

CHAPTER 2019-3

Senate Bill No. 4

An act relating to the Florida Statutes; amending ss. 16.615, 17.076, 20.43, 25.077, 27.34, 27.54, 29.005, 29.006, 30.15, 39.001, 39.01, 39.0121, 39.0139, 39.2015, 39.202, 39.301, 39.303, 39.3031, 39.3035, 39.304, 39.3068, 39.307, 39.5086, 39.521, 105.036, 119.071, 121.71, 154.067, 159.834, 163.3177, 193.4615, 196.075, 196.1975, 210.03, 216.136, 218.135, 218.401, 220.11, 243.20, 259.105, 282.705, 288.9623, 316.614, 322.09, 328.76, 348.0012, 364.163, 373.206, 373.5905, 380.0651, 381.0072, 381.984, 383.3362, 383.402, 388.021, 391.026, 393.063, 395.1023, 395.1055, 395.4025, 397.6760, 400.235, 400.471, 400.4785, 400.991, 401.024, 402.305, 402.310, 402.56, 403.861, 408.036, 408.802, 408.820, 409.017, 409.145, 409.815, 409.9083, 440.45, 455.2286, 458.348, 459.025, 459.026, 468.432, 480.033, 483.285, 491.012, 501.011, 527.0201, 560.109, 578.08, 578.11, 578.13, 590.02, 624.509, 627.40951, 627.746, 634.436, 641.3107, 641.511, 655.825, **718.121**, 736.0403, 825.101, 893.055, 893.0551, 900.05, 934.255, 943.0585, 943.1758, 944.115, 985.48, 1002.33, 1002.36, 1002.385, 1002.395, 1002.82, 1004.085, 1004.097, 1004.6495, 1005.03, 1005.06, 1006.061, 1007.24, 1007.273, 1008.31, 1009.89, 1011.69, 1011.71, 1012.2315, 1012.584, and 1013.62, F.S.; reenacting and amending s. 1006.12, F.S.; and reenacting ss. 163.3164 and 893.13, F.S.; deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and revising statutory provisions to conform to directives of the Legislature; providing an effective date.

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

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

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

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

(b) ~~The initial report must include the findings of an investigation into factors causing black-on-black crime from the perspective of public health~~

~~related to mental health, other health issues, cultural disconnection, and cultural identity trauma.~~

Reviser’s note.—Amended to delete obsolete language.

Section 2. Subsection (7) of section 17.076, Florida Statutes, is amended to read:

17.076 Direct deposit of funds.—

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

Reviser’s note.—Amended to delete obsolete language.

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

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

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

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

1. The Board of Acupuncture, created under chapter 457.
2. The Board of Medicine, created under chapter 458.
3. The Board of Osteopathic Medicine, created under chapter 459.
4. The Board of Chiropractic Medicine, created under chapter 460.
5. The Board of Podiatric Medicine, created under chapter 461.
6. Naturopathy, as provided under chapter 462.
7. The Board of Optometry, created under chapter 463.
8. The Board of Nursing, created under part I of chapter 464.
9. Nursing assistants, as provided under part II of chapter 464.
10. The Board of Pharmacy, created under chapter 465.
11. The Board of Dentistry, created under chapter 466.
12. Midwifery, as provided under chapter 467.

13. The Board of Speech-Language Pathology and Audiology, created under part I of chapter 468.
14. The Board of Nursing Home Administrators, created under part II of chapter 468.
15. The Board of Occupational Therapy, created under part III of chapter 468.
16. Respiratory therapy, as provided under part V of chapter 468.
17. Dietetics and nutrition practice, as provided under part X of chapter 468.
18. The Board of Athletic Training, created under part XIII of chapter 468.
19. The Board of Orthotists and Prosthetists, created under part XIV of chapter 468.
20. Electrolysis, as provided under chapter 478.
21. The Board of Massage Therapy, created under chapter 480.
22. The Board of Clinical Laboratory Personnel, created under part II of chapter 483.
23. Medical physicists, as provided under part ~~III~~ IV of chapter 483.
24. The Board of Opticianry, created under part I of chapter 484.
25. The Board of Hearing Aid Specialists, created under part II of chapter 484.
26. The Board of Physical Therapy Practice, created under chapter 486.
27. The Board of Psychology, created under chapter 490.
28. School psychologists, as provided under chapter 490.
29. The Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling, created under chapter 491.
30. Emergency medical technicians and paramedics, as provided under part III of chapter 401.

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

(b) ~~Beginning in fiscal year 2010-2011,~~ Before applying for any continuation of or new federal or private grants that are for an amount of \$50,000 or greater, the department shall provide written notification to the

Governor, the President of the Senate, and the Speaker of the House of Representatives. The notification must include detailed information about the purpose of the grant, the intended use of the funds, and the number of full-time permanent or temporary employees needed to administer the program funded by the grant.

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

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

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

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

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

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

(4) Unless expressly authorized by law or in the General Appropriations Act, state attorneys are prohibited from spending state-appropriated funds on county funding obligations under s. 14, Art. V of the State Constitution ~~beginning January 1, 2005.~~ This includes expenditures on communications services and facilities as defined in s. 29.008. This does not prohibit a state attorney from spending funds for these purposes in exceptional circumstances when necessary to maintain operational continuity in the form of a short-term advance pending reimbursement by the county. If a state attorney provides short-term advance funding for a county responsibility as authorized by this subsection, the state attorney shall request full reimbursement from the board of county commissioners prior to making the expenditure or at the next meeting of the board of county commissioners after the expenditure is made. The total of all short-term advances authorized by this subsection shall not exceed 2 percent of the state attorney's approved operating budget in any given year. No short-term advances authorized by this subsection shall be permitted until all

reimbursements arising from advance funding in the prior state fiscal year have been received by the state attorney. All reimbursement payments received by the state attorney pursuant to this subsection shall be deposited into the General Revenue Fund. Notwithstanding the provisions of this subsection, the state attorney may expend funds for the purchase of computer systems, including associated hardware and software, and for personnel related to this function.

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

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

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

(4) Unless expressly authorized by law or in the General Appropriations Act, public defenders and regional counsel are prohibited from spending state-appropriated funds on county funding obligations under s. 14, Art. V of the State Constitution beginning January 1, 2005. This includes expenditures on communications services and facilities as defined in s. 29.008. This does not prohibit a public defender from spending funds for these purposes in exceptional circumstances when necessary to maintain operational continuity in the form of a short-term advance pending reimbursement from the county. If a public defender or regional counsel provides short-term advance funding for a county responsibility as authorized by this subsection, the public defender or regional counsel shall request full reimbursement from the board of county commissioners prior to making the expenditure or at the next meeting of the board of county commissioners after the expenditure is made. The total of all short-term advances authorized by this subsection shall not exceed 2 percent of the public defender's or regional counsel's approved operating budget in any given year. No short-term advances authorized by this subsection shall be permitted until all reimbursements arising from advance funding in the prior state fiscal year have been received by the public defender or regional counsel. All reimbursement payments received by the public defender or regional counsel shall be deposited into the General Revenue Fund. Notwithstanding the provisions of this subsection, the public defender or regional counsel may expend funds for the purchase of computer systems, including associated hardware and software, and for personnel related to this function.

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

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

29.005 State attorneys' offices and prosecution expenses.—For purposes of implementing s. 14, Art. V of the State Constitution, the elements of the state attorneys' offices to be provided from state revenues appropriated by general law are as follows:

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

Reviser’s note.—Amended to delete obsolete language.

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

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

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

Reviser’s note.—Amended to delete obsolete language.

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

30.15 Powers, duties, and obligations.—

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

Reviser’s note.—Amended to delete obsolete language.

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

39.001 Purposes and intent; personnel standards and screening.—

(10) PLAN FOR COMPREHENSIVE APPROACH.—

(a) The office shall develop a state plan for the promotion of adoption, support of adoptive families, and prevention of abuse, abandonment, and neglect of children ~~and shall submit the state plan to the Speaker of the House of Representatives, the President of the Senate, and the Governor no~~

later than December 31, 2008. The Department of Children and Families, the Department of Corrections, the Department of Education, the Department of Health, the Department of Juvenile Justice, the Department of Law Enforcement, and the Agency for Persons with Disabilities shall participate and fully cooperate in the development of the state plan at both the state and local levels. Furthermore, appropriate local agencies and organizations shall be provided an opportunity to participate in the development of the state plan at the local level. Appropriate local groups and organizations shall include, but not be limited to, community mental health centers; guardian ad litem programs for children under the circuit court; the school boards of the local school districts; the Florida local advocacy councils; community-based care lead agencies; private or public organizations or programs with recognized expertise in working with child abuse prevention programs for children and families; private or public organizations or programs with recognized expertise in working with children who are sexually abused, physically abused, emotionally abused, abandoned, or neglected and with expertise in working with the families of such children; private or public programs or organizations with expertise in maternal and infant health care; multidisciplinary Child Protection Teams ~~child protection teams~~; child day care centers; law enforcement agencies; and the circuit courts, when guardian ad litem programs are not available in the local area. The state plan to be provided to the Legislature and the Governor shall include, as a minimum, the information required of the various groups in paragraph (b).

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

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

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

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

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

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

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

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

Reviser’s note.—Amended to conform to s. 32, ch. 2018-103, Laws of Florida, which directed the Division of Law Revision and Information to prepare a reviser’s bill “to capitalize each word of the term ‘child protection team’ wherever it occurs in the Florida Statutes.”

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

39.0139 Visitation or other contact; restrictions.—

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

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

Reviser’s note.—Amended to conform to s. 32, ch. 2018-103, Laws of Florida, which directed the Division of Law Revision and Information to prepare a reviser’s bill “to capitalize each word of the term ‘child protection team’ wherever it occurs in the Florida Statutes.”

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

39.2015 Critical incident rapid response team.—

(3) Each investigation shall be conducted by a multiagency team of at least five professionals with expertise in child protection, child welfare, and organizational management. The team may consist of employees of the department, community-based care lead agencies, Children’s Medical Services, and community-based care provider organizations; faculty from the institute consisting of public and private universities offering degrees in social work established pursuant to s. 1004.615; or any other person with the

required expertise. The team shall include, at a minimum, a Child Protection Team ~~child protection team~~ medical director. The majority of the team must reside in judicial circuits outside the location of the incident. The secretary shall appoint a team leader for each group assigned to an investigation.

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

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

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

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

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

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

(6) All records and reports of the Child Protection Team ~~child protection team~~ of the Department of Health are confidential and exempt from the

provisions of ss. 119.07(1) and 456.057, and shall not be disclosed, except, upon request, to the state attorney, law enforcement, the department, and necessary professionals, in furtherance of the treatment or additional evaluative needs of the child, by order of the court, or to health plan payors, limited to that information used for insurance reimbursement purposes.

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

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

39.301 Initiation of protective investigations.—

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

1. Conduct a review of all relevant, available information specific to the child and family and alleged maltreatment; family child welfare history; local, state, and federal criminal records checks; and requests for law enforcement assistance provided by the abuse hotline. Based on a review of available information, including the allegations in the current report, a determination shall be made as to whether immediate consultation should occur with law enforcement, the Child Protection Team ~~child protection team~~, a domestic violence shelter or advocate, or a substance abuse or mental health professional. Such consultations should include discussion as to whether a joint response is necessary and feasible. A determination shall be made as to whether the person making the report should be contacted before the face-to-face interviews with the child and family members.

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

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

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

5. Complete assessment of immediate child safety for each child based on available records, interviews, and observations with all persons named in subparagraph 2. and appropriate collateral contacts, which may include other professionals. The department's child protection investigators are hereby designated a criminal justice agency for the purpose of accessing criminal justice information to be used for enforcing this state's laws concerning the crimes of child abuse, abandonment, and neglect. This information shall be used solely for purposes supporting the detection, apprehension, prosecution, pretrial release, posttrial release, or rehabilitation of criminal offenders or persons accused of the crimes of child abuse, abandonment, or neglect and may not be further disseminated or used for any other purpose.

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

a. If the child protective investigator implements a safety plan, the plan must be specific, sufficient, feasible, and sustainable in response to the realities of the present or impending danger. A safety plan may be an in-home plan or an out-of-home plan, or a combination of both. A safety plan may include tasks or responsibilities for a parent, caregiver, or legal custodian. However, a safety plan may not rely on promissory commitments by the parent, caregiver, or legal custodian who is currently not able to protect the child or on services that are not available or will not result in the safety of the child. A safety plan may not be implemented if for any reason the parents, guardian, or legal custodian lacks the capacity or ability to comply with the plan. If the department is not able to develop a plan that is specific, sufficient, feasible, and sustainable, the department shall file a shelter petition. A child protective investigator shall implement separate safety plans for the perpetrator of domestic violence, if the investigator, using reasonable efforts, can locate the perpetrator to implement a safety plan, and for the parent who is a victim of domestic violence as defined in s. 741.28. Reasonable efforts to locate a perpetrator include, but are not limited

to, a diligent search pursuant to the same requirements as in s. 39.503. If the perpetrator of domestic violence is not the parent, guardian, or legal custodian of any child in the home and if the department does not intend to file a shelter petition or dependency petition that will assert allegations against the perpetrator as a parent of a child in the home, the child protective investigator shall seek issuance of an injunction authorized by s. 39.504 to implement a safety plan for the perpetrator and impose any other conditions to protect the child. The safety plan for the parent who is a victim of domestic violence may not be shared with the perpetrator. If any party to a safety plan fails to comply with the safety plan resulting in the child being unsafe, the department shall file a shelter petition.

