

1 A reviser's bill to be entitled
2 An act relating to the Florida Statutes; amending ss.
3 16.56, 20.435, 20.60, 39.101, 39.4085, 112.215,
4 112.313, 121.091, 125.0104, 163.11, 163.3202,
5 163.32051, 173.04, 196.101, 212.08, 215.681, 220.199,
6 288.012, 288.095, 288.107, 296.44, 298.301, 322.27,
7 330.41, 365.172, 373.228, 373.583, 376.323, 380.0553,
8 380.0933, 381.986, 397.335, 403.865, 409.1678,
9 409.996, 413.801, 415.1103, 420.5096, 445.003, 456.42,
10 480.041, 497.260, 501.2042, 553.865, 560.103, 565.04,
11 571.265, 585.01, 626.321, 626.602, 627.06292, 627.351,
12 627.410, 628.8015, 692.201, 720.305, 744.21031,
13 766.315, 768.38, 768.381, 790.013, 810.098, 849.38,
14 933.40, 961.06, 1000.21, 1001.42, 1002.01, 1002.20,
15 1002.351, 1002.394, 1002.395, 1002.44, 1002.82,
16 1003.02, 1003.4201, 1003.46, 1004.615, 1004.648,
17 1006.07, 1006.28, 1008.25, 1009.21, 1009.286, 1009.30,
18 1009.895, 1012.71, 1012.993, and 1013.64, F.S.;
19 reenacting and amending s. 1011.62, F.S.; and
20 reenacting ss. 348.0304, 394.9086, and 893.055, F.S.;
21 deleting provisions that have expired, have become
22 obsolete, have had their effect, have served their
23 purpose, or have been impliedly repealed or
24 superseded; replacing incorrect cross-references and
25 citations; correcting grammatical, typographical, and

26 | like errors; removing inconsistencies, redundancies,
 27 | and unnecessary repetition in the statutes; and
 28 | improving the clarity of the statutes and facilitating
 29 | their correct interpretation; providing an effective
 30 | date.

31 |

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

33 |

34 | Section 1. Paragraphs (c) and (d) of subsection (1) of
 35 | section 16.56, Florida Statutes, are amended to read:

36 | 16.56 Office of Statewide Prosecution.—

37 | (1) There is created in the Department of Legal Affairs an
 38 | Office of Statewide Prosecution. The office shall be a separate
 39 | "budget entity" as that term is defined in chapter 216. The
 40 | office may:

41 | (c) Investigate and prosecute any crime involving:

42 | 1. Voting in an election in which a candidate for a
 43 | federal or state office is on the ballot;

44 | 2. Voting in an election in which a referendum, an
 45 | initiative, or an issue is on the ballot;

46 | 3. The petition activities of a candidate for a federal or
 47 | state office;

48 | 4. The petition activities for a referendum, an
 49 | initiative, or an issue; or

50 | 5. Voter registration;

51
 52 or any attempt, solicitation, or conspiracy to commit any of the
 53 crimes specifically enumerated above. The office shall have such
 54 power only when any such offense is occurring, or has occurred,
 55 in two or more judicial circuits as part of a related
 56 transaction, or when any such offense is affecting, or has
 57 affected, two or more judicial circuits. Informations or
 58 indictments charging such offenses must contain general
 59 allegations stating the judicial circuits and counties in which
 60 crimes are alleged to have occurred or the judicial circuits and
 61 counties alleged to have been affected by such crimes ~~in which~~
 62 ~~crimes are alleged to have affected.~~

63 (d) Upon request, cooperate with and assist state
 64 attorneys and state and local law enforcement officials in their
 65 efforts against organized crime ~~crimes~~.

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

67 Section 2. Paragraph (a) of subsection (7) of section
 68 20.435, Florida Statutes, is amended to read:

69 20.435 Department of Health; trust funds.—The following
 70 trust funds shall be administered by the Department of Health:

71 (7) BIOMEDICAL RESEARCH TRUST FUND.—

72 (a) Funds to be credited to the trust fund shall consist
 73 of funds appropriated by the Legislature. Funds shall be used
 74 for the purposes of the James and Esther King Biomedical
 75 Research Program; ~~7~~ the Casey DeSantis Cancer Research Program;

76 ~~and~~ the William G. "Bill" Bankhead, Jr., and David Coley Cancer
 77 Research Program as specified in ss. 215.5602, 381.915, and
 78 381.922, respectively; and other cancer research initiatives as
 79 appropriated by the Legislature. The trust fund is exempt from
 80 the service charges imposed by s. 215.20.

