.S.; providing that a wrongfully incarcerated person who was convicted and sentenced to death on or before December 31, 1979, is exempt from certain application procedures for compensation if a special prosecutor issues a nolle prosequi after reviewing the defendant's conviction; creating s. 961.056, F.S.; providing alternative procedures for applying for compensation; requiring the claimant to file an application with the Department of Legal Affairs within a specified time; requiring the application to include certain information and documents; providing that the claimant is entitled to compensation if all requirements are met; providing that the section is repealed on a specified date; amending s. 961.06, F.S.; requiring the Chief Financial Officer to issue payment to an insurance company or other financial institution authorized to issue annuity contracts to purchase an annuity or annuities selected by the wrongfully incarcerated person; requiring the Chief Financial Officer to execute all necessary agreements to implement compensation and to maximize the benefit to the wrongfully incarcerated person; requiring the wrongfully incarcerated person to sign a waiver before the department's approval of the application; providing an effective date.

By the Committees on Appropriations; Judiciary; and Children, Families, and Elder Affairs; and Senator Brandes—

**CS for CS for CS for SB 634**—A bill to be entitled An act relating to guardianship; amending s. 744.102, F.S.; redefining the term "audit"; amending s. 744.3135, F.S.; revising the requirements and authorizations of the court to require specified guardians to submit to a credit history investigation and background screening; authorizing the court to waive a credit history investigation, background screening, or both under certain circumstances; authorizing a nonprofessional guardian to petition the court for reimbursement for the credit history investigation and background screening; amending s. 744.368, F.S.; authorizing a clerk of the court to obtain and review records and documents relating to guardianship assets and to issue subpoenas to nonparties upon application to the court; providing requirements for affidavits, notice, and subpoenas; providing for objection to a subpoena; amending s. 744.3685, F.S.; authorizing the court to require the production of records and documents by a guardian who fails to submit them during an audit; amending s. 744.474, F.S.; providing for the removal of a guardian for a bad faith failure to submit records during an audit; amending ss. 943.0585 and 943.059, F.S.; providing that a person seeking an appointment as guardian may not lawfully deny or fail to acknowledge the arrests covered by an expunged or sealed record; reenacting s. 943.0585(4)(c), F.S., relating to court-ordered expunction of criminal history records, to incorporate the amendments made to s. 943.0585, F.S., in a reference thereto; reenacting s. 943.059(4)(c), F.S., relating to court-ordered sealing of criminal history records, to incorporate the amendments made to s. 943.059, F.S., in a reference thereto; providing an effective date.

By the Committees on Appropriations; and Judiciary; and Senators Bradley and Detert—

**CS for CS for SB 700**—A bill to be entitled An act relating to juvenile justice; amending ss. 985.01 and 985.02, F.S.; revising legislative purposes and intent; amending s. 985.03, F.S.; revising definitions; amending s. 985.0301, F.S.; clarifying jurisdictional age restrictions for children in the juvenile justice system; restricting when cases may be transferred to a different jurisdiction; amending s. 985.037, F.S.; providing for the placement of a child in a secure detention facility for contempt of court; providing due process to a child accused of direct contempt; revising the procedure for reviewing a child's placement in

secure detention for contempt of court; amending ss. 985.039, 985.045, and 985.101, F.S.; conforming provisions; repealing s. 985.105, F.S., relating to the creation, duties, and qualifications of the youth custody officers in the Department of Juvenile Justice; amending s. 985.11, F.S.; revising when fingerprints must be submitted to the Department of Law Enforcement; amending s. 985.14, F.S.; revising the intake process; amending s. 985.145, F.S.; substituting "Department of Juvenile Justice" for references to "juvenile probation officer"; creating s. 985.17, F.S.; providing legislative intent; requiring the department to provide specialized services to minimize the likelihood that youth will enter the juvenile justice system; providing for the department to promote the Invest in Children license plate to help fund prevention programs and services; providing for the department to monitor state-funded programs, grants, contracts, appropriations, and activities designed to prevent juvenile crime and report annually on these measures; limiting expenditure of funds to those prevention services that are consistent with the law and maximize public accountability; amending s. 985.24, F.S.; revising factors to determine if the use of detention care is appropriate; authorizing the department to establish nonsecure, non-residential evening reporting centers; conforming provisions; amending s. 985.245, F.S.; conforming provisions; amending s. 985.25, F.S.; requiring a child to be held in secure detention under certain circumstances; clarifying procedures for releasing a child before the child's detention hearing; conforming provisions; amending s. 985.255, F.S.; providing that a child shall be given a detention hearing within 24 hours after being taken into custody; clarifying when a court may order continued detention care; revising specified factors for ordering continued detention care; clarifying when a child charged with domestic violence can be held in secure detention; revising written findings required to retain a child charged with domestic violence in secure detention; deleting obsolete provisions; amending s. 985.26, F.S.; conforming terminology; amending s. 985.265, F.S.; revising procedures for transferring a child to another detention status; providing new notification requirements for when a child is released or transferred from secure detention; revising the frequency of physical observation checks for children detained in jail facilities; amending s. 985.27, F.S.; requiring a child to be held in secure detention pending placement in a high-risk or maximum-risk residential program; conforming provisions; amending s. 985.275, F.S.; requiring the department to notify specified parties when a child absconds from a commitment program; requiring the department to make every reasonable effort to locate the absconded child; amending s. 985.433, F.S.; revising the content of a predisposition report; conforming terminology; amending s. 985.435, F.S.; authorizing a probation program to include an alternative consequence component that may be used to address noncompliance with the technical conditions of probation; requiring the department to identify a child's risk of reoffending if the child is being placed on probation or postcommitment probation; amending s. 985.439, F.S.; authorizing the department to establish alternative sanctions for violations of probation or postcommitment probation; conforming terminology; amending s. 985.441, F.S.; providing that a child on probation for certain offenses may not be committed for a probation violation that is technical in nature; conforming terminology; amending s. 985.46, F.S.; revising the definition of the term "conditional release"; revising terminology; amending s. 985.461, F.S.; expanding the opportunity for transition-to-adulthood services to all children; revising provisions that the department may use to support participation in transition-to-adulthood services; conforming terminology; amending ss. 985.481 and 985.4815, F.S.; deleting obsolete provisions; amending s. 985.514, F.S.; conforming provisions; amending s. 985.601, F.S.; requiring the department's programs to include trauma-informed care, family engagement resources and programs, and gender-specific programming; authorizing the department to pay the expenses of programs and activities that address the needs and well-being of children in its care or under its supervision; conforming terminology; repealing ss. 985.605, 985.606, and 985.61, F.S., relating to prevention services programs and providers and early delinquency intervention programs; amending s. 985.632, F.S.; providing for the establishment of a performance accountability system for contract providers; revising definitions; providing for the development of a Comprehensive Accountability Report; requiring the department to prepare and submit the report annually to the Governor and Legislature; specifying content that must be included in the report; revising provisions relating to the cost-effectiveness model and quality improvement; amending s. 985.644, F.S.; clarifying an exemption for specified certified law enforcement, correctional, and correctional probation officers relating to a requirement to submit to level 2 background screenings; creating s. 985.6441, F.S.; providing definitions; limiting the amount that the department may pay a hospital or



health care provider for health care services based on a percentage of the Medicare allowable rate; providing applicability; amending s. 985.66, F.S.; revising specified juvenile justice staff development and training procedures; expanding application of training requirements to contract providers who care for children in the department's custody; amending s. 985.664, F.S.; deleting obsolete provisions relating to the initial selection of the juvenile justice circuit advisory board chairs; revising procedures for appointing juvenile justice circuit advisory board chairs; providing that chairs serve at the pleasure of the secretary; amending s. 985.672, F.S.; clarifying language concerning expenditures of the direct-support organization's funds; authorizing the direct-support organization to use department personnel services; defining the term "personnel services"; amending s. 985.682, F.S.; deleting obsolete provisions regarding a comprehensive study relating to the siting of facilities; amending s. 985.69, F.S.; providing for the use of specified funds for repair and maintenance; repealing s. 985.694, F.S., relating to the Juvenile Care and Maintenance Trust Fund; amending s. 985.701, F.S.; defining the term "juvenile offender" for purposes of prohibiting sexual misconduct with juvenile offenders; creating s. 985.702, F.S.; providing an effective date; providing definitions; providing for the imposition of criminal penalties against specified employees who inflict neglect upon juvenile offenders; providing enhanced penalties for such treatment that results in great bodily harm, permanent disability, or permanent disfigurement to a juvenile offender; specifying that such conduct constitutes sufficient cause for an employee's dismissal from employment; prohibiting such employee from future employment with the juvenile justice system; providing incident reporting requirements; prohibiting an employee who witnesses such an incident from knowingly or willfully failing to report such incident; prohibiting false reporting, preventing another from reporting, or coercing another to alter testimony or reports; providing criminal penalties; amending s. 985.721, F.S.; correcting a cross-reference; amending s. 943.0582, F.S.; clarifying that minors are not eligible for expunction if they have been charged by a state attorney for other crimes; repealing s. 945.75, F.S., relating to tours of state correctional facilities for juveniles; amending ss. 121.0515, 316.635, and 318.143, F.S.; conforming provisions and correcting cross-references; providing effective dates.