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

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

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

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

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

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

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

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

(14)

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

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

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

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

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

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

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

(2)

(b) Each Child Protection Team ~~child protection team~~ medical director must be a physician licensed under chapter 458 or chapter 459 who is a board-certified physician in pediatrics or family medicine and, within 2 years after the date of employment as a Child Protection Team ~~child protection team~~ medical director, obtains a subspecialty certification in child abuse from the American Board of Pediatrics or within 2 years meet the minimum requirements established by a third-party credentialing entity recognizing a demonstrated specialized competence in child abuse pediatrics pursuant to paragraph (d). Each Child Protection Team ~~child protection team~~ medical director employed on July 1, 2015, must, by July 1, 2019, either obtain a subspecialty certification in child abuse from the American Board of Pediatrics or meet the minimum requirements established by a third-party credentialing entity recognizing a demonstrated specialized competence in child abuse pediatrics pursuant to paragraph (d). Child Protection Team ~~protection team~~ medical directors shall be responsible for oversight of the teams in the circuits.

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

(d) Contingent on appropriations, the Department of Health shall approve one or more third-party credentialing entities for the purpose of developing and administering a professional credentialing program for Child Protection Team ~~child protection team~~ medical directors. Within 90 days after receiving documentation from a third-party credentialing entity, the department shall approve a third-party credentialing entity that demonstrates compliance with the following minimum standards:

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

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

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

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

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

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

(3) The Department of Health shall use and convene the Child Protection Teams ~~child protection teams~~ to supplement the assessment and protective supervision activities of the family safety and preservation program of the Department of Children and Families. This section does not remove or reduce the duty and responsibility of any person to report pursuant to this chapter all suspected or actual cases of child abuse, abandonment, or neglect or sexual abuse of a child. The role of the Child Protection Teams ~~child protection teams~~ is to support activities of the program and to provide services deemed by the Child Protection Teams ~~child protection teams~~ to be necessary and appropriate to abused, abandoned, and neglected children upon referral. The specialized diagnostic assessment, evaluation, coordination, consultation, and other supportive services that a Child Protection Team ~~child protection team~~ must be capable of providing include, but are not limited to, the following:

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

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

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

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

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

(f) Case staffings to develop treatment plans for children whose cases have been referred to the team. A Child Protection Team ~~child protection team~~ may provide consultation with respect to a child who is alleged or is shown to be abused, abandoned, or neglected, which consultation shall be provided at the request of a representative of the family safety and preservation program or at the request of any other professional involved with a child or the child's parent or parents, legal custodian or custodians, or other caregivers. In every such Child Protection Team ~~child protection team~~ case staffing, consultation, or staff activity involving a child, a family safety and preservation program representative shall attend and participate.

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

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

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

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

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

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

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

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

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

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

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

(f) Reported medical neglect of a child.

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

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

(5) All abuse and neglect cases transmitted for investigation to a circuit by the hotline must be simultaneously transmitted to the Child Protection

~~Team child protection team~~ for review. For the purpose of determining whether a face-to-face medical evaluation by a Child Protection Team ~~child protection team~~ is necessary, all cases transmitted to the Child Protection Team ~~child protection team~~ which meet the criteria in subsection (4) must be timely reviewed by:

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

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

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

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

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

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

(a) The child was examined for the alleged abuse or neglect by a physician who is not a member of the Child Protection Team ~~child protection team~~, and a consultation between the Child Protection Team ~~child protection team~~ medical director or a Child Protection Team ~~child protection team~~ board-certified pediatrician, advanced practice registered nurse, physician assistant working under the supervision of a Child Protection Team ~~child protection team~~ medical director or a Child Protection Team ~~child protection team~~ board-certified pediatrician, or registered nurse working under the direct supervision of a Child Protection Team ~~child protection team~~ medical director or a Child Protection Team ~~child protection team~~ board-certified pediatrician, and the examining physician concludes that a further medical evaluation is unnecessary;

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

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

Notwithstanding paragraphs (a), (b), and (c), a Child Protection Team ~~child protection team~~ medical director or a Child Protection Team ~~child protection team~~ pediatrician, as authorized in subsection (5), may determine that a face-to-face medical evaluation is necessary.

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

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

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

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

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

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

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

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

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

39.3035 Child advocacy centers; standards; state funding.—

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

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

(e) Have a multidisciplinary case review team that meets on a regularly scheduled basis or as the caseload of the community requires. The team shall consist of representatives from the Office of the State Attorney, the department, the Child Protection Team ~~child protection team~~, mental health services, law enforcement, and the child advocacy center staff. Medical personnel and a victim's advocate may be part of the team.

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

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

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

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

(3) Any facility licensed under chapter 395 shall provide to the department, its agent, or a Child Protection Team ~~child protection team~~ that

contracts with the department any photograph or report on examinations made or X rays taken pursuant to this section, or copies thereof, for the purpose of investigation or assessment of cases of abuse, abandonment, neglect, or exploitation of children.

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

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

39.3068 Reports of medical neglect.—

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

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

Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws of Florida, which directed the Division of Law Revision and Information

to prepare a reviser's bill "to capitalize each word of the term 'child protection team' wherever it occurs in the Florida Statutes."

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

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

(2) The department, contracted sheriff's office providing protective investigation services, or contracted case management personnel responsible for providing services, at a minimum, shall adhere to the following procedures:

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

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

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

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

39.5086 Kinship navigator programs.—

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

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

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

(c) "Kinship navigator program" means a program designed to ensure that kinship caregivers are provided with necessary resources for the preservation of the family.

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

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

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

Reviser's note.—Amended to confirm the editorial insertion of the word “in” to improve clarity.

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

39.521 Disposition hearings; powers of disposition.—

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

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

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

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

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

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

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

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

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

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

(4) AGENCY PERSONNEL INFORMATION.—

(d)1. For purposes of this paragraph, the term “telephone numbers” includes home telephone numbers, personal cellular telephone numbers, personal pager telephone numbers, and telephone numbers associated with personal communications devices.

2.a. The home addresses, telephone numbers, dates of birth, and photographs of active or former sworn or civilian law enforcement personnel, including correctional and correctional probation officers, personnel of the Department of Children and Families whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, personnel of the Department of Health whose duties are to support the investigation of child abuse or neglect, and personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

b. The home addresses, telephone numbers, dates of birth, and photographs of current or former nonsworn investigative personnel of the Department of Financial Services whose duties include the investigation of fraud, theft, workers’ compensation coverage requirements and compliance, other related criminal activities, or state regulatory requirement violations; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2021, unless reviewed and saved from repeal through reenactment by the Legislature.

c. The home addresses, telephone numbers, dates of birth, and photographs of current or former nonsworn investigative personnel of the Office of Financial Regulation’s Bureau of Financial Investigations whose duties include the investigation of fraud, theft, other related criminal activities, or state regulatory requirement violations; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022,

unless reviewed and saved from repeal through reenactment by the Legislature.

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

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

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

g. The home addresses, dates of birth, and telephone numbers of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; and the names and locations of schools and day care facilities attended by the children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to

the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

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

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

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

k. The home addresses, telephone numbers, dates of birth, and photographs of current or former juvenile probation officers, juvenile probation supervisors, detention superintendents, assistant detention superintendents, juvenile justice detention officers I and II, juvenile justice detention officer supervisors, juvenile justice residential officers, juvenile justice residential officer supervisors I and II, juvenile justice counselors, juvenile justice counselor supervisors, human services counselor administrators, senior human services counselor administrators, rehabilitation therapists, and social services counselors of the Department of Juvenile Justice; the names, home addresses, telephone numbers, dates of birth, and places of employment of spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

l. The home addresses, telephone numbers, dates of birth, and photographs of current or former public defenders, assistant public defenders,

criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; and the names and locations of schools and day care facilities attended by the children of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

m. The home addresses, telephone numbers, dates of birth, and photographs of current or former investigators or inspectors of the Department of Business and Professional Regulation; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such current or former investigators and inspectors; and the names and locations of schools and day care facilities attended by the children of such current or former investigators and inspectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

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

o. The home addresses, telephone numbers, dates of birth, and photographs of current or former personnel of the Department of Health whose duties include, or result in, the determination or adjudication of eligibility for social security disability benefits, the investigation or prosecution of complaints filed against health care practitioners, or the inspection of health care practitioners or health care facilities licensed by the Department of Health; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2019, unless reviewed and saved from repeal through reenactment by the Legislature.

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

q. The home addresses, telephone numbers, dates of birth, and photographs of current or former emergency medical technicians or paramedics certified under chapter 401; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such emergency medical technicians or paramedics; and the names and locations of schools and day care facilities attended by the children of such emergency medical technicians or paramedics are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2021, unless reviewed and saved from repeal through reenactment by the Legislature.

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

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

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

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

3. An agency that is the custodian of the information specified in subparagraph 2. and that is not the employer of the officer, employee, justice, judge, or other person specified in subparagraph 2. shall maintain the exempt status of that information only if the officer, employee, justice, judge, other person, or employing agency of the designated employee submits a written request for maintenance of the exemption to the custodial agency.

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

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

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

121.71 Uniform rates; process; calculations; levy.—

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

Membership Class	Percentage of Gross Compensation, Effective July 1, 2018
Regular Class	3.50%
Special Risk Class	10.60%
Special Risk	
Administrative	
Support Class	29.62%
Elected Officers' Class—	
Legislators, Governor,	
Lt. Governor,	
Cabinet Officers,	
State Attorneys,	
Public Defenders	<u>48.38%</u> 43.38%
Elected Officers' Class—	
Justices, Judges	27.05%
Elected Officers' Class—	
County Elected Officers	38.48%
Senior Management Service Class	17.89%
DROP	7.96%

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

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

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

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

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

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

159.834 Allocation of state volume limitation.—

(1) ~~By February 1, 2004,~~ The board shall establish a program for allocating the state volume limitation imposed by s. 142(k)(5)(A) of the code on private activity bonds to finance qualified public educational facilities. Such program shall include objective criteria to be considered in determining whether to grant a request for such volume limitation, including, but not limited to, the need for a qualified public educational facility in the area proposed in the application, the number of students to be served by such facility, and the cost-effectiveness of the proposed facility. The program shall be administered by the department.

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

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

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

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

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

(3) “Affordable housing” has the same meaning as in s. 420.0004(3).

(4) “Agricultural enclave” means an unincorporated, undeveloped parcel that:

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

(b) Has been in continuous use for bona fide agricultural purposes, as defined by s. 193.461, for a period of 5 years prior to the date of any comprehensive plan amendment application;

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

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

2. Property that the local government has designated, in the local government’s comprehensive plan, zoning map, and future land use map, as land that is to be developed for industrial, commercial, or residential

purposes, and at least 75 percent of such property is existing industrial, commercial, or residential development;

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

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

(5) “Antiquated subdivision” means a subdivision that was recorded or approved more than 20 years ago and that has substantially failed to be built and the continued buildout of the subdivision in accordance with the subdivision’s zoning and land use purposes would cause an imbalance of land uses and would be detrimental to the local and regional economies and environment, hinder current planning practices, and lead to inefficient and fiscally irresponsible development patterns as determined by the respective jurisdiction in which the subdivision is located.

(6) “Area” or “area of jurisdiction” means the total area qualifying under this act, whether this be all of the lands lying within the limits of an incorporated municipality, lands in and adjacent to incorporated municipalities, all unincorporated lands within a county, or areas comprising combinations of the lands in incorporated municipalities and unincorporated areas of counties.

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

(8) “Coastal area” means the 35 coastal counties and all coastal municipalities within their boundaries.

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

(10) “Comprehensive plan” means a plan that meets the requirements of ss. 163.3177 and 163.3178.

(11) “Deepwater ports” means the ports identified in s. 403.021(9).

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

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

(14) “Development” has the same meaning as in s. 380.04.

(15) “Development order” means any order granting, denying, or granting with conditions an application for a development permit.

(16) “Development permit” includes any building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land.

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

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

(19) “Goal” means the long-term end toward which programs or activities are ultimately directed.

(20) “Governing body” means the board of county commissioners of a county, the commission or council of an incorporated municipality, or any other chief governing body of a unit of local government, however designated, or the combination of such bodies where joint utilization of this act is accomplished as provided herein.

(21) “Governmental agency” means:

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

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

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

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

(22) “Intensity” means an objective measurement of the extent to which land may be developed or used, including the consumption or use of the space above, on, or below ground; the measurement of the use of or demand on

natural resources; and the measurement of the use of or demand on facilities and services.