81 Reviser's note.—Amended to confirm an editorial reinsertion and
 82 an editorial insertion to facilitate correct
 83 interpretation.

84 Section 3. Paragraph (b) of subsection (9) of section
 85 20.60, Florida Statutes, is amended to read:

86 20.60 Department of Commerce; creation; powers and
 87 duties.—

88 (9) The secretary shall:

89 (b) Serve as the manager for the state with respect to
 90 contracts with Space Florida and all applicable direct-support
 91 organizations. To accomplish the provisions of this section and
 92 applicable provisions of chapters 288 and 331, and
 93 notwithstanding the provisions of part I of chapter 287, the
 94 secretary shall enter into specific contracts with Space Florida
 95 and appropriate direct-support organizations. Such contracts may
 96 be for multiyear terms and must include specific performance
 97 measures for each year. For purposes of this section, the
 98 Institute for Commercialization of Florida Technology is not an
 99 appropriate direct-support organization.

100 Reviser's note.—Amended to confirm editorial insertions to

101 facilitate correct interpretation.

102 Section 4. Paragraph (f) of subsection (3) of section
 103 39.101, Florida Statutes, is amended to read:

104 39.101 Central abuse hotline.—The central abuse hotline is
 105 the first step in the safety assessment and investigation
 106 process.

107 (3) COLLECTION OF INFORMATION AND DATA.—The department
 108 shall:

109 (f)1. Collect and analyze child-on-child sexual abuse
 110 reports and include such information in the aggregate
 111 statistical reports.

112 2. Collect and analyze, in separate statistical reports,
 113 those reports of child abuse, sexual abuse, and juvenile sexual
 114 abuse which are reported from or which occurred on or at:

- 115 a. School premises;
- 116 b. School transportation;
- 117 c. School-sponsored off-campus events;
- 118 d. A school readiness program provider determined to be
 119 eligible under s. 1002.88;
- 120 e. A private prekindergarten provider or a public school
 121 prekindergarten provider, as those terms are defined in s.
 122 1002.51(7) and (8), respectively;
- 123 f. A public K-12 school as described in s. 1000.04;
- 124 g. A private school as defined in s. 1002.01;
- 125 h. A Florida College System institution or a state

126 university, as those terms are defined in s. 1000.21(5) and (9)
 127 ~~1000.21(5) and (8)~~, respectively; or

128 i. A school, as defined in s. 1005.02.

129 Reviser's note.—Amended to conform to the reordering of
 130 definitions in s. 1000.21 by this act.

131 Section 5. Paragraph (b) of subsection (4) of section
 132 39.4085, Florida Statutes, is amended to read:

133 39.4085 Goals for dependent children; responsibilities;
 134 education; Office of the Children's Ombudsman.—

135 (4) The Office of the Children's Ombudsman is established
 136 within the department. To the extent permitted by available
 137 resources, the office shall, at a minimum:

138 (b) Be a resource to identify and explain relevant
 139 policies ~~polices~~ or procedures to children, young adults, and
 140 their caregivers.

141 Reviser's note.—Amended to confirm an editorial substitution to
 142 conform to context and facilitate correct interpretation.

143 Section 6. Subsection (2) of section 112.215, Florida
 144 Statutes, is amended to read:

145 112.215 Government employees; deferred compensation
 146 program.—

147 (2) For the purposes of this section, the term "government
 148 employee" means any person employed, whether appointed, elected,
 149 or under contract, by the state or any governmental unit of the
 150 state, including, but not limited to, any state agency; any

151 county, municipality, or other political subdivision of the
 152 state; any special district or water management district, as the
 153 terms are defined in s. 189.012; any state university or Florida
 154 College System institution, as the terms are defined in s.
 155 1000.21(9) and (5) ~~1000.21(6) and (3)~~, respectively; or any
 156 constitutional county officer under s. 1(d), Art. VIII of the
 157 State Constitution for which compensation or statutory fees are
 158 paid.