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By the Committees on Appropriations; and Banking and Insurance; and Senator Richter—

**CS for CS for SB 1012**—A bill to be entitled An act relating to financial institutions; amending s. 655.005, F.S.; revising the definition of "related interest"; creating s. 655.017, F.S.; preempting to the state the regulation of certain financial or lending activities of entities subject to the jurisdiction of the office or other regulatory agencies; providing that counties and municipalities may engage in investigations and proceedings against financial institutions that are not preempted; requiring a financial institution to notify the office if such local action is commenced; providing for the office's sole and exclusive jurisdiction in certain cases; providing applicability; amending s. 655.0322, F.S.; revising provisions relating to prohibited acts and practices by a financial institution; applying certain provisions to affiliates; amending s. 655.034, F.S.; authorizing the circuit court to issue an injunction in order to protect the interests of the depositors, members, creditors, or stockholders of a financial institution and the public's interest in the safety and soundness of the financial institution system; defining "formal enforcement action"; amending s. 655.037, F.S.; conforming a cross-reference; amending s. 655.0385, F.S.; prohibiting a director or executive officer from concurrently serving as a director or officer in a financial institution or affiliate in the same geographical area or the same major business market area unless waived by the Office of Financial Regulation; amending s. 655.041, F.S.; revising provisions relating to administrative fines; clarifying that the office may initiate administrative proceedings for violations of rules; providing that fines for violations begin accruing immediately upon the service of a complaint; applying certain provisions to affiliates; revising the applications for imposing a fine; amending s. 655.045, F.S.; requiring the office to conduct an examination of a financial institution within a specified period; amending s. 655.057, F.S.; conforming a cross-reference; providing that specified records are not considered a waiver of privileges or legal rights in certain proceedings; clarifying who has a right to copy member or shareholder records; creating s. 655.0591, F.S.; providing notice requirements and procedures that allow a financial institution to protect trade secrets included in documents submitted to the office; amending s. 655.50, F.S.; revising provisions relating to the control of money laundering to also include

terrorist financing; adding and revising definitions; requiring a financial institution to have a BSA/AML compliance officer; revising records requirements; updating cross-references; amending s. 655.85, F.S.; clarifying that an institution may impose a fee for the settlement of a check under certain circumstances; providing legislative intent; amending s. 655.921, F.S.; revising provisions relating to business transactions by an out-of-state financial institution; providing that such institution may file suit to collect a security interest in collateral; amending s. 655.922, F.S.; revising provisions relating to the name of a financial institution; prohibiting certain financial institutions from using a name that may mislead consumers; authorizing the office to seek court orders to annul or dissolve a business entity for certain violations and to issue emergency cease and desist orders; amending s. 655.948, F.S.; requiring a financial institution to notify the office of any investigations or proceedings initiated by a county or municipality against the institution within a specified timeframe; creating s. 655.955, F.S.; providing that a financial institution is not civilly liable solely by virtue of extending credit to a person; amending s. 657.008, F.S.; requiring certain credit unions seeking to establish a branch office to submit an application to the office for examination and approval; providing the criteria for the examination; amending s. 657.028, F.S.; revising provisions relating to prohibited activities of directors, officers, committee members, employees, and agents of credit unions; requiring the name and address of the credit manager to be submitted to the office; amending s. 657.041, F.S.; authorizing a credit union to pay health and accident insurance premiums and to fund employee benefit plans under certain circumstances; amending s. 658.12, F.S.; revising the definition of "trust business"; amending ss. 658.21 and 658.235, F.S.; conforming cross-references; repealing s. 658.49, F.S., relating to requirements for bank loans up to \$50,000; amending ss. 663.02 and 663.09, F.S.; conforming provisions to changes made by the act; amending s. 663.12, F.S.; deleting an annual assessment imposed on certain international offices; amending s. 663.306, F.S.; conforming provisions to changes made by the act; amending ss. 665.013, 665.033, 665.034, 667.003, 667.006, and 667.008, F.S.; conforming cross-references; providing an effective date.

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By the Committees on Appropriations; and Criminal Justice; and Senator Latvala—

**CS for CS for SB 1032**—A bill to be entitled An act relating to subsurface rights; creating s. 689.29, F.S.; requiring a seller to provide a prospective purchaser with a subsurface rights disclosure summary when selling residential property; providing a form for the disclosure summary; requiring the disclosure summary to be included in the contract for sale or incorporated by reference into the contract for sale; defining the terms "seller" and "subsurface rights"; providing an effective date.

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By the Committees on Appropriations; and Health Policy; and Senator Bean—

**CS for CS for SB 1212**—A bill to be entitled An act relating to behavior analysts; amending s. 20.43, F.S.; establishing the Board of Applied Behavior Analysis within the Division of Medical Quality Assurance; amending s. 456.001, F.S.; including licensed behavior analysts and licensed assistant behavior analysts in the definition of "health care practitioner"; amending s. 456.0135, F.S.; requiring an applicant for licensure under chapter 470, F.S., to submit to certain fingerprinting requirements; creating chapter 470, F.S.; entitling the chapter; creating s. 470.40, F.S.; providing a purpose; creating s. 470.41, F.S.; defining terms; creating s. 470.415, F.S.; creating the Board of Applied Behavior Analysis; providing for membership and terms of members; creating s. 470.42, F.S.; creating rulemaking authority for the board and the department; creating s. 470.43, F.S.; providing requirements for licensure as a behavior analyst or assistant behavior analyst; creating s. 470.44, F.S.; providing requirements for renewal of license; creating s. 470.45, F.S.; establishing maximum fees for applications, initial licenses, and license renewals; requiring fees collected by the department to be deposited in to a specified trust fund; creating s. 470.46, F.S.; providing grounds for denial of license or disciplinary action; creating s. 470.47, F.S.; providing penalties for practicing applied behavior analysis without a license or wrongfully identifying oneself as a licensed behavior analyst or licensed assistant behavior analyst; creating s. 470.48, F.S.; providing

exceptions to applicability of the chapter; providing appropriations and authorizing positions; providing an effective date.