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

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

(25) “Land development regulation commission” means a commission designated by a local government to develop and recommend, to the local governing body, land development regulations which implement the adopted comprehensive plan and to review land development regulations, or amendments thereto, for consistency with the adopted plan and report to the governing body regarding its findings. The responsibilities of the land development regulation commission may be performed by the local planning agency.

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

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

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

(29) “Local government” means any county or municipality.

(30) “Local planning agency” means the agency designated to prepare the comprehensive plan or plan amendments required by this act.

(31) “Master development plan” or “master plan,” for the purposes of this act and 26 U.S.C. s. 118, means a planning document that integrates plans, orders, agreements, designs, and studies to guide development as defined in this section and may include, as appropriate, authorized land uses, authorized amounts of horizontal and vertical development, and public facilities, including local and regional water storage for water quality and water supply. The term includes, but is not limited to, a plan for a development under this chapter or chapter 380, a basin management action plan pursuant to s. 403.067(7), a regional water supply plan pursuant to s.

373.709, a watershed protection plan pursuant to s. 373.4595, and a spring protection plan developed pursuant to s. 373.807.

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

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

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

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

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

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

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

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

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

(41) “Regional planning agency” means the council created pursuant to chapter 186.

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

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

(44) “State land planning agency” means the Department of Economic Opportunity.

(45) “Structure” has the same meaning as in s. 380.031(19).

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

(47) “Transit-oriented development” means a project or projects, in areas identified in a local government comprehensive plan, that is or will be served by existing or planned transit service. These designated areas shall be compact, moderate to high density developments, of mixed-use character, interconnected with other land uses, bicycle and pedestrian friendly, and designed to support frequent transit service operating through, collectively or separately, rail, fixed guideway, streetcar, or bus systems on dedicated facilities or available roadway connections.

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

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

(50) “Urban redevelopment” means demolition and reconstruction or substantial renovation of existing buildings or infrastructure within urban

infill areas, existing urban service areas, or community redevelopment areas created pursuant to part III.

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

(52) “Urban sprawl” means a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses.

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

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

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

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

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

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

b. The elimination of substandard dwelling conditions.

c. The structural and aesthetic improvement of existing housing.

d. The provision of adequate sites for future housing, including affordable workforce housing as defined in s. 380.0651(1)(h) ~~380.0651(3)(h)~~, housing for low-income, very low-income, and moderate-income families, mobile homes, and group home facilities and foster care facilities, with supporting infrastructure and public facilities. The element may include provisions that specifically address affordable housing for persons 60 years of age or older. Real property that is conveyed to a local government for

affordable housing under this sub-subparagraph shall be disposed of by the local government pursuant to s. 125.379 or s. 166.0451.

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

f. The formulation of housing implementation programs.

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

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

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

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

Reviser's note.—Amended to conform to the redesignation of s. 380.0651(3)(h) as s. 380.0651(1)(h) by s. 3, ch. 2018-158, Laws of Florida.

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

193.4615 Assessment of obsolete agricultural equipment.—

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

Reviser’s note.—Amended to delete obsolete language.

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

196.075 Additional homestead exemption for persons 65 and older.—

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

Reviser’s note.—Amended to delete obsolete language.

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

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

(4)

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

Reviser’s note.—Amended to delete obsolete language.

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

210.03 Prohibition against levying of cigarette taxes by municipalities. No municipality shall, ~~after July 1, 1972,~~ levy or collect any excise tax on cigarettes.

Reviser’s note.—Amended to delete obsolete language.

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

216.136 Consensus estimating conferences; duties and principals.—

(4) EDUCATION ESTIMATING CONFERENCE.—

(a) The Education Estimating Conference shall develop such official information relating to the state public and private educational system, including forecasts of student enrollments, the national average of tuition and fees at public postsecondary educational institutions, the number of students qualified for state financial aid programs and for the William L. Boyd, IV, Effective Access to Student Education Florida Resident Access Grant Program and the appropriation required to fund the full award amounts for each program, fixed capital outlay needs, and Florida Education Finance Program formula needs, as the conference determines is needed for the state planning and budgeting system. The conference's initial projections of enrollments in public schools shall be forwarded by the conference to each school district no later than 2 months prior to the start of the regular session of the Legislature. Each school district may, in writing, request adjustments to the initial projections. Any adjustment request shall be submitted to the conference no later than 1 month prior to the start of the regular session of the Legislature and shall be considered by the principals of the conference. A school district may amend its adjustment request, in writing, during the first 3 weeks of the legislative session, and such amended adjustment request shall be considered by the principals of the conference. For any adjustment so requested, the district shall indicate and explain, using definitions adopted by the conference, the components of anticipated enrollment changes that correspond to continuation of current programs with workload changes; program improvement; program reduction or elimination; initiation of new programs; and any other information that may be needed by the Legislature. For public schools, the conference shall submit its full-time equivalent student consensus estimate to the Legislature no later than 1 month after the start of the regular session of the Legislature. No conference estimate may be changed without the agreement of the full conference.

Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of Florida, which directed the Division of Law Revision and Information “to substitute the term ‘Effective Access to Student Education Grant Program’ for ‘Florida Resident Access Grant Program’ and the term ‘Effective Access to Student Education grant’ for ‘Florida resident access grant’ wherever those terms appear in the Florida Statutes.”

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

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

(1) For the 2018-2019 fiscal year, the Legislature shall appropriate moneys to offset the reductions in ad valorem tax revenue experienced by fiscally constrained counties, as defined in s. 218.67(1), which occur as a direct result of the implementation of s. 193.4516. The moneys appropriated for this purpose shall be distributed in January 2019 among the fiscally constrained counties based on each county's proportion of the total reduction in ad valorem tax revenue resulting from the implementation of s. 193.4516.

Reviser's note.—Amended to confirm the editorial insertion of the word “of” to improve clarity.

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

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

Reviser's note.—Amended to confirm the editorial substitution of the word “principles” for the word “principals” to conform to context.

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

220.11 Tax imposed.—

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

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

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

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

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

Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of Florida, which directed the Division of Law Revision and Information “to substitute the term ‘Effective Access to Student Education Grant Program’ for ‘Florida Resident Access Grant Program’ and the term ‘Effective Access to Student Education grant’ for ‘Florida resident access grant’ wherever those terms appear in the Florida Statutes.”

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

259.105 The Florida Forever Act.—

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

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

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

282.705 Use of state SUNCOM Network by nonprofit corporations.—

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

Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of Florida, which directed the Division of Law Revision and Information “to substitute the term ‘Effective Access to Student Education Grant Program’ for ‘Florida Resident Access Grant Program’ and the term ‘Effective Access to Student Education grant’ for ‘Florida resident access grant’ wherever those terms appear in the Florida Statutes.”

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

288.9623 Definitions.—As used in ss. 288.9621-288.96255, the term:

(7) “Portfolio companies” means the companies that ~~who~~ are part of the Florida Technology Seed Capital Fund investment portfolio.

Reviser's note.—Amended to confirm the editorial substitution of the word “that” for the word “who” to conform to context.

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

316.614 Safety belt usage.—

(9) ~~By January 1, 2006,~~ Each law enforcement agency in this state shall adopt departmental policies to prohibit the practice of racial profiling. When a law enforcement officer issues a citation for a violation of this section, the law enforcement officer must record the race and ethnicity of the violator. All law enforcement agencies must maintain such information and forward the information to the department in a form and manner determined by the department. The department shall collect this information by jurisdiction and annually report the data to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report must show separate statewide totals for the state's county sheriffs and municipal law enforcement agencies, state law enforcement agencies, and state university law enforcement agencies.

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

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

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

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

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

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

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

(1) Except as otherwise specified in this subsection and less the amount equal to any administrative costs which shall be deposited in the Highway

Safety Operating Trust Fund, in each fiscal year ~~beginning on or after July 1, 2001,~~ all funds collected from the registration of vessels through the Department of Highway Safety and Motor Vehicles and the tax collectors of the state and funds transferred from the General Revenue Fund pursuant to s. 328.72(18), except for those funds designated as the county portion pursuant to s. 328.72(1), shall be deposited in the Marine Resources Conservation Trust Fund for recreational channel marking; public launching facilities; law enforcement and quality control programs; aquatic weed control; manatee protection, recovery, rescue, rehabilitation, and release; and marine mammal protection and recovery. The funds collected pursuant to s. 328.72(1) shall be transferred as follows:

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

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

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

(d) An amount equal to 40 percent of the registration fees from commercial vessels shall be transferred by the Department of Highway Safety and Motor Vehicles, on a monthly basis, to the General Inspection Trust Fund of the Department of Agriculture and Consumer Services. These funds shall be used for shellfish and aquaculture development and quality control programs.

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

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

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

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

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

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

364.163 Network access services.—For purposes of this section, the term “network access service” is defined as any service provided by a local exchange telecommunications company to a telecommunications company certificated under this chapter or licensed by the Federal Communications Commission to access the local exchange telecommunications network, excluding local interconnection, resale, or unbundling pursuant to s. 364.16. Each local exchange telecommunications company shall maintain tariffs with the commission containing the terms, conditions, and rates for each of its network access services. ~~The switched network access service rates in effect immediately prior to July 1, 2007, shall be, and shall remain, capped at that level until July 1, 2010.~~ An interexchange telecommunications company may not institute any intrastate connection fee or any similarly named fee.

Reviser’s note.—Amended to delete obsolete language.

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

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

Reviser’s note.—Amended to delete obsolete language.

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

373.5905 Reinstatement of payments in lieu of taxes; duration.—If a water management district has made a payment in lieu of taxes to a governmental entity and subsequently suspended such payment, beginning July 1, 2009, the water management district shall reinstate appropriate payments and continue the payments for as long as the county population remains below the population threshold pursuant to s. 373.59(2)(a). This section does not authorize or provide for payments in arrears.

Reviser’s note.—Amended to delete obsolete language.

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

380.0651 Statewide guidelines, standards, and exemptions.—

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

(t) Any proposed solid mineral mine and any proposed addition to, expansion of, or change to an existing solid mineral mine. A mine owner must, however, enter into a binding agreement with the Department of Transportation to mitigate impacts to strategic intermodal system facilities. Proposed changes to any previously approved solid mineral mine development-of-regional-impact development orders having vested rights are not subject to further review or approval as a development-of-regional-impact or notice-of-proposed-change review or approval pursuant to s. 380.06(7) ~~subsection (19)~~, except for those applications pending as of July 1, 2011, which are governed by s. 380.115(2). Notwithstanding this requirement, pursuant to s. 380.115(1), a previously approved solid mineral mine development-of-regional-impact development order continues to have vested rights and continues to be effective unless rescinded by the developer. All local government regulations of proposed solid mineral mines are applicable to any new solid mineral mine or to any proposed addition to, expansion of, or change to an existing solid mineral mine.

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

Reviser’s note.—Amended to correct an erroneous reference. Section 380.0651 does not contain a subsection (19). Chapter 2018-158, Laws of Florida, extensively amended s. 380.0651, as well as s. 380.06; portions of s. 380.06 were excised from that section and included in the amendment to s. 380.0651. Former s. 380.06(19), which related to substantial deviations of previous approved developments, became s. 380.06(7), relating to changes to proposed changes to a previously approved development.

Section 52. Paragraph (a) of subsection (2) of section 381.0072, Florida Statutes, is amended to read:

381.0072 Food service protection.—

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

(a) “Culinary education program” means a program that:

1. Educates enrolled students in the culinary arts, including the preparation, cooking, and presentation of food, or provides education and experience in culinary arts-related businesses;

2. Is provided by:
 - a. A state university as defined in s. 1000.21;
 - b. A Florida College System institution as defined in s. 1000.21;
 - c. A career center as defined in s. 1001.44;
 - d. A charter technical career center as defined in s. 1002.34;
 - e. A nonprofit independent college or university that is located and chartered in this state and accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees, that is under the jurisdiction of the Department of Education, and that is eligible to participate in the William L. Boyd, IV, Effective Access to Student Education ~~Florida Resident Access Grant~~ Program; or
 - f. A nonpublic postsecondary educational institution licensed pursuant to part III of chapter 1005; and
3. Is inspected by any state agency or agencies for compliance with sanitation standards.

Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of Florida, which directed the Division of Law Revision and Information “to substitute the term ‘Effective Access to Student Education Grant Program’ for ‘Florida Resident Access Grant Program’ and the term ‘Effective Access to Student Education grant’ for ‘Florida resident access grant’ wherever those terms appear in the Florida Statutes.”

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

381.984 Educational programs.—

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

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

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

383.3362 Sudden Unexpected Infant Death.—

(3) TRAINING.—

(c) The Department of Health, in consultation with the Emergency Medical Services Advisory Council, the Firefighters Employment, Standards, and Training Council, the Child Protection Teams ~~child protection teams~~ established in the Division of Children’s Medical Services, and the Criminal Justice Standards and Training Commission, shall adopt and modify when necessary, by rule, curriculum that is as part of the Centers for Disease Control SUID Initiative which must be followed by law enforcement agencies in investigating cases involving sudden deaths of infants, and training in responding appropriately to the parents or caretakers who have requested assistance.