159 Reviser's note.—Amended to confirm an editorial substitution to
 160 conform to the reordering of definitions in s. 1000.21 by
 161 s. 136, ch. 2023-8, Laws of Florida, and to conform to the
 162 further reordering of definitions in s. 1000.21 by this
 163 act.

164 Section 7. Paragraph (a) of subsection (7) of section
 165 112.313, Florida Statutes, is amended to read:

166 112.313 Standards of conduct for public officers,
 167 employees of agencies, and local government attorneys.—

168 (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

169 (a) No public officer or employee of an agency shall have
 170 or hold any employment or contractual relationship with any
 171 business entity or any agency which is subject to the regulation
 172 of, or is doing business with, an agency of which he or she is
 173 an officer or employee, excluding those organizations and their
 174 officers who, when acting in their official capacity, enter into
 175 or negotiate a collective bargaining contract with the state or

176 any municipality, county, or other political subdivision of the
 177 state; nor shall an officer or employee of an agency have or
 178 hold any employment or contractual relationship that will create
 179 a continuing or frequently recurring conflict between his or her
 180 private interests and the performance of his or her public
 181 duties or that would impede the full and faithful discharge of
 182 his or her public duties.

183 1. When the agency referred to is that certain kind of
 184 special tax district created by general or special law and is
 185 limited specifically to constructing, maintaining, managing, and
 186 financing improvements in the land area over which the agency
 187 has jurisdiction, or when the agency has been organized pursuant
 188 to chapter 298, then employment with, or entering into a
 189 contractual relationship with, such business entity by a public
 190 officer or employee of such agency is not prohibited by this
 191 subsection or ~~be~~ deemed a conflict per se. However, conduct by
 192 such officer or employee that is prohibited by, or otherwise
 193 frustrates the intent of, this section, including conduct that
 194 violates subsections (6) and (8), is deemed a conflict of
 195 interest in violation of the standards of conduct set forth by
 196 this section.

197 2. When the agency referred to is a legislative body and
 198 the regulatory power over the business entity resides in another
 199 agency, or when the regulatory power which the legislative body
 200 exercises over the business entity or agency is strictly through

201 the enactment of laws or ordinances, then employment or a
202 contractual relationship with such business entity by a public
203 officer or employee of a legislative body shall not be
204 prohibited by this subsection or be deemed a conflict.

205 Reviser's note.—Amended to confirm an editorial deletion to
206 improve clarity.

207 Section 8. Paragraph (a) of subsection (3) of section
208 121.091, Florida Statutes, is amended to read:

209 121.091 Benefits payable under the system.—Benefits may
210 not be paid under this section unless the member has terminated
211 employment as provided in s. 121.021(39) (a) or begun
212 participation in the Deferred Retirement Option Program as
213 provided in subsection (13), and a proper application has been
214 filed in the manner prescribed by the department. The department
215 may cancel an application for retirement benefits when the
216 member or beneficiary fails to timely provide the information
217 and documents required by this chapter and the department's
218 rules. The department shall adopt rules establishing procedures
219 for application for retirement benefits and for the cancellation
220 of such application when the required information or documents
221 are not received.

222 (3) EARLY RETIREMENT BENEFIT.—Upon retirement on his or
223 her early retirement date, the member shall receive an immediate
224 monthly benefit that shall begin to accrue on the first day of
225 the month of the retirement date and be payable on the last day

HB 7029

2024

226 of that month and each month thereafter during his or her
227 lifetime. Such benefit shall be calculated as follows:

228 (a) For a member initially enrolled:

229 1. Before July 1, 2011, the amount of each monthly payment
230 shall be computed in the same manner as for a normal retirement
231 benefit, in accordance with subsection (1), but shall be based
232 on the member's average monthly compensation and creditable
233 service as of the member's early retirement date. The benefit so
234 computed shall be reduced by five-twelfths of 1 percent for each
235 complete month by which the early retirement date precedes the
236 normal retirement date of age 62 for a member of the Regular
237 Class, Senior Management Service Class, or the Elected Officers'
238 Class, and age 55 for a member of the Special Risk Class, or age
239 52 if a special risk member has completed 25 years of creditable
240 service in accordance with s. 121.021(29)(b)3.