By the Committees on Appropriations; Community Affairs; and Ethics and Elections; and Senator Stargel—

**CS for CS for CS for SB 1632**—A bill to be entitled An act relating to special districts; designating parts I-VIII of chapter 189, F.S., relating to special districts; amending s. 11.40, F.S.; revising duties of the Legislative Auditing Committee; amending s. 112.312, F.S.; redefining the term “agency” as it applies to the code of ethics for public officers and employees to include special districts; creating s. 112.511, F.S.; specifying applicability of procedures regarding suspension and removal of a member of the governing body of a special district; amending s. 125.901, F.S.; revising governing body membership for independent special districts created to provide funding for children’s services; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 189.401, F.S.; revising a short title; transferring, renumbering, and amending s. 189.402, F.S.; revising a statement of legislative purpose and intent; making technical changes; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 189.403, F.S.; redefining the term “special district”; transferring, renumbering, and amending ss. 189.4031, 189.4035, 189.404, 189.40401, 189.4041, and 189.4042, F.S.; deleting provisions relating to the application of a special district to amend its charter; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 189.4044, F.S.; revising the circumstances under which the Department of Economic Opportunity may declare a special district inactive; requiring the department to provide notice of a declaration of inactive status to certain persons and bodies; prohibiting special districts that are declared inactive from collecting taxes, fees, or assessments; providing exceptions; providing for enforcement of the prohibition; providing for costs of litigation and reasonable attorney fees in certain proceedings; transferring and renumbering ss. 189.4045 and 189.4047, F.S.; transferring, renumbering, and amending s. 189.405, F.S.; revising requirements related to education programs for new members of special district governing bodies; amending s. 189.4051, F.S.; revising definitions; conforming provisions to changes made by the act; transferring and renumbering ss. 189.4065, 189.408, and 189.4085, F.S.; transferring, renumbering, and amending ss. 189.412 and 189.413, F.S.; renaming the Special District Information Program the Special District Accountability Program; revising duties of the Special District Accountability Program; transferring and renumbering ss. 189.415, 189.4155, and 189.4156, F.S.; transferring, renumbering, and amending ss. 189.416, 189.417, and 189.418, F.S.; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 189.419, F.S.; revising provisions related to the failure of a special district to file certain reports or information; conforming provisions to changes made by the act; transferring and renumbering s. 189.420, F.S.; transferring, renumbering, and amending s. 189.421, F.S.; revising notification requirements for special districts that fail to file certain reports; revising available remedies for the failure of a special district to disclose required financial reports; transferring and renumbering ss. 189.4221, 189.423, 189.425, and 189.427, F.S.; transferring, renumbering, and amending s. 189.428, F.S.; revising the oversight review process for special districts; transferring, renumbering, and amending s. 189.429, F.S.; conforming a cross-reference; repealing ss. 189.430, 189.431, 189.432, 189.433, 189.434, 189.435, 189.436, 189.437, 189.438, 189.439, 189.440, 189.441, 189.442, 189.443, and 189.444, F.S., relating to the Community Improvement Authority Act; creating ss. 189.034 and 189.035, F.S.; providing applicability; requiring the Legislative Auditing Committee to provide notice of the failure of special districts to file certain required reports and requested information to certain persons and bodies; authorizing the Legislative Auditing Committee and the chair or equivalent of a local general-purpose government to convene a public hearing on the issue of a special district’s noncompliance and general oversight of the special district; requiring a special district to provide certain information to the Legislative Auditing Committee before a public hearing upon request; authorizing a local general-purpose government to request certain information from a special district created by local ordinance before a public hearing; requiring a local general-purpose government to report the findings of a public hearing to the department and the Legislative Auditing Committee; creating s. 189.055, F.S.; requiring special districts to be treated as municipalities for certain purposes; creating s. 189.069, F.S.; requiring special districts to establish and maintain an official website for certain information; requiring special districts to

submit the web address of their respective websites to the department; requiring that the department’s online list of special districts include a link to the website of certain special districts; amending s. 200.065, F.S.; providing that certain downtown development authorities are independent special taxing districts authorized to levy an additional ad valorem tax on real and personal property in the district; limiting the amount of the levy; amending ss. 11.45, 100.011, 101.657, 112.061, 112.63, 112.665, 121.021, 121.051, 153.94, 163.08, 165.031, 165.0615, 171.202, 175.032, 190.011, 190.046, 190.049, 191.003, 191.005, 191.013, 191.014, 191.015, 200.001, 218.31, 218.32, 218.37, 255.20, 298.225, 343.922, 348.0004, 373.711, 403.0891, 582.32, and 1013.355, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Appropriations; and Children, Families, and Elder Affairs; and Senators Sobel and Gibson—

**CS for SB 1666**—A bill to be entitled An act relating to child welfare; amending s. 20.19, F.S.; requiring the Secretary of Children and Families to appoint an Assistant Secretary for Child Welfare; providing qualifications and responsibilities; amending s. 39.001, F.S.; revising the purposes of ch. 39, F.S.; requiring the department to provide for certain services for medically complex children; amending s. 39.01, F.S.; providing, revising, and deleting definitions; amending s. 39.013, F.S.; clarifying responsibilities of the department in dependency proceedings; amending s. 39.201, F.S.; requiring alleged incidents of juvenile sexual abuse involving specified children to be reported to the department’s central abuse hotline; requiring the department to provide specified information on an investigation of child sexual abuse to the court; creating s. 39.2015, F.S.; requiring the department to conduct specified investigations using critical incident rapid response teams; providing requirements for such investigations and for team membership; authorizing team access to specified information; requiring the cooperation of specified agencies and organizations; providing for reimbursement of team members; requiring the team to provide an investigation report; requiring the secretary to develop guidelines for investigations and provide team member training; requiring the secretary to appoint an advisory committee; requiring the committee to submit a report to the secretary; requiring the secretary to submit such report to the Governor and the Legislature by a specified date; creating s. 39.2022, F.S.; providing legislative intent; requiring the department to publish specified information on its website regarding the death of a child reported to the central abuse hotline; amending s. 39.301, F.S.; requiring the use of safety plans in child protection investigations in cases of present or impending danger; providing requirements for implementation of a safety plan; providing conditions for filing a petition for dependency; amending s. 39.303, F.S.; requiring physician involvement when a child protection team evaluates a report of medical neglect of a medically complex child; creating s. 39.3068, F.S.; providing requirements for investigating medical neglect; providing duties of the department; amending s. 39.307, F.S.; requiring the department to assist the family, child, and caregiver in receiving services upon a report alleging juvenile sexual abuse or inappropriate sexual behavior; requiring the department to maintain specified records; requiring child sexual abuse to be taken into account in placement consideration; requiring the department to monitor the occurrence of child sexual abuse and related services; amending s. 39.402, F.S.; requiring the department to make a reasonable effort to keep siblings together when they are placed in out-of-home care under certain circumstances; providing for sibling visitation under certain conditions; amending s. 39.501, F.S.; requiring compliance with a safety plan to be considered when deciding a petition for dependency; amending s. 39.504, F.S.; authorizing the court to order a person to comply with a safety plan that is implemented in an injunction; amending s. 39.5085, F.S.; revising legislative intent; authorizing placement of a child with a nonrelative caregiver and financial assistance for such nonrelative caregiver through the Relative Caregiver Program under certain circumstances; amending s. 39.604, F.S.; requiring certain children to attend a licensed early education or child care program; requiring the inclusion of attendance at a licensed early education or child care program in a child’s safety plan; amending s. 39.701, F.S.; requiring the court to consider contact among siblings in judicial reviews; authorizing the court to remove specified disabilities of nonage at judicial reviews; amending s. 39.802, F.S.; removing department authorization to sign a petition for termination of parental rights; amending s. 39.806, F.S.; providing additional grounds for termination of parental rights; amending s. 63.212, F.S.; revising advertising requirements for adoption