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

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

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

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

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

(e) Provide professional support to field staff.

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

Reviser’s note.—Paragraph (3)(c) is amended to improve clarity. Paragraph (3)(c) and subsection (5) are amended to conform to s. 32, ch. 2018-103, Laws of Florida, which directed the Division of Law Revision and Information to prepare a reviser’s bill “to capitalize each word of the term ‘child protection team’ wherever it occurs in the Florida Statutes.”

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

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

(2) STATE CHILD ABUSE DEATH REVIEW COMMITTEE.—

(a) *Membership.*—

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

- a. The Department of Legal Affairs.
- b. The Department of Children and Families.
- c. The Department of Law Enforcement.
- d. The Department of Education.
- e. The Florida Prosecuting Attorneys Association, Inc.
- f. The Florida Medical Examiners Commission, whose representative must be a forensic pathologist.

2. In addition, the State Surgeon General shall appoint the following members to the state committee, based on recommendations from the Department of Health and the agencies listed in subparagraph 1., and ensuring that the committee represents the regional, gender, and ethnic diversity of the state to the greatest extent possible:

- a. The Department of Health Statewide Child Protection Team Medical Director.
- b. A public health nurse.
- c. A mental health professional who treats children or adolescents.
- d. An employee of the Department of Children and Families who supervises family services counselors and who has at least 5 years of experience in child protective investigations.
- e. The medical director of a Child Protection Team ~~child protection team~~.
- f. A member of a child advocacy organization.
- g. A social worker who has experience in working with victims and perpetrators of child abuse.
- h. A person trained as a paraprofessional in patient resources who is employed in a child abuse prevention program.

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

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

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

l. A substance abuse treatment professional.

3. The members of the state committee shall be appointed to staggered terms not to exceed 2 years each, as determined by the State Surgeon General. Members may be appointed to no more than three consecutive terms. The state committee shall elect a chairperson from among its members to serve for a 2-year term, and the chairperson may appoint ad hoc committees as necessary to carry out the duties of the committee.

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

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

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

1. The state attorney's office.

2. The medical examiner's office.

3. The local Department of Children and Families child protective investigations unit.

4. The Department of Health Child Protection Team ~~child protection team~~.

5. The community-based care lead agency.

6. State, county, or local law enforcement agencies.

7. The school district.

8. A mental health treatment provider.

9. A certified domestic violence center.

10. A substance abuse treatment provider.

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

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

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

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

388.021 Creation of mosquito control districts.—

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

Reviser's note.—Amended to conform to the fact that s. 388.031 was repealed by s. 12, ch. 80-281, Laws of Florida.

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

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

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

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

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

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

(40) “Spina bifida” means ~~a person with~~ a medical diagnosis of spina bifida cystica or myelomeningocele.

Reviser’s note.—Amended to improve clarity.

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

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

(2) In any case involving suspected child abuse, abandonment, or neglect, designate, at the request of the department, a staff physician to act as a liaison between the hospital and the Department of Children and Families office which is investigating the suspected abuse, abandonment, or neglect, and the Child Protection Team ~~child protection team~~, as defined in s. 39.01, when the case is referred to such a team.

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

Reviser’s note.—Amended to conform to s. 32, ch. 2018-103, Laws of Florida, which directed the Division of Law Revision and Information to prepare a reviser’s bill “to capitalize each word of the term ‘child protection team’ wherever it occurs in the Florida Statutes.”

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

395.1055 Rules and enforcement.—

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

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

Reviser’s note.—Amended to delete obsolete language.

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

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

(3)

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

1. Equipment and physical facilities necessary to provide trauma services.
2. Personnel in sufficient numbers and with proper qualifications to provide trauma services.
3. An effective quality assurance process.

Reviser's note.—Amended to confirm the editorial deletion of the word “that” to improve clarity.

Section 62. Subsection (1) of section 397.6760, Florida Statutes, is amended to read:

397.6760 Court records; confidentiality.—

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

- (a) The petitioner.
- (b) The petitioner's attorney.
- (c) The respondent.
- (d) The respondent's attorney.
- (e) The respondent's guardian or guardian advocate, if applicable.
- (f) In the case of a minor respondent, the respondent's parent, guardian, legal custodian, or guardian advocate.

- (g) The respondent's treating health care practitioner.
- (h) The respondent's health care surrogate or proxy.
- (i) The Department of Children and Families, without charge.
- (j) The Department of Corrections, without charge, if the respondent is committed or is to be returned to the custody of the Department of Corrections from the Department of Children and Families.
- (k) A person or entity authorized to view records upon a court order for good cause. In determining if there is good cause for the disclosure of records, the court must weigh the person or entity's need for the information against potential harm to the respondent from the disclosure.

Reviser's note.—Amended to correct an apparent error. Section 119.07(1) requires that persons in custody of public records shall permit inspection and copying of such records. Section 119.071(1) relates to exemptions from inspection or copying of public records relating to agency administration.

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

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

(3)

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

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

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

400.471 Application for license; fee.—

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

(g) In the case of an application for initial licensure, an application for a change of ownership, or an application for the addition of skilled care services, documentation of accreditation, or an application for accreditation, from an accrediting organization that is recognized by the agency as having standards comparable to those required by this part and part II of chapter 408. A home health agency that does not provide skilled care is exempt from

this paragraph. Notwithstanding s. 408.806, an initial applicant must provide proof of accreditation that is not conditional or provisional and a survey demonstrating compliance with the requirements of this part, part II of chapter 408, and applicable rules from an accrediting organization that is recognized by the agency as having standards comparable to those required by this part and part II of chapter 408 within 120 days after the date of the agency's receipt of the application for licensure. Such accreditation must be continuously maintained by the home health agency to maintain licensure. The agency shall accept, in lieu of its own periodic licensure survey, the submission of the survey of an accrediting organization that is recognized by the agency if the accreditation of the licensed home health agency is not provisional and if the licensed home health agency authorizes release releases of, and the agency receives the report of, the accrediting organization.

Reviser's note.—Amended to improve clarity.

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

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

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

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

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

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

400.991 License requirements; background screenings; prohibitions.—

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

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

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

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

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

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

402.305 Licensing standards; child care facilities.—

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

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

(3) MINIMUM STAFF CREDENTIALS.—~~By July 1, 1996,~~ For every 20 children in a licensed child care facility, if the facility operates 8 hours or more per week, one of the child care personnel in the facility must have:

(a) A child development associate credential;

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

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

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

Reviser’s note.—Amended to delete obsolete language.

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

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

(1)

(c) The department shall adopt rules to:

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

2. Establish a uniform system of procedures to impose disciplinary sanctions for violations of ss. 402.301-402.319. The uniform system of procedures must provide for the consistent application of disciplinary actions across districts and a progressively increasing level of penalties from predisciplinary actions, such as efforts to assist licensees or registrants to correct the statutory or regulatory violations, and to severe disciplinary sanctions for actions that jeopardize the health and safety of children, such as for the deliberate misuse of medications. ~~The department shall implement this subparagraph on January 1, 2007, and the implementation is not contingent upon a specific appropriation.~~

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

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

402.56 Children's cabinet; organization; responsibilities; annual report.

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

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

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

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

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

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

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

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

Reviser’s note.—Amended to delete obsolete language.

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

408.036 Projects subject to review; exemptions.—

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

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

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

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

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

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

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

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

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

(24) Multiphasic health testing centers, as provided under part I ~~II~~ of chapter 483, are exempt from s. 408.810(5)-(10).

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

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

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

(2) LEGISLATIVE INTENT.—

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

(3) REVENUE MAXIMIZATION PROGRAM.—

(f) Each agency, as applicable, shall work with local political subdivisions to modify any state plans and to seek and implement any federal waivers necessary to implement this section. If such modifications or waivers require the approval of the Legislature, the agency, as applicable, shall draft such legislation and present it to the President of the Senate and the Speaker of the House of Representatives and to the respective committee chairs of the Senate and the House of Representatives by January 1, 2004, ~~and, as applicable, annually thereafter.~~

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

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

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

(4) FOSTER CARE ROOM AND BOARD RATES.—

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

Reviser's note.—Amended to confirm the editorial deletion of the word “under” to improve clarity.

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

409.815 Health benefits coverage; limitations.—

(2) BENCHMARK BENEFITS.—In order for health benefits coverage to qualify for premium assistance payments for an eligible child under ss. 409.810-409.821, the health benefits coverage, except for coverage under Medicaid and Medikids, must include the following minimum benefits, as medically necessary.

(g) *Behavioral health services.*—

1. Mental health benefits include:

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

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

2. Substance abuse services include:

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

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

~~Effective October 1, 2009,~~ Covered services include inpatient and outpatient services for mental and nervous disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association. Such benefits include psychological or psychiatric evaluation, diagnosis, and treatment by a licensed mental health professional and inpatient, outpatient, and residential treatment of substance abuse disorders. Any benefit limitations, including duration of services, number of visits, or number of days for hospitalization or residential services, shall not be any less favorable than those for physical illnesses generally. The program may also implement appropriate financial incentives, peer review, utilization requirements, and other methods used for the management of benefits provided for other medical conditions in order to reduce service costs and utilization without compromising quality of care.

(q) *Dental services.*—~~Effective October 1, 2009,~~ Dental services shall be covered as required under federal law and may also include those dental

benefits provided to children by the Florida Medicaid program under s. 409.906(6).

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

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

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

409.9083 Quality assessment on privately operated intermediate care facilities for the developmentally disabled; exemptions; purpose; federal approval required; remedies.—

(2) ~~Effective October 1, 2009,~~ There is imposed upon each intermediate care facility for the developmentally disabled a quality assessment. The aggregated amount of assessments for all ICF/DDs in a given year shall be an amount not exceeding the maximum percentage allowed under federal law of the total aggregate net patient service revenue of assessed facilities. The agency shall calculate the quality assessment rate annually on a per-resident-day basis as reported by the facilities. The per-resident-day assessment rate shall be uniform. Each facility shall report monthly to the agency its total number of resident days and shall remit an amount equal to the assessment rate times the reported number of days. The agency shall collect, and each facility shall pay, the quality assessment each month. The agency shall collect the assessment from facility providers no later than the 15th of the next succeeding calendar month. The agency shall notify providers of the quality assessment rate and provide a standardized form to complete and submit with payments. The collection of the quality assessment shall commence no sooner than 15 days after the agency's initial payment to the facilities that implement the increased Medicaid rates containing the elements prescribed in subsection (3) and monthly thereafter. Intermediate care facilities for the developmentally disabled may increase their rates to incorporate the assessment but may not create a separate line-item charge for the purpose of passing through the assessment to residents.

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

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

440.45 Office of the Judges of Compensation Claims.—

(1)

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

(2)

(c) Each judge of compensation claims shall be appointed for a term of 4 years, but during the term of office may be removed by the Governor for cause. Prior to the expiration of a judge’s term of office, the statewide nominating commission shall review the judge’s conduct and determine whether the judge’s performance is satisfactory. ~~Effective July 1, 2002,~~ In determining whether a judge’s performance is satisfactory, the commission shall consider the extent to which the judge has met the requirements of this chapter, including, but not limited to, the requirements of ss. 440.25(1) and (4)(a)-(e), 440.34(2), and 440.442. If the judge’s performance is deemed satisfactory, the commission shall report its finding to the Governor no later than 6 months prior to the expiration of the judge’s term of office. The Governor shall review the commission’s report and may reappoint the judge for an additional 4-year term. If the Governor does not reappoint the judge, the Governor shall inform the commission. The judge shall remain in office until the Governor has appointed a successor judge in accordance with paragraphs (a) and (b). If a vacancy occurs during a judge’s unexpired term, the statewide nominating commission does not find the judge’s performance is satisfactory, or the Governor does not reappoint the judge, the Governor shall appoint a successor judge for a term of 4 years in accordance with paragraph (b).

Reviser’s note.—Amended to delete obsolete language.

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

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

Reviser’s note.—Amended to delete obsolete language.

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

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

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

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

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

2. The physician must be board certified or board eligible in dermatology or plastic surgery as recognized by the board pursuant to s. 458.3312.

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

4. The physician may supervise only one office other than the physician’s primary place of practice ~~except that until July 1, 2011, the physician may supervise up to two medical offices other than the physician’s primary place of practice if the addresses of the offices are submitted to the board before July 1, 2006. Effective July 1, 2011, the physician may supervise only one office other than the physician’s primary place of practice, regardless of when the addresses of the offices were submitted to the board.~~

Reviser’s note.—Amended to delete obsolete language.

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

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

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

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

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

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

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

4. The osteopathic physician may supervise only one office other than the osteopathic physician's primary place of practice ~~except that until July 1, 2011, the osteopathic physician may supervise up to two medical offices other than the osteopathic physician's primary place of practice if the addresses of the offices are submitted to the Board of Osteopathic Medicine before July 1, 2006. Effective July 1, 2011, the osteopathic physician may supervise only one office other than the osteopathic physician's primary~~

~~place of practice, regardless of when the addresses of the offices were submitted to the Board of Osteopathic Medicine.~~

Reviser’s note.—Amended to delete obsolete language.