241 2. On or after July 1, 2011, the amount of each monthly
242 payment shall be computed in the same manner as for a normal
243 retirement benefit, in accordance with subsection (1), but shall
244 be based on the member's average monthly compensation and
245 creditable service as of the member's early retirement date. The
246 benefit so computed shall be reduced by five-twelfths of 1
247 percent for each complete month by which the early retirement
248 date precedes the normal retirement date of age 65 for a member
249 of the Regular Class, Senior Management Service Class, or the
250 Elected Officers' Class, and age 55 for a member of the Special

251 Risk Class, or age 52 if a special risk member has completed 25
 252 years of creditable service in accordance with s.
 253 121.021(29)(b)3. ~~121.091(29)(b)3.~~

254 Reviser's note.—Amended to correct a cross-reference. Section
 255 121.091(29)(b)3. does not exist; s. 121.021(29)(b)3.
 256 references the age and years of creditable service for a
 257 special risk member in the Special Risk Class.

258 Section 9. Paragraphs (c), (d), and (e) of subsection (4)
 259 of section 125.0104, Florida Statutes, are amended to read:

260 125.0104 Tourist development tax; procedure for levying;
 261 authorized uses; referendum; enforcement.—

262 (4) ORDINANCE LEVY TAX; PROCEDURE.—

263 (c) Before a referendum to enact or renew ~~of~~ the ordinance
 264 levying and imposing the tax, the county tourist development
 265 council shall prepare and submit to the governing board of the
 266 county for its approval a plan for tourist development. The plan
 267 shall set forth the anticipated net tourist development tax
 268 revenue to be derived by the county for the 24 months following
 269 the levy of the tax; the tax district in which the enactment or
 270 renewal of the ordinance levying and imposing the tourist
 271 development tax is proposed; and a list, in the order of
 272 priority, of the proposed uses of the tax revenue by specific
 273 project or special use as the same are authorized under
 274 subsection (5). The plan shall include the approximate cost or
 275 expense allocation for each specific project or special use.

276 (d) The governing board of the county shall adopt the
 277 county plan for tourist development as part of the ordinance
 278 levying the tax. After enactment or renewal of the ordinance
 279 levying and imposing the tax, the plan for ~~of~~ tourist
 280 development may not be substantially amended except by ordinance
 281 enacted by an affirmative vote of a majority plus one additional
 282 member of the governing board.

283 (e) The governing board of each county which levies and
 284 imposes a tourist development tax under this section shall
 285 appoint an advisory council to be known as the "... (name of
 286 county)... Tourist Development Council." The council shall be
 287 established by ordinance and composed of nine members who shall
 288 be appointed by the governing board. The chair of the governing
 289 board of the county or any other member of the governing board
 290 as designated by the chair shall serve on the council. Two
 291 members of the council shall be elected municipal officials, at
 292 least one of whom shall be from the most populous municipality
 293 in the county or subcounty special taxing district in which the
 294 tax is levied. Six members of the council shall be persons who
 295 are involved in the tourist industry and who have demonstrated
 296 an interest in tourist development, of which members, not less
 297 than three nor more than four shall be owners or operators of
 298 motels, hotels, recreational vehicle parks, or other tourist
 299 accommodations in the county and subject to the tax. All members
 300 of the council shall be electors of the county. The governing

301 board of the county shall have the option of designating the
302 chair of the council or allowing the council to elect a chair.
303 The chair shall be appointed or elected annually and may be
304 reelected or reappointed. The members of the council shall serve
305 for staggered terms of 4 years. The terms of office of the
306 original members shall be prescribed in the resolution required
307 under paragraph (b). The council shall meet at least once each
308 quarter and, from time to time, shall make recommendations to
309 the county governing board for the effective operation of the
310 special projects or for uses of the tourist development tax
311 revenue and perform such other duties as may be prescribed by
312 county ordinance or resolution. The council shall continuously
313 review expenditures of revenues from the tourist development
314 trust fund and shall receive, at least quarterly, expenditure
315 reports from the county governing board or its designee.
316 Expenditures which the council believes to be unauthorized shall
317 be reported to the county governing board and the Department of
318 Revenue. The governing board and the department shall review the
319 findings of the council and take appropriate administrative or
320 judicial action to ensure compliance with this section. ~~The~~
321 ~~changes in the composition of the membership of the tourist~~
322 ~~development council mandated by chapter 86-4, Laws of Florida,~~
323 ~~and this act shall not cause the interruption of the current~~
324 ~~term of any person who is a member of a council on October 1,~~
325 ~~1996.~~

HB 7029

2024

326 Reviser's note.—Paragraph (4)(c) is amended to confirm an
327 editorial deletion to improve clarity. Paragraph (4)(d) is
328 amended to confirm an editorial substitution to conform to
329 context. Paragraph (4)(e) is amended to delete obsolete
330 language.