services; requiring a person who places an advertisement for adoption services to provide specified information; deleting a criminal penalty for knowingly publishing or assisting in the publication of an advertisement that violates specified provisions; amending s. 383.402, F.S.; requiring state and local review committees to review all child deaths that are reported to the department's central abuse hotline; revising the membership of the State Child Abuse Death Review Committee; revising the due date for and contents of a report; requiring the State Child Abuse Death Review Committee to provide training to local child abuse death review committees; amending s. 402.40, F.S.; requiring a third-party credentialing entity to establish an advisory committee; authorizing the department to approve certification of specializations; creating s. 402.402, F.S.; defining terms; providing preferences for education and work experience for child protection and child welfare personnel; requiring a report; providing training requirements for department attorneys; creating s. 402.403, F.S.; establishing a tuition exemption program for child protection and child welfare personnel; providing eligibility requirements; creating s. 402.404, F.S.; establishing a student loan forgiveness program for child protection and child welfare personnel; providing eligibility requirements; authorizing community-based care lead agencies to provide student loan forgiveness under certain circumstances; amending s. 409.165, F.S.; enhancing provision of care to medically complex children; amending s. 409.967, F.S.; revising standards for Medicaid managed care plan accountability with respect to services for dependent children and their parents; amending s. 409.972, F.S.; exempting certain Medicaid recipients from mandatory enrollment in managed care plans; providing a directive to the Division of Law Revision and Information; creating part V of ch. 409, F.S.; creating s. 409.986, F.S.; providing legislative findings and intent; providing child protection and child welfare outcome goals; defining terms; creating s. 409.987, F.S.; providing for department procurement of community-based care lead agencies; providing requirements for contracting as a lead agency; creating s. 409.988, F.S.; providing duties of a community-based care lead agency; providing licensure requirements for a lead agency; specifying services provided by a lead agency; providing conditions for an agency or provider to act as a child's guardian; creating s. 409.990, F.S.; providing general funding provisions for lead agencies; providing for a matching grant program and the maximum amount of funds that may be awarded; requiring the department to develop and implement a community-based care risk pool initiative; providing requirements for the risk pool; transferring, renumbering, and amending s. 409.16713, F.S.; transferring provisions relating to the allocation of funds for community-based care lead agencies; conforming a cross-reference; creating s. 409.992, F.S.; providing requirements for community-based care lead agency expenditures; creating s. 409.993, F.S.; providing legislative findings; providing for lead agency and subcontractor liability; providing limitations on damages; transferring, renumbering, and amending s. 409.1675, F.S.; transferring provisions relating to receivership from community-based providers to lead agencies; conforming cross-references and terminology; creating s. 409.996, F.S.; providing duties of the department relating to community-based care and lead agencies; creating s. 409.997, F.S.; providing outcome goals for the department and specified entities with respect to the delivery of child welfare services; requiring the department to maintain an accountability system; requiring a report to the Governor and the Legislature; requiring the department to establish a technical advisory panel; requiring the department to make the results of the accountability system public; requiring a report to the Governor and the Legislature by a specified date; creating s. 827.10, F.S.; providing definitions; establishing the criminal offense of unlawful desertion of a child; providing criminal penalties; providing exceptions; amending s. 985.04, F.S.; conforming terminology; creating s. 1004.615, F.S.; establishing the Florida Institute for Child Welfare; providing purpose, duties, and responsibilities of the institute; requiring the institute to contract and work with specified entities; providing for the administration of the institute; requiring reports to the Governor and the Legislature by specified dates; amending s. 1009.25, F.S.; exempting specified child protective investigators and child protective investigation supervisors from certain tuition and fee requirements; repealing s. 402.401, F.S., relating to child welfare worker student loan forgiveness; repealing s. 409.1671, F.S., relating to outsourcing of foster care and related services; repealing s. 409.16715, F.S., relating to certain therapy for foster children; repealing s. 409.16745, F.S., relating to the community partnership matching grant program; repealing s. 1004.61, F.S., relating to a partnership between the Department of Children and Families and state universities; amending ss. 39.201, 39.302, 39.524, 316.613, 409.1676, 409.1677, 409.1678, 409.906, 409.912,

409.91211, 420.628, and 960.065, F.S.; conforming cross-references; providing effective dates.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 3, HB 123, CS for CS for CS for HB 159, CS for HB 225, CS for HB 485, CS for CS for CS for HB 489, CS for HB 517, CS for CS for CS for HB 617, CS for CS for HB 631, CS for CS for HB 685, CS for CS for HB 755, CS for HB 803, CS for CS for CS for HB 849, CS for HB 883, CS for CS for HB 955, CS for HB 977, CS for HB 1017, CS for HB 1121, HB 1279, CS for HB 7083, CS for HB 7091, CS for HB 7093, HB 7177; has passed as amended CS for CS for HB 783, CS for CS for HB 1275, CS for HB 1325, CS for CS for HB 1385; has passed by the required constitutional two-thirds vote of the members voting HB 125, CS for HB 993, HB 1083; has adopted CS for HM 1165 and requests the concurrence of the Senate.

*Robert L. "Bob" Ward, Clerk*

By Transportation & Economic Development Appropriations Subcommittee, Transportation & Highway Safety Subcommittee and Representative(s) Ray, Baxley, Bracy, Broxson, Moraitis, Van Zant—

**CS for CS for HB 3**—A bill to be entitled An act relating to freight and trade; amending s. 311.07, F.S., providing that seaport asset management plans are eligible for funding from the Florida Seaport Transportation and Economic Development Program; amending s. 311.101, F.S.; revising the amount of funds to be made available annually from the State Transportation Trust Fund for the Intermodal Logistics Center Infrastructure Support Program; creating s. 311.103, F.S.; defining the term "freight logistics zone"; authorizing a county or two or more contiguous counties to designate a geographic area or areas within its jurisdiction as a freight logistics zone; requiring the adoption of a strategic plan which must include certain information; providing that certain projects within freight logistics zones may be eligible for priority in state funding and certain incentive programs; providing evaluation criteria for freight logistics zones; creating s. 311.141, F.S.; requiring certain entities to conduct a review of continuity of operations plans; authorizing such entities to develop an all-hazards economic recovery plan and resumption of trade plan for seaports; requiring certain entities to review the need for consistent asset management plans for seaports; amending s. 320.525, F.S., providing that certain public roads may be designated as port district roads; requiring the Department of Transportation to designate such roads with appropriate signage; providing an effective date.

—was referred to the Committees on Transportation; Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Representative(s) Schwartz—

**HB 123**—A bill to be entitled An act relating to fees and costs incurred in guardianship proceedings; amending s. 744.108, F.S.; updating terminology; providing that fees and costs incurred by an attorney who has rendered services to a ward in compensation proceedings are payable from guardianship assets; providing that expert testimony is not required in proceedings to determine compensation for an attorney or guardian; amending s. 744.3025, F.S.; providing that a court may appoint a guardian ad litem to represent a minor if necessary to protect the minor's interest in a settlement; providing that a settlement of a minor's claim is subject to certain confidentiality provisions; amending s. 744.331, F.S.; requiring that the examining committee be paid from state funds as court-appointed expert witnesses if a petition for incapacity is dismissed; requiring that a petitioner reimburse the state for expert witness fees if the court finds the petition to have been filed in bad faith; providing applicability; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; Appropriations; and Rules.

By Health & Human Services Committee, Health Care Appropriations Subcommittee, Healthy Families Subcommittee and Representative(s) Berman, Wood, Campbell, Cruz, Edwards, Hood, McGhee, Pritchett, Rooney, Rouson, Slosberg—

**CS for CS for CS for HB 159**—A bill to be entitled An act relating to the establishment of a mental health first aid training program; requiring the Department of Children and Families to establish a mental health first aid training program; requiring the department to employ a competitive procurement process to select a statewide association to develop, implement, and manage the program; providing course requirements; requiring instructors to be certified; requiring the department to submit a report to the Governor and Legislature; providing for expiration of the program; providing an appropriation; requiring the Office of Program Policy Analysis and Government Accountability to submit a report to the Legislature; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Transportation & Highway Safety Subcommittee and Representative(s) Perry, Baxley, Berman, Clelland, Cruz, Danish, Gibbons, Goodson, Hager, Hooper, Pafford, Pilon, Porter, Rader, Raschein, Rhwinkel Vasilinda, Rooney, Slosberg, Stark, Steube, Van Zant, Waldman, Watson, B., Watson, C., Williams, A.—

**CS for HB 225**—A bill to be entitled An act relating to child safety devices in motor vehicles; amending s. 316.613, F.S.; revising child restraint requirements for children who are younger than a specified age; requiring the use of a separate carrier, integrated child seat, or child booster seat for such children; providing exceptions; providing penalties; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Criminal Justice Subcommittee and Representative(s) Raburn, Albritton, Diaz, M., Eagle, Hutson, Raulerson, Spano—

**CS for HB 485**—A bill to be entitled An act relating to sexual offenses against students by authority figures; providing a short title; creating s. 775.0862, F.S.; providing definitions; providing for reclassification of specified sexual offenses committed against students by an authority figure of the school; providing for severity ranking of offenses; amending s. 921.0022, F.S.; providing for application of the severity ranking chart of the Criminal Punishment Code; providing an effective date.

—was referred to the Committees on Criminal Justice; and Appropriations.

By Judiciary Committee, Business & Professional Regulation Subcommittee, Civil Justice Subcommittee and Representative(s) Spano—

**CS for CS for CS for HB 489**—A bill to be entitled An act relating to subsurface rights; creating s. 689.29, F.S.; requiring a seller to provide a prospective purchaser with a subsurface rights disclosure summary when selling residential property; providing a form for the disclosure summary; requiring the disclosure summary to be included in the contract for sale or incorporated by reference into the contract for sale; defining the terms "subsurface rights" and "seller"; providing an effective date.