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

459.026 Reports of adverse incidents in office practice settings.—

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

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

Reviser’s note.—Amended to delete obsolete language.

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

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

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

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

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

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

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

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

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

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

Reviser’s note.—Amended to delete obsolete language.

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

480.033 Definitions.—As used in this act:

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

Reviser’s note.—Amended to conform to s. 25, ch. 2018-4, Laws of Florida, which directed the Division of Law Revision and Information “to substitute the term ‘Effective Access to Student Education Grant Program’ for ‘Florida Resident Access Grant Program’ and the term ‘Effective Access to Student Education grant’ for ‘Florida resident access grant’ wherever those terms appear in the Florida Statutes.”

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

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

(7)—A clinical laboratory registered under part I.

Reviser's note.—Amended to delete language relating to former part I of chapter 483, which was repealed by s. 97, ch. 2018-24, Laws of Florida.

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

491.012 Violations; penalty; injunction.—

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

(n) ~~Effective October 1, 2000,~~ Practice juvenile sexual offender therapy in this state, as the practice is defined in s. 491.0144, for compensation, unless the person holds an active license issued under this chapter and meets the requirements to practice juvenile sexual offender therapy. An unlicensed person may be employed by a program operated by or under contract with the Department of Juvenile Justice or the Department of Children and Families if the program employs a professional who is licensed under chapter 458, chapter 459, s. 490.0145, or s. 491.0144 who manages or supervises the treatment services.

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

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

501.011 Credit cards; unsolicited delivery or mailing prohibited.—

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

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

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

527.0201 Qualifiers; master qualifiers; examinations.—

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

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

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

560.109 Examinations and investigations.—The office may conduct examinations and investigations, within or outside this state to determine whether a person has violated any provision of this chapter and related rules, or of any practice or conduct that creates the likelihood of material

loss, insolvency, or dissipation of the assets of a money services business or otherwise materially prejudices the interests of their customers.

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

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

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

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

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

Reviser’s note.—Amended to delete obsolete language.

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

578.08 Registrations.—

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

Reviser’s note.—Amended to confirm the editorial substitution of the word “that” for the word “who” to conform to context.

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

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

(2) The department is authorized to:

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

Reviser’s note.—Amended to confirm the editorial deletion of the word “to” to improve clarity.

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

578.13 Prohibitions.—

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

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

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

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

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

Reviser’s note.—Paragraph (2)(d) is amended to confirm the editorial deletion of the word “to” to improve clarity. Paragraph (2)(e) is amended to confirm the editorial substitution of the word “identity” for the word “identify” to conform to context.

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

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

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

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

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

Reviser’s note.—Amended to confirm the editorial deletions of the word “to” to improve clarity.

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

624.509 Premium tax; rate and computation.—

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

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

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

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

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

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

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

627.40951 Standard personal lines residential insurance policy.—

~~(2) The Chief Financial Officer shall appoint an advisory committee composed of two representatives of insurers currently selling personal lines residential property insurance coverage, two representatives of property and casualty agents, two representatives of consumers, two representatives of the Commissioner of Insurance Regulation, and the Insurance Consumer~~

~~Advocate or her or his designee. The Chief Financial Officer or her or his designee shall serve as chair of the committee. The committee shall develop policy language for coverage that represents general industry standards in the market for comprehensive coverage under personal lines residential insurance policies and shall develop a checklist to be used with each type of personal lines residential property insurance policy. The committee shall review policies and related forms written by Insurance Services Office, Inc. The committee shall file a report containing its recommendations to the President of the Senate and the Speaker of the House of Representatives by January 15, 2006. No insurer shall be required to offer the standard policy unless required by further act of the Legislature.~~

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

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

627.746 Coverage for minors who have a learner's driver license; additional premium prohibited.—An insurer that issues an insurance policy on a private passenger motor vehicle to a named insured who is a caregiver of a minor who is under the age of 18 years and is in out-of-home care as defined in s. 39.01(55) ~~39.01(49)~~ may not charge an additional premium for coverage of the minor while the minor is operating the insured vehicle, for the period of time that the minor has a learner's driver license, until such time as the minor obtains a driver license.

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

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

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

(9) FAILURE TO PROVIDE TERMS AND CONDITIONS PRIOR TO SALE.—Failing to provide a consumer with a complete sample copy of the terms and conditions of the service warranty ~~prior to~~ before the time of sale upon a request for the same by the consumer. A service warranty association may comply with this subsection by providing the consumer with a sample copy of the terms and conditions of the warranty contract or by directing the consumer to a website that displays a complete sample of the terms and conditions of the contract.

Reviser's note.—Amended to improve clarity.

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

641.3107 Delivery of contract; definitions.—

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

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

Reviser’s note.—Amended to confirm the editorial deletion of the word “to” to improve clarity.

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

641.511 Subscriber grievance reporting and resolution requirements.—

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

(b) The names of the appropriate employees or a list of grievance departments that are responsible for implementing the organization’s grievance procedure. The list must include the address and the toll-free telephone number of each grievance department; and the address of the agency and its toll-free telephone hotline number, ~~and the address of the Subscriber Assistance Program and its toll-free telephone number.~~

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

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

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

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

Reviser’s note.—Amended to confirm the editorial insertion of the word “former” to conform to the repeal of s. 655.81 by s. 20, ch. 2001-243, Laws of Florida.

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

718.121 Liens.—

(2) Labor performed on or materials furnished to a unit shall not be the basis for the filing of a lien pursuant to part I of chapter 713, the Construction Lien Law, against the unit or condominium parcel of any unit owner not expressly consenting to or requesting the labor or materials. Labor performed on or materials furnished for the installation of an electronic vehicle charging station pursuant to s. 718.113(8) may not be the basis for filing a lien under part I of chapter 713 against the association, but such a lien may be filed against the unit owner. Labor performed on or materials furnished to the common elements are not the basis for a lien on the common elements, but if authorized by the association, the labor or materials are deemed to be performed or furnished with the express consent of each unit owner and may be the basis for the filing of a lien against all condominium parcels in the proportions for which the owners are liable for common expenses.

Reviser's note.—Amended to confirm the editorial insertion of the word “be” to improve clarity.

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

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

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

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

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

825.101 Definitions.—As used in this chapter:

(2) “Caregiver” means a person who has been entrusted with or has assumed responsibility for the care or the property of an elderly person or disabled adult. “Caregiver” includes, but is not limited to, relatives, court-appointed or voluntary guardians, adult household members, neighbors, health care providers, and employees and volunteers of facilities as defined in subsection (7) (6).

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

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

893.055 Prescription drug monitoring program.—

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

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

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

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

3. The schedules of the controlled substances that are monitored by the program.

4. The data reported to or included in the program’s system.

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

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

Reviser’s note.—Amended to confirm the editorial substitution of the word “who” for the word “that” to conform to context.

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

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

(6) An agency or person who obtains any information pursuant to this section must maintain the confidential and exempt status of that information and may not disclose such information unless authorized by law. Information shared with a state attorney pursuant to paragraph ~~(3)(e) or paragraph (3)(f) or paragraph (3)(h)~~ (3)(e) may be released only in response to a discovery demand if such information is directly related to the criminal case

for which the information was requested. Unrelated information may be released only upon an order of a court of competent jurisdiction.

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

Section 107. Subsection (7) of section 893.13, Florida Statutes, is reenacted to read:

893.13 Prohibited acts; penalties.—

(7)(a) A person may not:

1. Distribute or dispense a controlled substance in violation of this chapter.

2. Refuse or fail to make, keep, or furnish any record, notification, order form, statement, invoice, or information required under this chapter.

3. Refuse entry into any premises for any inspection or refuse to allow any inspection authorized by this chapter.

4. Distribute a controlled substance named or described in s. 893.03(1) or (2) except pursuant to an order form as required by s. 893.06.

5. Keep or maintain any store, shop, warehouse, dwelling, building, vehicle, boat, aircraft, or other structure or place which is resorted to by persons using controlled substances in violation of this chapter for the purpose of using these substances, or which is used for keeping or selling them in violation of this chapter.

6. Use to his or her own personal advantage, or reveal, any information obtained in enforcement of this chapter except in a prosecution or administrative hearing for a violation of this chapter.

7. Possess a prescription form unless it has been signed by the practitioner whose name appears printed thereon and completed. This subparagraph does not apply if the person in possession of the form is the practitioner whose name appears printed thereon, an agent or employee of that practitioner, a pharmacist, or a supplier of prescription forms who is authorized by that practitioner to possess those forms.

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

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

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

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

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

13. With the intent to obtain a controlled substance or combination of controlled substances that are not medically necessary for the person or an amount of a controlled substance or substances that is not medically necessary for the person, obtain or attempt to obtain from a practitioner a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact. For purposes of this subparagraph, a material fact includes whether the person has an existing prescription for a controlled substance issued for the same period of time by another practitioner or as described in subparagraph 8.

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

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

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

(e) A person or health care practitioner who violates the provisions of subparagraph (a)13. or paragraph (b) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if any

controlled substance that is the subject of the offense is listed in Schedule II, Schedule III, or Schedule IV.

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

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

900.05 Criminal justice data collection.—

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

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

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

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

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

1. Case number.
2. Date that the alleged offense occurred.
3. County in which the offense is alleged to have occurred.
4. Date the defendant is taken into physical custody by a law enforcement agency or is issued a notice to appear on a criminal charge, if such date is different from the date the offense is alleged to have occurred.
5. Date that the criminal prosecution of a defendant is formally initiated through the filing, with the clerk of the court, of an information by the state attorney or an indictment issued by a grand jury.
6. Arraignment date.
7. Attorney assignment date.
8. Attorney withdrawal date.

9. Case status.
10. Disposition date.
11. Information related to each defendant, including:
 - a. Identifying information, including name, date of birth, age, race or ethnicity, and gender.
 - b. Zip code of primary residence.
 - c. Primary language.
 - d. Citizenship.
 - e. Immigration status, if applicable.
 - f. Whether the defendant has been found by a court to be indigent pursuant to s. 27.52.
12. Information related to the formal charges filed against the defendant, including:
 - a. Charge description.
 - b. Charge modifier, if applicable.
 - c. Drug type for each drug charge, if known.
 - d. Qualification for a flag designation as defined in this section, including a domestic violence flag, gang affiliation flag, sexual offender flag, habitual offender flag, or pretrial release violation flag.
13. Information related to bail or bond and pretrial release determinations, including the dates of any such determinations:
 - a. Pretrial release determination made at a first appearance hearing that occurs within 24 hours of arrest, including all monetary and nonmonetary conditions of release.
 - b. Modification of bail or bond conditions made by a court having jurisdiction to try the defendant or, in the absence of the judge of the trial court, by the circuit court, including modifications to any monetary and nonmonetary conditions of release.
 - c. Cash bail or bond payment, including whether the defendant utilized a bond agent to post a surety bond.
 - d. Date defendant is released on bail, bond, or pretrial release.
 - e. Bail or bond revocation due to a new offense, a failure to appear, or a violation of the terms of bail or bond, if applicable.

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

- a. Date of any court appearance and the type of proceeding scheduled for each date reported.
- b. Date of any failure to appear in court, if applicable.
- c. Judicial transfer date, if applicable.
- d. Trial date.
- e. Date that a defendant files a notice to participate in discovery.
- f. Speedy trial motion and hearing dates, if applicable.
- g. Dismissal motion and hearing dates, if applicable.

15. Defense attorney type.

16. Information related to sentencing, including:

- a. Date that a court enters a sentence against a defendant.
- b. Charge sentenced to, including charge sequence number, charge description, statute, type, and charge class severity.
- c. Sentence type and length imposed by the court, including, but not limited to, the total duration of imprisonment in a county detention facility or state correctional institution or facility, and conditions of probation or community control supervision.
- d. Amount of time served in custody by the defendant related to the reported criminal case that is credited at the time of disposition of the case to reduce the actual length of time the defendant will serve on the term of imprisonment that is ordered by the court at disposition.
- e. Total amount of court fees imposed by the court at the disposition of the case.
- f. Outstanding balance of the defendant's court fees imposed by the court at disposition of the case.
- g. Total amount of fines imposed by the court at the disposition of the case.
- h. Outstanding balance of the defendant's fines imposed by the court at disposition of the case.
- i. Restitution amount ordered, including the amount collected by the court and the amount paid to the victim, if applicable.

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

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

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

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

934.255 Subpoenas in investigations of sexual offenses.—

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

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

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

Section 110. Paragraph (a) of subsection (2) of section 943.0585, Florida Statutes, is amended to read:

943.0585 Court-ordered expunction of criminal history records.—The courts of this state have jurisdiction over their own procedures, including the maintenance, expunction, and correction of judicial records containing criminal history information to the extent such procedures are not inconsistent with the conditions, responsibilities, and duties established by this section. Any court of competent jurisdiction may order a criminal justice agency to expunge the criminal history record of a minor or an adult who complies with the requirements of this section. The court shall not order a criminal justice agency to expunge a criminal history record until the person seeking to expunge a criminal history record has applied for and received a certificate of eligibility for expunction pursuant to subsection (2) or subsection (5). A criminal history record that relates to a violation of s. 393.135, s. 394.4593, s. 787.025, chapter 794, former s. 796.03, s. 800.04, s. 810.14, s. 817.034, s. 825.1025, s. 827.071, chapter 839, s. 847.0133, s. 847.0135, s. 847.0145, s. 893.135, s. 916.1075, a violation enumerated in s. 907.041, or any violation specified as a predicate offense for registration as a sexual predator pursuant to s. 775.21, without regard to whether that

offense alone is sufficient to require such registration, or for registration as a sexual offender pursuant to s. 943.0435, may not be expunged, without regard to whether adjudication was withheld, if the defendant was found guilty of or pled guilty or nolo contendere to the offense, or if the defendant, as a minor, was found to have committed, or pled guilty or nolo contendere to committing, the offense as a delinquent act. The court may only order expunction of a criminal history record pertaining to one arrest or one incident of alleged criminal activity, except as provided in this section. The court may, at its sole discretion, order the expunction of a criminal history record pertaining to more than one arrest if the additional arrests directly relate to the original arrest. If the court intends to order the expunction of records pertaining to such additional arrests, such intent must be specified in the order. A criminal justice agency may not expunge any record pertaining to such additional arrests if the order to expunge does not articulate the intention of the court to expunge a record pertaining to more than one arrest. This section does not prevent the court from ordering the expunction of only a portion of a criminal history record pertaining to one arrest or one incident of alleged criminal activity. Notwithstanding any law to the contrary, a criminal justice agency may comply with laws, court orders, and official requests of other jurisdictions relating to expunction, correction, or confidential handling of criminal history records or information derived therefrom. This section does not confer any right to the expunction of any criminal history record, and any request for expunction of a criminal history record may be denied at the sole discretion of the court.

(2) CERTIFICATE OF ELIGIBILITY FOR EXPUNCTION.—Prior to petitioning the court to expunge a criminal history record, a person seeking to expunge a criminal history record shall apply to the department for a certificate of eligibility for expunction. The department shall, by rule adopted pursuant to chapter 120, establish procedures pertaining to the application for and issuance of certificates of eligibility for expunction. A certificate of eligibility for expunction is valid for 12 months after the date stamped on the certificate when issued by the department. After that time, the petitioner must reapply to the department for a new certificate of eligibility. Eligibility for a renewed certification of eligibility must be based on the status of the applicant and the law in effect at the time of the renewal application. The department shall issue a certificate of eligibility for expunction to a person who is the subject of a criminal history record if that person:

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

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

2. That an indictment, information, or other charging document, if filed or issued in the case, was dismissed or nolle prosequi by the state attorney or statewide prosecutor; or was dismissed by a court of competent jurisdiction,

or that a judgment of acquittal was rendered by a judge, or that a verdict of not guilty was rendered by a judge or jury.

3. That the criminal history record does not relate to a violation of s. 393.135, s. 394.4593, s. 787.025, chapter 794, former s. 796.03, s. 800.04, s. 810.14, s. 817.034, s. 825.1025, s. 827.071, chapter 839, s. 847.0133, s. 847.0135, s. 847.0145, s. 893.135, s. 916.1075, a violation enumerated in s. 907.041, or any violation specified as a predicate offense for registration as a sexual predator pursuant to s. 775.21, without regard to whether that offense alone is sufficient to require such registration, or for registration as a sexual offender pursuant to s. 943.0435, where the defendant was found guilty of, or pled guilty or nolo contendere to any such offense, or that the defendant, as a minor, was found to have committed, or pled guilty or nolo contendere to committing, such an offense as a delinquent act, without regard to whether adjudication was withheld.

Reviser's note.—Amended to confirm the editorial deletion of the comma and restoration of the word “or” after the words “state attorney or statewide prosecutor” and the editorial deletion of the word “or” after the words “court of competent jurisdiction” to improve clarity.

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

943.1758 Curriculum revision for diverse populations; skills training.

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

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

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

944.115 Smoking prohibited inside state correctional facilities.—

(1) The purpose of this section is to protect the health, comfort, and environment of employees of the Department of Corrections, employees of privately operated correctional facilities, and inmates by prohibiting inmates from using tobacco products inside any office or building within state correctional facilities, and by ensuring that employees and visitors do not use tobacco products inside any office or building within state correctional facilities. Scientific evidence links the use of tobacco products with numerous significant health risks. The use of tobacco products by inmates, employees, or visitors is contrary to efforts by the Department of Corrections to reduce the cost of inmate health care and to limit unnecessary litigation. The Department of Corrections and the private vendors operating correctional facilities shall make smoking-cessation assistance available to inmates in order to implement this section. ~~The Department of Corrections~~

~~and the private vendors operating correctional facilities shall implement this section as soon as possible, and all provisions of this section must be fully implemented by January 1, 2000.~~

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

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

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

(10) A Child Protection Team ~~child protection team~~ or the state attorney in any judicial circuit may establish a sexual abuse intervention network to assist in identifying, investigating, prosecuting, treating, and preventing sexual abuse with special emphasis on juvenile sexual offenders and victims of sexual abuse.

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

Section 114. Paragraph (c) of subsection (8) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.

(c) A charter may be terminated immediately if the sponsor sets forth in writing the particular facts and circumstances indicating that an immediate and serious danger to the health, safety, or welfare of the charter school's students exists. The sponsor's determination is subject to the procedures set forth in paragraph ~~paragraphs~~ (b) ~~and~~ (e), except that the hearing may take place after the charter has been terminated. The sponsor shall notify in writing the charter school's governing board, the charter school principal, and the department if a charter is terminated immediately. The sponsor shall clearly identify the specific issues that resulted in the immediate termination and provide evidence of prior notification of issues resulting in the immediate termination when appropriate. Upon receiving written notice from the sponsor, the charter school's governing board has 10 calendar days to request a hearing. A requested hearing must be expedited and the final order must be issued within 60 days after the date of request. The sponsor shall assume operation of the charter school throughout the pendency of the hearing under paragraph ~~paragraphs~~ (b) ~~and~~ (e) unless the continued operation of the charter school would materially threaten the health, safety, or welfare of the students. Failure by the sponsor to assume and continue operation of the charter school shall result in the awarding of reasonable costs and attorney's fees to the charter school if the charter school prevails on appeal.

Reviser's note.—Amended to delete references to former paragraph (c), which was amended and merged into paragraph (b) by s. 9, ch. 2018-6, Laws of Florida.

Section 115. Subsection (1) of section 1002.36, Florida Statutes, is amended to read:

1002.36 Florida School for the Deaf and the Blind.—

(1) RESPONSIBILITIES.—The Florida School for the Deaf and the Blind, located in St. Johns County, is a state-supported residential public school for hearing-impaired and visually impaired students in preschool through 12th grade. The school is a component of the delivery of public education within Florida's K-20 education system and shall be funded through the Department of Education. The school shall provide educational programs and support services appropriate to meet the education and related evaluation and counseling needs of hearing-impaired and visually impaired students in the state who meet enrollment criteria. Unless otherwise provided by law, the school shall comply with all laws and rules applicable to state agencies. Education services may be provided on an outreach basis for sensory-impaired children ages 0 through 5 years and to district school boards upon request. Graduates of the Florida School for the Deaf and the Blind shall be eligible for the William L. Boyd, IV, Effective Access to Student Education ~~Florida Resident Access Grant Program~~ as provided in s. 1009.89.

Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of Florida, which directed the Division of Law Revision and Information “to substitute the term ‘Effective Access to Student Education Grant Program’ for ‘Florida Resident Access Grant Program’ and the term ‘Effective Access to Student Education grant’ for ‘Florida resident access grant’ wherever those terms appear in the Florida Statutes.”

Section 116. Paragraph (f) of subsection (2) of section 1002.385, Florida Statutes, is amended to read:

1002.385 The Gardiner Scholarship.—

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

(f) “Eligible postsecondary educational institution” means a Florida College System institution; a state university; a school district technical center; a school district adult general education center; an independent college or university that is eligible to participate in the William L. Boyd, IV, Effective Access to Student Education ~~Florida Resident Access Grant Program~~ under s. 1009.89; or an accredited independent postsecondary educational institution, as defined in s. 1005.02, which is licensed to operate in the state pursuant to requirements specified in part III of chapter 1005.

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

“to substitute the term ‘Effective Access to Student Education Grant Program’ for ‘Florida Resident Access Grant Program’ and the term ‘Effective Access to Student Education grant’ for ‘Florida resident access grant’ wherever those terms appear in the Florida Statutes.”

Section 117. Paragraph (f) of subsection (2), paragraph (p) of subsection (6), and paragraph (i) of subsection (15) of section 1002.395, Florida Statutes, are amended to read:

1002.395 Florida Tax Credit Scholarship Program.—

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

(f) “Eligible nonprofit scholarship-funding organization” means a state university; or an independent college or university that is eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Florida Resident Access Grant Program, located and chartered in this state, is not for profit, and is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools; or is a charitable organization that:

1. Is exempt from federal income tax pursuant to s. 501(c)(3) of the Internal Revenue Code;
2. Is a Florida entity formed under chapter 605, chapter 607, or chapter 617 and whose principal office is located in the state; and
3. Complies with subsections (6) and (15).

(6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.—An eligible nonprofit scholarship-funding organization:

(p) Must maintain the surety bond or letter of credit required by subsection (15). The amount of the surety bond or letter of credit may be adjusted quarterly to equal the actual amount of undisbursed funds based upon submission by the organization of a statement from a certified public accountant verifying the amount of undisbursed funds. The requirements of this paragraph are waived if the cost of acquiring a surety bond or letter of credit exceeds the average 10-year cost of acquiring a surety bond or letter of credit by 200 percent. The requirements of this paragraph are waived for a state university; or an independent college or university which is eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Florida Resident Access Grant Program, located and chartered in this state, is not for profit, and is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools.

Information and documentation provided to the Department of Education and the Auditor General relating to the identity of a taxpayer that provides an eligible contribution under this section shall remain confidential at all times in accordance with s. 213.053.

(15) NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS; APPLICATION.—In order to participate in the scholarship program created under this section, a charitable organization that seeks to be a nonprofit scholarship-funding organization must submit an application for initial approval or renewal to the Office of Independent Education and Parental Choice no later than September 1 of each year before the school year for which the organization intends to offer scholarships.

(i) A state university; or an independent college or university which is eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Florida Resident Access Grant Program, located and chartered in this state, is not for profit, and is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools, is exempt from the initial or renewal application process, but must file a registration notice with the Department of Education to be an eligible nonprofit scholarship-funding organization. The State Board of Education shall adopt rules that identify the procedure for filing the registration notice with the department. The rules must identify appropriate reporting requirements for fiscal, programmatic, and performance accountability purposes consistent with this section, but shall not exceed the requirements for eligible nonprofit scholarship-funding organizations for charitable organizations. ~~A nonprofit scholarship-funding organization that becomes eligible pursuant to this paragraph may begin providing scholarships to participating students in the 2015-2016 school year.~~

Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of Florida, which directed the Division of Law Revision and Information “to substitute the term ‘Effective Access to Student Education Grant Program’ for ‘Florida Resident Access Grant Program’ and the term ‘Effective Access to Student Education grant’ for ‘Florida resident access grant’ wherever those terms appear in the Florida Statutes.” Paragraph (15)(i) is also amended to delete obsolete language.

Section 118. Paragraph (k) of subsection (2) and paragraph (a) of subsection (5) of section 1002.82, Florida Statutes, are amended to read:

1002.82 Office of Early Learning; powers and duties.—

(2) The office shall:

(k) Identify observation-based child assessments that are valid, reliable, and developmentally appropriate for use at least three times a year. The assessments must:

1. Provide interval level and criterion-referenced data that measures equivalent levels of growth across the core domains of early childhood development and that can be used for determining developmentally appropriate learning gains.

2. Measure progress in the performance standards adopted pursuant to paragraph (j).

3. Provide for appropriate accommodations for children with disabilities and English language learners and be administered by qualified individuals, consistent with the developer's instructions.

4. Coordinate with the performance standards adopted by the department under s. 1002.67(1) for the Voluntary Prekindergarten Education Program.

5. Provide data in a format for use in the single statewide information system to meet the requirements of paragraph (p) ~~(q)~~.

(5) By January 1 of each year, the office shall annually publish on its website a report of its activities conducted under this section. The report must include a summary of the coalitions' annual reports, a statewide summary, and the following:

(a) An analysis of early learning activities throughout the state, including the school readiness program and the Voluntary Prekindergarten Education Program.

1. The total and average number of children served in the school readiness program, enumerated by age, eligibility priority category, and coalition, and the total number of children served in the Voluntary Prekindergarten Education Program.