—was referred to the Committees on Criminal Justice; and Appropriations.

By Criminal Justice Subcommittee and Representative(s) Hooper, Steube—

**CS for HB 517**—A bill to be entitled An act relating to fraudulent controlled substance prescriptions; amending s. 893.13, F.S.; revising provisions prohibiting possession of incomplete prescription forms; providing enhanced criminal penalties for violations involving incomplete prescription forms; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Policy; and Appropriations.

By Economic Affairs Committee, Civil Justice Subcommittee, Transportation & Highway Safety Subcommittee and Representative(s) Wood—

**CS for CS for CS for HB 617**—A bill to be entitled An act relating to towing of vehicles and vessels; amending s. 715.07, F.S.; providing for removal of a vehicle or vessel by a cooperative association or a homeowners' association; authorizing an owner or lessee of real property to have a vehicle or vessel removed from the property without certain signage under certain circumstances; requiring a notice to be attached to the vehicle or vessel and providing requirements therefor; requiring police verification and documentation of such a notice and requirements therefor; providing an effective date.

—was referred to the Committees on Transportation; and Community Affairs.

By Regulatory Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Workman—

**CS for CS for HB 631**—A bill to be entitled An act relating to loan originators, mortgage brokers, and mortgage lenders; amending s. 494.001, F.S.; providing and revising definitions; amending s. 494.0012, F.S.; authorizing the Office of Financial Regulation to conduct joint or concurrent examinations of licensees; amending s. 494.00255, F.S.; providing that violating specified rules is grounds for disciplinary action; repealing s. 494.0028, F.S., relating to arbitration of disputes involving certain agreements; amending ss. 494.00313 and 494.00322, F.S.; providing for change in license status if a licensed loan originator or mortgage broker fails to meet certain requirements for annual license renewal by specified dates; amending s. 494.0036, F.S.; providing guidelines for renewal of a mortgage broker branch office license; providing for change in license status if a licensed branch office fails to meet certain requirements for annual license renewal by specified dates; amending s. 494.0038, F.S.; deleting certain requirements regarding loan origination and disclosure; amending s. 494.004, F.S.; deleting a requirement that a licensee provide certain notice to a borrower in mortgage loan transactions; authorizing the Financial Services Commission to adopt rules prescribing the time by which a mortgage broker must file a report of condition; amending s. 494.0042, F.S.; conforming a cross-reference; repealing s. 494.00421, F.S., relating to required disclosures to borrowers in mortgage broker agreements by mortgage brokers receiving loan origination fees; amending s. 494.00611, F.S.; revising a cross-reference; amending s. 494.00612, F.S.; providing for change in license status if a licensed mortgage lender fails to meet certain requirements for annual license renewal by specified dates; amending s. 494.0066, F.S.; providing guidelines for renewal of a mortgage lender branch office license; providing for change in license status if a licensed branch office fails to meet certain requirements for annual license renewal by specified dates; amending s. 494.0067, F.S.; deleting requirements that a mortgage lender provide an applicant for a mortgage loan a good faith estimate of costs and written disclosures related to adjustable rate mortgages; deleting requirement that mortgage lender provide notice of material changes in terms of a mortgage loan to a borrower in mortgage loan transactions; revising period during which mortgage lenders may service loans without meeting certain requirements; authorizing the commission to adopt rules prescribing the time by which a mortgage lender must file a report of condition; repealing s. 494.0068, F.S., relating to required disclosures to borrowers by mortgage lenders before the borrower accepts certain fees; amending s. 494.007, F.S.; deleting the requirement that a mortgage lender disclose a certain fee and whether the fee is refundable; amending s. 494.0073, F.S.; conforming a cross-reference; repealing part IV of chapter 494, F.S., relating to the Florida Fair Lending Act; repealing s. 494.008, F.S., relating to conditions for mortgage loans of specified amounts secured by vacant land; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

By Judiciary Committee, Civil Justice Subcommittee and Representative(s) Rooney, Workman, Bracy, Campbell, Gibbons, McBurney, Rodríguez, J., Spano—

**CS for CS for HB 685**—A bill to be entitled An act relating to business organizations; amending s. 605.0112, F.S.; providing additional exceptions regarding the requirement that limited liability company names be distinguishable from the names of other entities or filings; specifying differences in names which are not considered distinguishable; designating part I of ch. 607, F.S., entitled "General Provisions"; amending s. 607.0101, F.S.; revising a provision to conform to changes made by the act; amending s. 607.0401, F.S.; providing additional exceptions regarding the requirement that corporate names be distinguishable; specifying differences in corporate names which are not considered distinguishable; amending s. 607.1302, F.S.; providing that the amendment of articles of incorporation or the merger, conversion, or share exchange of a social purpose or benefit corporation entitles the shareholders to appraisal rights; creating part II of ch. 607, F.S., entitled "Social Purpose Corporations"; creating s. 607.501, F.S.; providing application and effect; creating s. 607.502, F.S.; providing definitions; creating s. 607.503, F.S.; establishing requirements for the formation of a social purpose corporation; creating s. 607.504, F.S.; providing procedures for an existing corporation to become a social purpose corporation; creating s. 607.505, F.S.; providing procedures for the termination of a social purpose corporation status; creating s. 607.506, F.S.; requiring that the corporate purpose must be to create a public benefit; providing criteria; creating s. 607.507, F.S.; requiring that the directors of a social purpose corporation meet a standard of conduct; providing criteria for the standards; creating s. 607.508, F.S.; authorizing the articles of incorporation of a social purpose corporation to provide for a benefit director; providing powers and duties of a benefit director; creating s. 607.509, F.S.; requiring that the officers of a social purpose corporation meet a standard of conduct; providing criteria for the standards of conduct; creating s. 607.510, F.S.; authorizing a social purpose corporation to designate an officer as a benefit officer; providing for the powers and duties of a benefit officer; creating s. 607.511, F.S.; authorizing certain legal actions to be brought against a social purpose corporation, its officers, or its directors; creating s. 607.512, F.S.; requiring the board of directors to prepare an annual benefit report; providing criteria for the preparation of the report; creating s. 607.513, F.S.; establishing requirements for the availability and dissemination of the annual report; authorizing a court to order dissemination of the report; providing criteria; creating part III of ch. 607, F.S., entitled "Benefit Corporations"; creating s. 607.601, F.S.; providing for application and effect; creating s. 607.602, F.S.; providing definitions; creating s. 607.603, F.S.; establishing requirements for the formation of a benefit corporation; creating s. 607.604, F.S.; providing procedures for an existing corporation to become a benefit corporation; creating s. 607.605, F.S.; providing procedures for the termination of a benefit corporation status; creating s. 607.606, F.S.; requiring that the corporate purpose be to create a public benefit; providing criteria; creating s. 607.607, F.S.; requiring the directors of a benefit corporation to meet a standard of conduct; providing criteria for the standards; creating s. 607.608, F.S.; authorizing the articles of incorporation of a benefit corporation to provide for a benefit director; providing powers and duties of the benefit director; creating s. 607.609, F.S.; requiring the officers of a benefit corporation to meet a standard of conduct; providing criteria for the standards of conduct; creating s. 607.610, F.S.; authorizing a benefit corporation to designate an officer as a benefit officer; providing for the powers and duties of the benefit officer; creating s. 607.611, F.S.; authorizing certain legal actions to be brought against a benefit corporation, its officers, or its directors; creating s. 607.612, F.S.; requiring the board of directors to prepare an annual benefit report; providing criteria for the preparation of the report; creating s. 607.613, F.S.; establishing requirements for the availability and dissemination of the annual report; authorizing a court to order dissemination of the report; amending ss. 617.0401 and 620.1108, F.S.; providing additional exceptions regarding the requirement that the names of entities be distinguishable; specifying differences in names which are not considered distinguishable; amending ss. 48.091, 215.555, 243.54, 310.171, 310.181, 329.10, 339.412, 420.101, 420.111, 420.161, 440.02, 440.386, 609.08, 617.1908, 618.221, 619.04, 624.430, 624.462, 624.489, 628.041, 631.262, 636.204, 641.2015, 655.0201, 658.23,

658.2953, 658.30, 658.36, 663.03, 663.04, 663.301, 663.306, 663.313, 718.111, 719.104, 720.302, 720.306, 766.101, and 865.09, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Judiciary; and Rules.