2. A summary of expenditures by coalition, by fund source, including a breakdown by coalition of the percentage of expenditures for administrative activities, quality activities, nondirect services, and direct services for children.

3. A description of the office's and each coalition's expenditures by fund source for the quality and enhancement activities described in s. 1002.89(6)(b).

4. A summary of annual findings and collections related to provider fraud and parent fraud.

5. Data regarding the coalitions' delivery of early learning programs.

6. The total number of children disenrolled statewide and the reason for disenrollment.

7. The total number of providers by provider type.

8. The number of school readiness program providers who have completed the program assessment required under paragraph (2)(n); the number of providers who have not met the minimum threshold for contracting established under ~~to~~ paragraph (2)(n); and the number of

providers that have an active improvement plan based on the results of the program assessment under paragraph (2)(n).

9. The total number of provider contracts revoked and the reasons for revocation.

Reviser's note.—Paragraph (2)(k) is amended to confirm the editorial substitution of a reference to paragraph (p) for a reference to paragraph (q) to correct an erroneous cross-reference to paragraph (q) added by s. 2, ch. 2018-136, Laws of Florida. Paragraph (p) relates to establishment of a single statewide information system for coalitions; paragraph (q) relates to adoption of standardized monitoring procedures for coalition use. Paragraph (5)(a) is amended to confirm the editorial deletion of the word “to” to improve clarity.

Section 119. Subsection (8) of section 1004.085, Florida Statutes, is amended to read:

1004.085 Textbook and instructional materials affordability.—

(8) The board of trustees of each Florida College System institution and state university shall report, by September 30 of each year, ~~beginning in 2016~~ to the Chancellor of the Florida College System or the Chancellor of the State University System, as applicable, the textbook and instructional materials selection process for general education courses with a wide cost variance identified pursuant to subsection (4) and high-enrollment courses; specific initiatives of the institution designed to reduce the costs of textbooks and instructional materials; policies implemented in accordance with subsection (6); the number of courses and course sections that were not able to meet the textbook and instructional materials posting deadline for the previous academic year; and any additional information determined by the chancellors. By November 1 of each year, ~~beginning in 2016~~, each chancellor shall provide a summary of the information provided by institutions to the State Board of Education and the Board of Governors, as applicable.

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

Section 120. Paragraph (c) of subsection (3) of section 1004.097, Florida Statutes, is amended to read:

1004.097 Free expression on campus.—

(3) RIGHT TO FREE-SPEECH ACTIVITIES.—

(c) Outdoor areas of campus are considered traditional public forums for individuals, organizations, and guest speakers. A public institution of higher education may create and enforce restrictions that are reasonable and content-neutral on time, place, and manner of expression and that are narrowly tailored to a significant institutional interest. Restrictions must be

clear and published and must ~~and~~ provide for ample alternative means of expression.

Reviser's note.—Amended to confirm the editorial deletion of the word “and” to improve clarity.

Section 121. Paragraph (c) of subsection (3) of section 1004.6495, Florida Statutes, is amended to read:

1004.6495 Florida Postsecondary Comprehensive Transition Program and Florida Center for Students with Unique Abilities.—

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

(c) “Eligible institution” means a state university; a Florida College System institution; a career center; a charter technical career center; or an independent college or university that is located and chartered in this state, is not for profit, is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools, and is eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Florida Resident Access Grant Program.

Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of Florida, which directed the Division of Law Revision and Information “to substitute the term ‘Effective Access to Student Education Grant Program’ for ‘Florida Resident Access Grant Program’ and the term ‘Effective Access to Student Education grant’ for ‘Florida resident access grant’ wherever those terms appear in the Florida Statutes.”

Section 122. Paragraph (d) of subsection (1) of section 1005.03, Florida Statutes, is amended to read:

1005.03 Designation “college” or “university.”—

(1) The use of the designation “college” or “university” in combination with any series of letters, numbers, or words is restricted in this state to colleges or universities as defined in s. 1005.02 that offer degrees as defined in s. 1005.02 and fall into at least one of the following categories:

(d) A college that is under the jurisdiction of the Department of Education, eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Florida Resident Access Grant Program and that is a nonprofit independent college or university located and chartered in this state and accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees.

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

‘Effective Access to Student Education grant’ for ‘Florida resident access grant’ wherever those terms appear in the Florida Statutes.”

Section 123. Paragraph (c) of subsection (1) of section 1005.06, Florida Statutes, is amended to read:

1005.06 Institutions not under the jurisdiction or purview of the commission.—

(1) Except as otherwise provided in law, the following institutions are not under the jurisdiction or purview of the commission and are not required to obtain licensure:

(c) Any institution that is under the jurisdiction of the Department of Education, eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Florida Resident Access Grant Program and that is a nonprofit independent college or university located and chartered in this state and accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees.

Reviser’s note.—Amended to conform to s. 25, ch. 2018-4, Laws of Florida, which directed the Division of Law Revision and Information “to substitute the term ‘Effective Access to Student Education Grant Program’ for ‘Florida Resident Access Grant Program’ and the term ‘Effective Access to Student Education grant’ for ‘Florida resident access grant’ wherever those terms appear in the Florida Statutes.”

Section 124. Subsection (3) of section 1006.061, Florida Statutes, is amended to read:

1006.061 Child abuse, abandonment, and neglect policy.—Each district school board, charter school, and private school that accepts scholarship students who participate in a state scholarship program under chapter 1002 shall:

(3) Require the principal of the charter school or private school, or the district school superintendent, or the superintendent’s designee, at the request of the Department of Children and Families, to act as a liaison to the Department of Children and Families and the Child Protection Team ~~child protection team~~, as defined in s. 39.01, when in a case of suspected child abuse, abandonment, or neglect or an unlawful sexual offense involving a child the case is referred to such a team; except that this does not relieve or restrict the Department of Children and Families from discharging its duty and responsibility under the law to investigate and report every suspected or actual case of child abuse, abandonment, or neglect or unlawful sexual offense involving a child.

The Department of Education shall develop, and publish on the department’s Internet website, sample notices suitable for posting in accordance with subsections (1), (2), and (4).

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

Section 125. Section 1006.12, Florida Statutes, is reenacted and amended to read:

1006.12 Safe-school officers at each public school.—For the protection and safety of school personnel, property, students, and visitors, each district school board and school district superintendent shall partner with law enforcement agencies to establish or assign one or more safe-school officers at each school facility within the district by implementing any combination of the following options which best meets the needs of the school district:

(1) Establish school resource officer programs, through a cooperative agreement with law enforcement agencies.

(a) School resource officers shall undergo criminal background checks, drug testing, and a psychological evaluation and be certified law enforcement officers, as defined in s. 943.10(1), who are employed by a law enforcement agency as defined in s. 943.10(4). The powers and duties of a law enforcement officer shall continue throughout the employee's tenure as a school resource officer.

(b) School resource officers shall abide by district school board policies and shall consult with and coordinate activities through the school principal, but shall be responsible to the law enforcement agency in all matters relating to employment, subject to agreements between a district school board and a law enforcement agency. Activities conducted by the school resource officer which are part of the regular instructional program of the school shall be under the direction of the school principal.

(c) Complete mental health crisis intervention training using a curriculum developed by a national organization with expertise in mental health crisis intervention. The training shall improve officers' knowledge and skills as first responders to incidents involving students with emotional disturbance or mental illness, including de-escalation skills to ensure student and officer safety.

(2) Commission one or more school safety officers for the protection and safety of school personnel, property, and students within the school district. The district school superintendent may recommend, and the district school board may appoint, one or more school safety officers.

(a) School safety officers shall undergo criminal background checks, drug testing, and a psychological evaluation and be law enforcement officers, as defined in s. 943.10(1), certified under the provisions of chapter 943 and employed by either a law enforcement agency or by the district school board. If the officer is employed by the district school board, the district school

board is the employing agency for purposes of chapter 943, and must comply with the provisions of that chapter.

(b) A school safety officer has and shall exercise the power to make arrests for violations of law on district school board property and to arrest persons, whether on or off such property, who violate any law on such property under the same conditions that deputy sheriffs are authorized to make arrests. A school safety officer has the authority to carry weapons when performing his or her official duties.

(c) A district school board may enter into mutual aid agreements with one or more law enforcement agencies as provided in chapter 23. A school safety officer's salary may be paid jointly by the district school board and the law enforcement agency, as mutually agreed to.

(3) At the school district's discretion, participate in the Coach Aaron Feis Guardian Program ~~school marshal program~~ if such program is established pursuant to s. 30.15, to meet the requirement of establishing a safe-school officer.

(4) Any information that would identify whether a particular individual has been appointed as a safe-school officer pursuant to this section held by a law enforcement agency, school district, or charter school is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2023, unless reviewed and saved from repeal through reenactment by the Legislature.

Reviser's note.—Section 3, ch. 2018-1, Laws of Florida, added subsection (4) to s. 1006.12 as it was amended by s. 26, ch. 2018-3, Laws of Florida, but did not publish the introductory paragraph to the section added by s. 26, ch. 2018-3. Absent affirmative legislative intent to repeal the introductory paragraph of s. 1006.12, the section is reenacted to confirm the omission was not intended. Subsection (3) is amended to conform to s. 6, ch. 2018-3, which directed the Division of Law Revision and Information “to change references from ‘school marshal program’ to ‘Coach Aaron Feis Guardian Program’ and references from ‘school marshal’ to ‘school guardian’ wherever those terms appear in this act.”

Section 126. Subsection (6) of section 1007.24, Florida Statutes, is amended to read:

1007.24 Statewide course numbering system.—

(6) Nonpublic colleges and schools that are fully accredited by a regional or national accrediting agency recognized by the United States Department of Education and are either eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Florida resident access grant or have been issued a regular license pursuant to s. 1005.31, may participate in the

statewide course numbering system pursuant to this section. Participating colleges and schools shall bear the costs associated with inclusion in the system and shall meet the terms and conditions for institutional participation in the system. The department shall adopt a fee schedule that includes the expenses incurred through data processing, faculty task force travel and per diem, and staff and clerical support time. Such fee schedule may differentiate between the costs associated with initial course inclusion in the system and costs associated with subsequent course maintenance in the system. Decisions regarding initial course inclusion and subsequent course maintenance must be made within 360 days after submission of the required materials and fees by the institution. The Department of Education may select a date by which colleges must submit requests for new courses to be included, and may delay review of courses submitted after that date until the next year's cycle. Any college that currently participates in the system, and that participated in the system prior to July 1, 1986, shall not be required to pay the costs associated with initial course inclusion in the system. Fees collected for participation in the statewide course numbering system pursuant to the provisions of this section shall be deposited in the Institutional Assessment Trust Fund. Any nonpublic, nonprofit college or university that is eligible to participate in the statewide course numbering system shall not be required to pay the costs associated with participation in the system. No college or school shall record student transcripts or document courses offered by the college or school in accordance with this subsection unless the college or school is actually participating in the system pursuant to rules of the State Board of Education. Any college or school deemed to be in violation of this section shall be subject to the provisions of s. 1005.38.

Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of Florida, which directed the Division of Law Revision and Information “to substitute the term ‘Effective Access to Student Education Grant Program’ for ‘Florida Resident Access Grant Program’ and the term ‘Effective Access to Student Education grant’ for ‘Florida resident access grant’ wherever those terms appear in the Florida Statutes.”

Section 127. Subsection (5) of section 1007.273, Florida Statutes, is amended to read:

1007.273 Collegiate high school program.—

(5) In addition to executing a contract with the local Florida College System institution under this section, a district school board may execute a contract to establish a collegiate high school program with a state university or an institution that is eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Florida Resident Access Grant Program, that is a nonprofit independent college or university located and chartered in this state, and that is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees. Such university or institution must meet the requirements specified under subsections (3) and (4).

Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of Florida, which directed the Division of Law Revision and Information “to substitute the term ‘Effective Access to Student Education Grant Program’ for ‘Florida Resident Access Grant Program’ and the term ‘Effective Access to Student Education grant’ for ‘Florida resident access grant’ wherever those terms appear in the Florida Statutes.”

Section 128. Paragraph (b) of subsection (3) of section 1008.31, Florida Statutes, is amended to read:

1008.31 Florida's K-20 education performance accountability system; legislative intent; mission, goals, and systemwide measures; data quality improvements.—

(3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide data required to implement education performance accountability measures in state and federal law, the Commissioner of Education shall initiate and maintain strategies to improve data quality and timeliness. The Board of Governors shall make available to the department all data within the State University Database System to be integrated into the K-20 data warehouse. The commissioner shall have unlimited access to such data for the purposes of conducting studies, reporting annual and longitudinal student outcomes, and improving college readiness and articulation. All public educational institutions shall annually provide data from the prior year to the K-20 data warehouse in a format based on data elements identified by the commissioner.

(b) Colleges and universities eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Florida Resident Access Grant Program shall annually report student-level data from the prior year for each student who receives state funds in a format prescribed by the Department of Education. At a minimum, data from the prior year must include retention rates, transfer rates, completion rates, graduation rates, employment and placement rates, and earnings of graduates. ~~By December 31, 2013, the colleges and universities described in this paragraph shall report the data for the 2012-2013 academic year to the department. By~~ October 1 of each year thereafter, the colleges and universities described in this paragraph shall report the data to the department.

Reviser's note.—Amended to delete obsolete language and to conform to s. 25, ch. 2018-4, Laws of Florida, which directed the Division of Law Revision and Information “to substitute the term ‘Effective Access to Student Education Grant Program’ for ‘Florida Resident Access Grant Program’ and the term ‘Effective Access to Student Education grant’ for ‘Florida resident access grant’ wherever those terms appear in the Florida Statutes.”

Section 129. Subsections (1), (2), (3), (4), and (5) of section 1009.89, Florida Statutes, are amended to read:

1009.89 The William L. Boyd, IV, Effective Access to Student Education Florida resident access grants.—

(1) The Legislature finds and declares that independent nonprofit colleges and universities eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Florida Resident Access Grant Program are an integral part of the higher education system in this state and that a significant number of state residents choose this form of higher education. The Legislature further finds that a strong and viable system of independent nonprofit colleges and universities reduces the tax burden on the citizens of the state. Because the William L. Boyd, IV, Effective Access to Student Education Florida Resident Access Grant Program is not related to a student's financial need or other criteria upon which financial aid programs are based, it is the intent of the Legislature that the William L. Boyd, IV, Effective Access to Student Education Florida Resident Access Grant Program not be considered a financial aid program but rather a tuition assistance program for its citizens.

(2) The William L. Boyd, IV, Effective Access to Student Education Florida Resident Access Grant Program shall be administered by the Department of Education. The State Board of Education shall adopt rules for the administration of the program.

(3) The department shall issue through the program a William L. Boyd, IV, Effective Access to Student Education Florida resident access grant to any full-time degree-seeking undergraduate student registered at an independent nonprofit college or university which is located in and chartered by the state; which is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools; which grants baccalaureate degrees; which is not a state university or Florida College System institution; and which has a secular purpose, so long as the receipt of state aid by students at the institution would not have the primary effect of advancing or impeding religion or result in an excessive entanglement between the state and any religious sect. Any independent college or university that was eligible to receive tuition vouchers on January 1, 1989, and which continues to meet the criteria under which its eligibility was established, shall remain eligible to receive William L. Boyd, IV, Effective Access to Student Education Florida resident access grant payments.

(4) A person is eligible to receive such William L. Boyd, IV, Effective Access to Student Education Florida resident access grant if:

(a) He or she meets the general requirements, including residency, for student eligibility as provided in s. 1009.40, except as otherwise provided in this section; and

(b)1. He or she is enrolled as a full-time undergraduate student at an eligible college or university;

2. He or she is not enrolled in a program of study leading to a degree in theology or divinity; and

3. He or she is making satisfactory academic progress as defined by the college or university in which he or she is enrolled.

(5)(a) Funding for the William L. Boyd, IV, Effective Access to Student Education Florida Resident Access Grant Program for eligible institutions shall be as provided in the General Appropriations Act. The William L. Boyd, IV, Effective Access to Student Education Florida resident access grant may be paid on a prorated basis in advance of the registration period. The department shall make such payments to the college or university in which the student is enrolled for credit to the student’s account for payment of tuition and fees. Institutions shall certify to the department the amount of funds disbursed to each student and shall remit to the department any undisbursed advances or refunds within 60 days of the end of regular registration. A student is not eligible to receive the award for more than 9 semesters or 14 quarters, except as otherwise provided in s. 1009.40(3).

(b) If the combined amount of the William L. Boyd, IV, Effective Access to Student Education Florida resident access grant issued pursuant to this act and all other scholarships and grants for tuition or fees exceeds the amount charged to the student for tuition and fees, the department shall reduce the William L. Boyd, IV, Effective Access to Student Education Florida resident access grant issued pursuant to this act by an amount equal to such excess.

Reviser’s note.—Amended to conform to s. 25, ch. 2018-4, Laws of Florida, which directed the Division of Law Revision and Information “to substitute the term ‘Effective Access to Student Education Grant Program’ for ‘Florida Resident Access Grant Program’ and the term ‘Effective Access to Student Education grant’ for ‘Florida resident access grant’ wherever those terms appear in the Florida Statutes.”

Section 130. Subsections (2) and (5) of section 1011.69, Florida Statutes, are amended to read:

1011.69 Equity in School-Level Funding Act.—

(2) ~~Beginning in the 2003-2004 fiscal year,~~ District school boards shall allocate to schools within the district an average of 90 percent of the funds generated by all schools and guarantee that each school receives at least 80 percent, except schools participating in the Principal Autonomy Pilot Program Initiative under s. 1011.6202 are guaranteed to receive at least 90 percent, of the funds generated by that school based upon the Florida Education Finance Program as provided in s. 1011.62 and the General Appropriations Act, including gross state and local funds, discretionary lottery funds, and funds from the school district’s current operating discretionary millage levy. Total funding for each school shall be recalculated during the year to reflect the revised calculations under the Florida Education Finance Program by the state and the actual weighted full-time

equivalent students reported by the school during the full-time equivalent student survey periods designated by the Commissioner of Education. If the district school board is providing programs or services to students funded by federal funds, any eligible students enrolled in the schools in the district shall be provided federal funds.

(5) After providing Title I, Part A, Basic funds to schools above the 75 percent poverty threshold, which may include high schools above the 50 percent threshold as permitted by federal law, school districts shall provide any remaining Title I, Part A, Basic funds directly to all eligible schools as provided in this subsection. For purposes of this subsection, an eligible school is a school that is eligible to receive Title I funds, including a charter school. The threshold for identifying eligible schools may not exceed the threshold established by a school district for the 2016-2017 school year or the statewide percentage of economically disadvantaged students, as determined annually.

(a) Prior to the allocation of Title I funds to eligible schools, a school district may withhold funds only as follows:

1. One percent for parent involvement, in addition to the one percent the district must reserve under federal law for allocations to eligible schools for parent involvement;

2. A necessary and reasonable amount for administration which includes the district's indirect cost rate, not to exceed a total of 10 percent;

3. A reasonable and necessary amount to provide:

a. Homeless programs;

b. Delinquent and neglected programs;

c. Prekindergarten programs and activities;

d. Private school equitable services; and

e. Transportation for foster care children to their school of origin or choice programs; and

4. A necessary and reasonable amount, not to exceed 1 percent, for eligible schools to provide educational services in accordance with the approved Title I plan.

Reviser's note.—Subsection (2) is amended to delete obsolete language and to conform to the renaming of the Principal Autonomy Pilot Program Initiative created in s. 1011.6202 as the Principal Autonomy Program Initiative by s. 30, ch. 2018-6, Laws of Florida. Paragraph (5)(a) is amended to confirm the editorial restoration of the word “and” to improve clarity.

Section 131. Subsection (1) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(1) If the district school tax is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, each district school board desiring to participate in the state allocation of funds for current operation as prescribed by s. ~~1011.62(18)~~ ~~1011.62(16)~~ shall levy on the taxable value for school purposes of the district, exclusive of millage voted under s. 9(b) or s. 12, Art. VII of the State Constitution, a millage rate not to exceed the amount certified by the commissioner as the minimum millage rate necessary to provide the district required local effort for the current year, pursuant to s. 1011.62(4)(a)1. In addition to the required local effort millage levy, each district school board may levy a nonvoted current operating discretionary millage. The Legislature shall prescribe annually in the appropriations act the maximum amount of millage a district may levy.

Reviser's note.—Amended to confirm the editorial substitution of a reference to s. 1011.62(18) for a reference to s. 1011.62(16) in s. 1011.71(1), as amended by s. 110, ch. 2018-110, Laws of Florida, to conform to the addition of a new subsection (16) to s. 1011.62 by s. 29, ch. 2018-3, Laws of Florida, and a new subsection (16), editorially redesignated as subsection (17), by s. 4, ch. 2018-10, Laws of Florida.

Section 132. Paragraph (b) of subsection (2) and paragraph (a) of subsection (5) of section 1012.2315, Florida Statutes, are amended to read:

1012.2315 Assignment of teachers.—

(2) ASSIGNMENT TO SCHOOLS GRADED “D” or “F”.—

(b)1. ~~Beginning July 1, 2014,~~ A school district may assign an individual newly hired as instructional personnel to a school that has earned a grade of “F” in the previous year or any combination of three consecutive grades of “D” or “F” in the previous 3 years pursuant to s. 1008.34 if the individual:

a. Has received an effective rating or highly effective rating in the immediate prior year's performance evaluation pursuant s. 1012.34;

b. Has successfully completed or is enrolled in a teacher preparation program pursuant to s. 1004.04, s. 1004.85, or s. 1012.56, or a teacher preparation program specified in State Board of Education rule, is provided with high quality mentoring during the first 2 years of employment, holds a certificate issued pursuant to s. 1012.56, and holds a probationary contract pursuant to s. 1012.335(2)(a); or

c. Holds a probationary contract pursuant to s. 1012.335(2)(a), holds a certificate issued pursuant to s. 1012.56, and has successful teaching

experience, and if, in the judgment of the school principal, students would benefit from the placement of that individual.

2. As used in this paragraph, the term “mentoring” includes the use of student achievement data combined with at least monthly observations to improve the educator’s effectiveness in improving student outcomes. Mentoring may be provided by a school district, a teacher preparation program approved pursuant to s. 1004.04, s. 1004.85, or s. 1012.56, or a teacher preparation program specified in State Board of Education rule.

Each school district shall annually certify to the Commissioner of Education that the requirements in this subsection have been met. If the commissioner determines that a school district is not in compliance with this subsection, the State Board of Education shall be notified and shall take action pursuant to s. 1008.32 in the next regularly scheduled meeting to require compliance.

(5) REPORT.—

(a) By July 1, 2012, the Department of Education shall annually report on its website, in a manner that is accessible to the public, the performance rating data reported by district school boards under s. 1012.34. The report must include the percentage of classroom teachers, instructional personnel, and school administrators receiving each performance rating aggregated by school district and by school.

Reviser’s note.—Amended to delete obsolete language.

Section 133. Subsection (4) of section 1012.584, Florida Statutes, is amended to read:

1012.584 Continuing education and inservice training for youth mental health awareness and assistance.—

(4) Each school district shall notify all school personnel who have received training pursuant to this section of mental health services that are available in the school district, and the individual to contact if a student needs services. The term “mental health services” includes, but is not limited to, community mental health services, health care providers, and services provided under ss. 1006.04 and 1011.62(16) ~~1011.62(17)~~.

Reviser’s note.—Amended to correct an erroneous reference. Section 1011.62(16) relates to the mental health assistance allocation; subsection (17) relates to the funding compression allocation.

Section 134. Subsection (1) of section 1013.62, Florida Statutes, is amended to read:

1013.62 Charter schools capital outlay funding.—

(1) For the 2018-2019 fiscal year, charter school capital outlay funding shall consist of state funds appropriated in the 2018-2019 General

Appropriations Act. Beginning in fiscal year 2019-2020, charter school capital outlay funding shall consist of state funds when such funds are appropriated in the General Appropriations Act and revenue resulting from the discretionary millage authorized in s. 1011.71(2) if the amount of state funds appropriated for charter school capital outlay in any fiscal year is less than the average charter school capital outlay funds per unweighted full-time equivalent student for the 2018-2019 fiscal year, multiplied by the estimated number of charter school students for the applicable fiscal year, and adjusted by changes in the Consumer Price Index issued by the United States Department of Labor from the previous fiscal year. Nothing in is this subsection prohibits a school district from distributing to charter schools funds resulting from the discretionary millage authorized in s. 1011.71(2).

(a) To be eligible to receive capital outlay funds, a charter school must:

1.a. Have been in operation for 2 or more years;

b. Be governed by a governing board established in the state for 2 or more years which operates both charter schools and conversion charter schools within the state;

c. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds;

d. Have been accredited by a regional accrediting association as defined by State Board of Education rule; or

e. Serve students in facilities that are provided by a business partner for a charter school-in-the-workplace pursuant to s. 1002.33(15)(b).

2. Have an annual audit that does not reveal any of the financial emergency conditions provided in s. 218.503(1) for the most recent fiscal year for which such audit results are available.

3. Have satisfactory student achievement based on state accountability standards applicable to the charter school.

4. Have received final approval from its sponsor pursuant to s. 1002.33 for operation during that fiscal year.

5. Serve students in facilities that are not provided by the charter school's sponsor.

(b) A charter school is not eligible to receive capital outlay funds if it was created by the conversion of a public school and operates in facilities provided by the charter school's sponsor for a nominal fee, or at no charge, or if it is directly or indirectly operated by the school district.

Reviser's note.—Amended to confirm the editorial substitution of the word "in" for the word "is" to improve clarity.

Section 135. This act shall take effect on the 60th day after adjournment sine die of the session of the Legislature in which enacted.

Approved by the Governor April 3, 2019.

Filed in Office Secretary of State April 3, 2019.