By Judiciary Committee, Civil Justice Subcommittee and Representative(s) Steube—

**CS for CS for HB 755**—A bill to be entitled An act relating to family law; amending s. 61.30, F.S.; providing for consideration of time-sharing schedules or time-sharing arrangements as a factor in the adjustment of awards of child support; amending s. 90.204, F.S.; authorizing judges in family cases to take judicial notice of certain court records without prior notice to the parties when imminent danger to persons or property has been alleged and it is impractical to give prior notice; providing for a deferred opportunity to present evidence; requiring a notice of taking such judicial notice to be filed within a specified period; providing that the term "family cases" has the same meaning as provided in the Rules of Judicial Administration; amending ss. 741.30, 784.046, and 784.0485, F.S.; creating an exception to a prohibition against using evidence other than the verified pleading or affidavit in an ex parte hearing for a temporary injunction for protection against domestic violence, repeat violence, sexual violence, dating violence, or stalking; providing an effective date.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; and Rules.

By Finance & Tax Subcommittee and Representative(s) Boyd, Campbell, Rouson—

**CS for HB 803**—A bill to be entitled An act relating to the communications services tax; amending s. 202.11, F.S.; revising the definition of the term "information service" to include certain data processing and other services for purposes of the communications services tax; providing retroactive applicability and construction; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By State Affairs Committee, Judiciary Committee, Government Operations Subcommittee and Representative(s) Smith, Moskowitz, Pilon, Stewart—

**CS for CS for CS for HB 849**—A bill to be entitled An act relating to service animals; amending s. 413.08, F.S.; providing and revising definitions; requiring a public accommodation to permit use of a service animal by an individual with a disability under certain conditions; providing conditions for a public accommodation to exclude or remove a service animal; revising penalties to include community service for certain persons or entities who interfere with use of a service animal in specified circumstances; providing a penalty for knowing and willful misrepresentation with respect to use or training of a service animal; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; and Judiciary.

By Transportation & Highway Safety Subcommittee and Representative(s) Broxson—

**CS for HB 883**—A bill to be entitled An act relating to license plates; amending s. 320.02, F.S.; revising provisions for the Department of Highway Safety and Motor Vehicles to withhold the renewal of registration or replacement registration of a motor vehicle; revising the conditions under which a revalidation sticker or replacement license plate may be issued; amending s. 320.1316, F.S.; prohibiting the department from issuing a license plate, revalidation sticker, or replacement license plate for a vehicle or vessel identified in a notice from a lienor; revising procedures for dispute of a notice to surrender a vehicle

or vessel; authorizing civil actions and the award of attorney fees and costs; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

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By State Affairs Committee, Agriculture & Natural Resources Subcommittee and Representative(s) Goodson—

**CS for CS for HB 955**—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 327.355, F.S.; providing that a boating safety course may be offered in a classroom or online; conforming provisions relating to the reassignment of the boating safety program from the Department of Environmental Protection to the commission; amending s. 327.4105, F.S.; requiring the commission to submit an updated report relating to the regulation of mooring vessels; extending the expiration date of the pilot program for the regulation of mooring vessels; amending s. 327.731, F.S.; providing that a boating safety course may be offered in a classroom or online; eliminating an exemption from boating safety education requirements for boating law violators; amending s. 328.72, F.S.; expanding a county's authorization to use moneys collected from vessel registration fees; repealing s. 379.2257(3), F.S., relating to a charge to be applied to areas covered by cooperative agreements with the United States Forest Service over and above the license fee for hunting; amending s. 379.247, F.S.; removing provisions relating to noncommercial trawling; amending s. 379.353, F.S.; conforming provisions relating to the change in responsibility for providing developmental disabilities services from the Department of Children and Families to the Agency for Persons with Disabilities; amending s. 379.354, F.S.; clarifying the activities authorized under an annual military gold sportsman's license; repealing s. 379.355, F.S., relating to special recreational spiny lobster licenses; repealing s. 379.363(1)(h) and (i), F.S., relating to the annual gear license fee; repealing s. 379.3635, F.S., relating to haul seine and trawl permits to be used in Lake Okeechobee; amending ss. 379.101, 379.208, and 379.401, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Appropriations.

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By Health Care Appropriations Subcommittee and Representative(s) Albritton, Berman, Bracy, Campbell, Cruz, Diaz, J., Edwards, Gaetz, Hager, McGhee, Pafford, Pritchett, Rodrigues, R., Rooney—

**CS for HB 977**—A bill to be entitled An act relating to motor vehicle insurance and driver education for children in foster care; creating s. 743.047, F.S.; removing the disability of nonage of minors for purposes of obtaining motor vehicle insurance; amending s. 1003.48, F.S.; providing for preferential enrollment in driver education courses for children in foster care; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Transportation; Banking and Insurance; and Appropriations.

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By Criminal Justice Subcommittee and Representative(s) Spano, Kerner, Albritton, Artiles, Berman, Campbell, Castor Dentel, Clarke-Reed, Clelland, Combee, Diaz, M., Fitzenhagen, Fresen, Gaetz, Hager, Harrell, Hill, Hood, Murphy, Perry, Pigman, Pilon, Raburn, Rangel, Raschein, Raulerson, Rehwinkel Vasilinda, Roberson, K., Saunders, Slosberg, Stewart, Torres, Van Zant, Williams, A.—

**CS for HB 1017**—A bill to be entitled An act relating to human trafficking; amending s. 450.021, F.S.; prohibiting the employment of minors in adult theaters; amending s. 450.045, F.S.; requiring adult theaters to verify the ages of employees and independent contractors and maintain specified documentation; amending s. 775.15, F.S.; eliminating the statute of limitations for prosecutions under a specified human trafficking provision; providing applicability; amending s. 787.06, F.S.; revising and providing penalties for various human trafficking offenses against minors and adults; amending s. 775.082, F.S.; providing a life sentence for a specified felony; creating s. 796.001, F.S.; providing legislative intent concerning prosecutions of certain offenses by adults in-

volving minors; repealing ss. 796.03, 796.035, and 796.036, F.S., relating to procuring a person under the age of 18 for prostitution, selling or buying of minors into prostitution, and reclassification of certain violations involving minors, respectively; amending ss. 796.05 and 796.07, F.S.; revising and providing penalties for various prostitution offenses; amending s. 943.0583, F.S.; providing for expunction of criminal history records of certain criminal charges against victims of human trafficking that did not result in convictions; requiring destruction of investigative records related to such expunged records; amending s. 921.0022, F.S.; conforming provisions of the offense severity ranking chart of the Criminal Punishment Code to changes made by the act; amending ss. 39.01, 90.404, 772.102, 775.0877, 775.21, 787.01, 787.02, 794.056, 856.022, 895.02, 938.085, 938.10, 943.0435, 943.0585, 943.059, 944.606, 944.607, 948.013, and 948.32, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Appropriations.

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By K-12 Subcommittee and Representative(s) Metz, Adkins—

**CS for HB 1121**—A bill to be entitled An act relating to hazardous walking conditions; amending s. 1006.23, F.S.; revising criteria that determine a hazardous walking condition for public school students; revising procedures for inspection and identification of hazardous walking conditions; authorizing a district school superintendent to initiate a formal request for correction of a hazardous walking condition; authorizing a district school board to initiate an administrative proceeding under certain circumstances and providing requirements therefor; requiring a district school board to provide transportation to students who would be subjected to hazardous walking conditions; requiring state or local governmental entities with jurisdiction over a road with a hazardous walking condition to correct the condition within a reasonable period of time; providing requirements for a governmental entity relating to its capital improvements program; providing requirements relating to a civil action for damages; providing an effective date.

—was referred to the Committees on Education; Community Affairs; and Appropriations.

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By Representative(s) Stafford—

**HB 1279**—A bill to be entitled An act relating to marriage of minors; amending s. 741.0405, F.S.; deleting provisions that allow the issuance of marriage licenses to minors under 16 years of age in certain circumstances; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; and Rules.

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By Education Committee, Choice & Innovation Subcommittee and Representative(s) Diaz, M., Artiles—

**CS for HB 7083**—A bill to be entitled An act relating to school choice; amending s. 1002.33, F.S.; revising required contents of charter school applications and charter contracts; authorizing a sponsor to require an applicant to provide additional information as an addendum to a charter school application; requiring a sponsor to allow an applicant an opportunity to correct both material and technical deficiencies in the application; conforming provisions regarding the appeal process for denial of high-performing charter school applications; requiring sponsors and applicants to use a standard charter contract; specifying that the standard charter contract shall consist of the approved application and addenda and other specified elements; conforming provisions; specifying that a charter contract provision that is inconsistent with or prohibited by law is void and unenforceable; authorizing the sponsor and applicant to negotiate additional terms after approving the charter; authorizing a charter school to open and operate during such negotiation; providing that matters included in the approved application and addenda are deemed settled for purposes of negotiating the charter; clarifying provisions regarding long-term charters and charter terminations; authorizing governing board members to participate in biannual public meet-

ings in person or through communications media technology; specifying that a charter is automatically terminated when a charter school earns a second consecutive grade of "F" after all appeals unless an exception applies; specifying requirements regarding such terminations; correcting cross-references; prohibiting a sponsor from requiring a high-performing charter school to limit enrollment or capacity to students enrolled before the start of the school year; revising the participants in and activities of charter school cooperatives; authorizing a charter school to designate a financial institution to receive funds; providing payment requirements; requiring transfer of funds under certain circumstances; clarifying that sponsors must make unused school facilities available to charter schools; specifying requirements for such use of facilities; requiring the Department of Education to develop a model application form, standard charter contract, standard application evaluation instrument, and standard charter renewal contract; requiring the department to develop such documents for virtual charter schools and high-performing charter schools; revising criteria for local educational agency status for certain charter school systems; amending s. 1002.331, F.S.; correcting a cross-reference; revising limits on high-performing charter school replication; amending s. 1002.332, F.S.; authorizing certain out-of-state entities to apply for designation as a high-performing charter school system; requiring the State Board of Education to adopt by rule eligibility criteria for such designation; specifying that charter schools established by such an entity receive certain benefits during the first 3 years of operation; amending s. 1002.45, F.S.; specifying conditions under which an approved virtual instruction provider's contract is automatically terminated; amending s. 1012.56, F.S.; clarifying that a charter school may develop and operate a professional education competency demonstration program; amending s. 1013.62, F.S.; requiring that a charter school may not have financial emergency conditions on an annual audit to qualify for capital outlay funding; amending s. 1003.01, F.S.; correcting a cross-reference; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By State Affairs Committee, Agriculture & Natural Resources Subcommittee and Representative(s) Pigman, Raburn—

**CS for HB 7091**—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; designating parts I-V of chapter 570, F.S., relating to the Department of Agriculture and Consumer Services; amending s. 193.461, F.S.; authorizing a property appraiser to grant an agricultural classification for land under certain circumstances; providing for lands participating in certain dispersed water storage programs to be classified as agricultural lands for the duration of inclusion in such program or successor programs; amending s. 282.709, F.S.; providing for appointment of a department representative to the Joint Task Force on State Agency Law Enforcement Communications; amending s. 373.4591, F.S.; authorizing landowners who have entered into an agreement with the department to implement specified best management practices before making improvements; amending s. 379.361, F.S.; revising application and renewal requirements for Apalachicola Bay oyster harvesting licenses; amending s. 487.041, F.S.; revising requirements for registration and distribution of discontinued pesticides; amending s. 487.046, F.S.; revising provisions for filing pesticide applicator license applications; amending s. 487.047, F.S.; revising provisions for issuance of pesticide applicator licenses; amending s. 487.048, F.S.; revising provisions for filing pesticide dealer license applications; amending s. 487.159, F.S.; deleting requirements for filing statements claiming damages and injuries from pesticide application; amending s. 487.160, F.S.; revising recordkeeping requirements for licensed private applicators; repealing s. 487.172, F.S., relating to an antifouling paint educational program; amending s. 487.2031, F.S.; revising the term "material safety data sheet"; amending s. 487.2051, F.S.; revising requirements for pesticide fact sheets and safety data sheets; amending s. 493.6120, F.S.; authorizing the department to impose certain civil penalties for violations relating to private security, investigative, and repossession services; amending s. 500.03, F.S.; revising the definition of the term "food establishment"; amending s. 500.12, F.S.; revising criteria for certain food permit exemptions; requiring the department to adopt a permit fee schedule; requiring food permits as a condition of operating a food establishment; providing that such permits are not transferable; amending s. 500.121, F.S.; conforming provisions to changes made by the act; revising the time limit for payment of fines; providing for permit revocation for failure to pay a fine;

authorizing the department to immediately close certain food establishments; providing requirements and procedures for such closure; providing penalties for violations; authorizing the department to adopt rules; amending s. 500.147, F.S.; providing for the inspection of food records for certain purposes; amending s. 500.172, F.S.; providing for embargoing, detaining, or destroying food processing and storage areas; repealing ss. 500.301, 500.302, 500.303, 500.304, 500.305, and 500.306, F.S., relating to standards of enrichment, sales, enforcement, and inspection of certain grain products; repealing s. 500.601, F.S., relating to retail sale of meat; amending s. 501.059, F.S.; authorizing the department to adopt rules; amending s. 570.074, F.S.; providing for the duties of the Office of Agricultural Water Policy; amending s. 570.14, F.S.; requiring written approval for use of the department seal; amending s. 570.247, F.S.; clarifying provisions directing the department to adopt certain rules; repealing s. 570.345, F.S., relating to the Pest Control Compact; amending s. 570.36, F.S.; clarifying provisions relating to the duties of the Division of Animal Industry; repealing s. 570.542, F.S., relating to the Florida Consumer Services Act; creating s. 570.67, F.S.; establishing the Office of Energy within the department; providing for supervision and duties; amending s. 570.71, F.S.; authorizing specified uses of funds from the Conservation and Recreation Lands Program Trust Fund; repealing s. 570.72, F.S., relating to a definition; repealing s. 570.92, F.S., relating to an equestrian educational sports program; amending s. 570.952, F.S.; deleting an obsolete provision relating to membership terms for the Florida Agriculture Center and Horse Park Authority; conforming cross-references; amending s. 570.964, F.S.; clarifying compliance required for privileges of immunity; creating s. 570.971, F.S.; establishing administrative and civil penalties for certain violations; providing applicability; authorizing the department to adopt rules; amending s. 576.021, F.S.; revising provisions for filing applications to distribute fertilizer; amending s. 576.031, F.S.; revising labeling requirements for distribution of fertilizer in bulk; amending s. 576.041, F.S.; removing surety bond and certificate of deposit requirements for fertilizer license applicants; amending s. 576.051, F.S.; revising the period for which a fertilizer sample must be retained for analysis; amending s. 576.071, F.S.; revising criteria for determining the commercial value of certain penalties; amending s. 576.087, F.S.; revising antisiphon requirements for irrigation systems; amending s. 576.101, F.S.; removing provisions relating to probationary status of a fertilizer licensee; amending s. 578.08, F.S.; revising application requirements and registration fees for the sale of seed; amending s. 580.036, F.S.; directing the department to consult with the Agricultural Feed, Seed, and Fertilizer Advisory Council when developing certain standards; amending s. 580.041, F.S.; revising application requirements for master registration of commercial feed; amending s. 580.071, F.S.; revising criteria for adulterated commercial feed and feedstuff; amending s. 581.091, F.S.; deleting provisions relating to noxious weed and invasive plant pilot and monitoring programs; amending s. 581.131, F.S.; revising the time in which the department must provide certain notice and certificate renewal forms; amending s. 583.01, F.S.; revising the definition of the term "dealer"; amending s. 589.08, F.S.; directing the Florida Forest Service to distribute certain funds to fiscally constrained counties; repealing s. 589.081, F.S., relating to payment of certain gross receipts from the Withlacoochee State Forest and Goethe State Forest; amending s. 589.011, F.S.; providing conditions under which the Florida Forest Service is authorized to grant use of certain lands; providing criteria by which the Florida Forest Service determines certain fees, rentals, and charges; amending s. 589.20, F.S.; authorizing the Florida Forest Service to cooperate with water management districts, municipalities, and other government entities in the designation and dedication of certain lands; amending s. 590.02, F.S.; renaming the Florida Forest Training Center and the Madison Forestry Station; repealing s. 590.091, F.S., relating to the designation of railroad rights-of-way as wildfire hazard areas; amending s. 590.125, F.S.; revising requirements for noncertified burning; amending s. 597.003, F.S.; revising the powers and duties of the department regarding aquaculture to include training for lessees of sovereign submerged lands; amending s. 597.004, F.S.; revising application requirements for aquaculture certificates of registration; amending s. 597.020, F.S.; authorizing the department to adopt by rule training requirements for shellfish processors; conforming provisions to changes made by the act; amending s. 604.16, F.S.; exempting certain dealers in agricultural products from provisions relating to license and bond requirements, consignment limitations, examination of records, penalties, and administrative fines; amending ss. 253.74, 388.46, 472.0351, 472.036, 482.161, 482.165, 482.243, 487.091, 487.175, 493.6118, 496.420, 500.165, 500.70, 501.019, 501.612, 501.619, 501.922, 502.231, 507.09, 507.10, 526.311, 526.55, 527.13, 531.50, 534.52,



539.001, 559.921, 559.9355, 559.936, 570.0741, 570.23, 570.242, 570.38, 570.42, 570.44, 570.45, 570.451, 570.50, 570.51, 570.543, 571.11, 571.28, 571.29, 576.061, 578.181, 580.121, 581.141, 581.186, 581.211, 582.06, 585.007, 586.15, 586.161, 590.14, 595.701, 597.0041, 599.002, 601.67, 604.22, 604.30, and 616.242, F.S.; conforming provisions to changes made by the act; amending ss. 193.461, 288.1175, 320.08058, 373.621, 373.709, 381.0072, 509.032, 525.16, 570.07, 570.076, 570.902, 570.9135, 570.961, and 570.963, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Agriculture; Transportation; Community Affairs; and Appropriations.

By State Affairs Committee, Agriculture & Natural Resources Subcommittee and Representative(s) Rooney, Stone—

**CS for HB 7093**—A bill to be entitled An act relating to rehabilitation of petroleum contamination sites; amending s. 287.0595, F.S.; deleting a provision exempting certain professional service contracts from pollution response action contract requirements; amending s. 376.3071, F.S.; providing legislative findings and intent regarding the Petroleum Restoration Program and the rehabilitation of contamination sites; providing requirements for site rehabilitation contracts and procedures for payment of rehabilitation work under the Petroleum Restoration Program; revising provisions relating to the duty of the Department of Environmental Protection to seek recovery and reimbursement of certain costs; providing applicability of funding under the Early Detection Incentive Program; deleting obsolete provisions relating to reimbursement for certain cleanup expenses; repealing s. 376.30711, F.S., relating to preapproved site rehabilitation; amending 376.30713, F.S.; providing for certain applicants to use a commitment to pay, a demonstrated cost savings, or both to meet advanced cleanup cost-share requirements; amending ss. 376.301, 376.302, 376.305, 376.30714, 376.3072, 376.3073, and 376.3075, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

By State Affairs Committee and Representative(s) Brodeur—

**HB 7177**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 893.0551, F.S., relating to an exemption from public record requirements for certain information held by the Department of Health pursuant to the prescription drug monitoring program; specifying that the Attorney General, health care regulatory boards, and law enforcement agencies may disclose confidential and exempt information in certain instances if such information is relevant to an active investigation; requiring the Attorney General, health care regulatory boards, and law enforcement agencies to take certain steps to ensure the continued confidentiality of all non-relevant confidential and exempt information before disclosing such information; authorizing the department to disclose, under certain circumstances, relevant information to a law enforcement agency, rather than requiring the department to disclose confidential and exempt information; saving the exemption from repeal under the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

By Regulatory Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Albritton, Cummings—

**CS for CS for HB 783**—A bill to be entitled An act relating to motor vehicle sales; amending s. 545.01, F.S.; revising and reordering definitions; defining terms; creating s. 545.045, F.S.; prohibiting an affiliated finance company from taking specified actions relating to certain finance obligations arising from a vehicle contract that contains a third-party provider's specified automotive related product; providing factors to determine whether an automotive related product is similar in nature, scope, and quality to an automotive related product offered for sale by an affiliated finance company or its related manufacturer or wholesale

distributor; providing that a violation does not constitute a criminal offense; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Judiciary.

By Health & Human Services Committee, Select Committee on Health Care Workforce Innovation and Representative(s) Ahern, Baxley, Campbell, Eagle—

**CS for CS for HB 1275**—A bill to be entitled An act relating to physician assistants; amending ss. 458.347 and 459.022, F.S.; increasing the number of licensed physician assistants that a physician may supervise at any one time; providing an exception; revising circumstances under which a physician assistant is authorized to prescribe or dispense medication; revising requirements for medications prescribed or dispensed by physician assistants; revising application requirements for licensure as a physician assistant and license renewal; amending ss. 458.348 and 459.025, F.S.; defining the term "nonablative aesthetic skin care services"; authorizing a physician assistant who has completed specified education and clinical training requirements, or who has specified work or clinical experience, to perform nonablative aesthetic skin care services under the supervision of a physician; providing that a physician must complete a specified number of education and clinical training hours to be qualified to supervise physician assistants performing certain services; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations; and Rules.

By Transportation & Highway Safety Subcommittee and Representative(s) Zimmermann, Campbell, Cruz, McGhee, Peters, Pritchett, Rogers, Williams, A.—

**CS for HB 1325**—A bill to be entitled An act relating to military veterans with mobility impairment; amending s. 320.089, F.S.; providing for eligible Purple Heart license plate applicants to receive the appropriate special license plate with the international symbol of accessibility; providing an effective date.

—was referred to the Committees on Transportation; Rules; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Appropriations Committee, Government Operations Subcommittee and Representative(s) Raulerson—

**CS for CS for HB 1385**—A bill to be entitled An act relating to inspectors general; amending s. 14.32, F.S.; revising provisions relating to the appointment and removal of the Chief Inspector General; amending s. 20.055, F.S.; revising provisions relating to the duties, appointment, and removal of agency inspectors general; updating a cross-reference; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Appropriations.

By Representative(s) Schwartz—

**HB 125**—A bill to be entitled An act relating to public records; amending s. 744.3701, F.S.; creating an exemption from public records requirements for records relating to the settlement of a claim on behalf of a minor or ward; authorizing a guardian ad litem, a ward, a minor, and a minor's attorney to inspect guardianship reports and court records relating to the settlement of a claim on behalf of a minor or ward, upon a showing of good cause; authorizing the court to direct disclosure and recording of an amendment to a report or court records relating to the settlement of a claim on behalf of a ward or minor, in connection with real property or for other purposes; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Governmental Oversight and Accountability; and Rules.

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By Higher Education & Workforce Subcommittee and Representative(s) Cummings—

**CS for HB 993**—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for personal identifying information of certain animal researchers at public research facilities, including state universities; providing for retroactive applicability of the exemption; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Accountability; and Rules.

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By Representative(s) Artiles—

**HB 1083**—A bill to be entitled An act relating to public records; creating s. 190.0121, F.S.; providing an exemption from public records requirements for surveillance recordings held by a community development district; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Governmental Oversight and Accountability; and Rules.

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By Local & Federal Affairs Committee and Representative(s) La Rosa, Campbell, Pafford, Pritchett, Raschein, Stone—

**CS for HM 1165**—A memorial to the Congress of the United States, urging Congress to recommend that X-linked Adrenoleukodystrophy (ALD) be included in the Recommended Uniform Screening Panel for state newborn screening programs by the United States Department of Health and Human Services.

—was referred to the Committees on Health Policy; and Rules.

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#### RETURNING MESSAGES — FINAL ACTION

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 670.

*Robert L. "Bob" Ward, Clerk*

The bill contained in the foregoing message was ordered enrolled.

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The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 238 by the required constitutional two-thirds vote of the members voting.

*Robert L. "Bob" Ward, Clerk*

The bill contained in the foregoing message was ordered enrolled.

#### CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 11 and April 22 were corrected and approved.

#### CO-INTRODUCERS

Senator Brandes—CS for SB 312

#### ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 3:57 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 11:00 a.m., Thursday, April 24 or upon call of the President.