331 Section 10. Subsection (7) of section 163.11, Florida
332 Statutes, is amended to read:

333 163.11 Biscayne Bay Commission.—

334 (7) The commission shall submit a semiannual report
335 describing the accomplishments of the commission and each member
336 agency, as well as the status of each pending task, to the Miami
337 City Commission, the Miami-Dade County Board of County
338 Commissioners, the Mayor of Miami, the Mayor of Miami-Dade
339 County, the Governor, and the chair of the Miami-Dade County
340 Legislative Delegation. ~~The first report shall be submitted by~~
341 ~~January 15, 2022.~~ The report shall also be made available on the
342 Department of Environmental Protection's website and Miami-Dade
343 County's website.

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

345 Section 11. Subsection (6) of section 163.3202, Florida
346 Statutes, is amended to read:

347 163.3202 Land development regulations.—

348 (6) Land development regulations relating to any
349 characteristic of development other than use, or intensity or
350 density of use, do not apply to Florida College System

351 institutions as defined in s. 1000.21(5) ~~1000.21(3)~~.

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

353 conform to the reordering of definitions in s. 1000.21 by

354 s. 136, ch. 2023-8, Laws of Florida.

355 Section 12. Subsection (6) of section 163.32051, Florida

356 Statutes, is amended to read:

357 163.32051 Floating solar facilities.—

358 ~~(6) The Office of Energy within the Department of~~

359 ~~Agriculture and Consumer Services shall develop and submit~~

360 ~~recommendations to the Legislature by December 31, 2022, to~~

361 ~~provide a regulatory framework to private and public sector~~

362 ~~entities that implement floating solar facilities.~~

363 Reviser's note.—Amended to delete an obsolete provision.

364 Section 13. Subsection (3) of section 173.04, Florida

365 Statutes, is amended to read:

366 173.04 Procedure for bringing foreclosure suit;

367 certificate of attorney as to notice of suit; jurisdiction

368 obtained by publication of notice of suit; form of notice.—

369 (3) Jurisdiction of any of said lands and of all parties

370 interested therein or having any lien thereon shall be obtained

371 by publication of a notice to be issued as of course by the

372 clerk of the circuit court in which such bill is filed on the

373 request of complainant, once each week for not less than 2

374 consecutive weeks, directed to all persons and corporations

375 interested in or having any lien or claim upon any of the lands

376 described in said notice and said bill. Such notice shall
 377 describe the lands involved and the respective principal amounts
 378 sought to be recovered in such suit for taxes, tax certificates
 379 and special assessments on such respective parcels of land, and
 380 requiring all such parties to appear and defend said suit on or
 381 before the day specified in said notice, which shall be not less
 382 than 4 weeks after the date of the first publication of such
 383 notice. Said notice may be in substantially the following form,
 384 with blanks appropriately filled in:

385
 386 ... (Name City or Town) ...
 387 Complainant,
 388
 389 vs. IN THE CIRCUIT
 390 COURT FOR
 391 COUNTY, FLORIDA.
 392 Certain lands upon
 393 which ... (~~here~~ insert... IN CHANCERY.
 394 ...the word "taxes~~7~~"...
 395 ...or the words "special...
 396 ...assessments" or both,...
 397 ...as the case may be)...
 398 are delinquent,
 399 Defendant.

400 NOTICE

401
 402 To all persons and corporations interested in or having any lien
 403 or claim upon any of the lands described herein:

404 You are hereby notified that ... (name city or town) ... has
 405 filed its bill of complaint in the above named court to
 406 foreclose delinquent ~~....~~ ... (~~here~~ insert the words "tax liens,"
 407 "tax certificates," or "special assessments," as the case may
 408 be) ... with interest and penalties, upon the parcels of land set
 409 forth in the following schedule, the aggregate amount of such
 410 ~~....~~ ... (~~here~~ insert the words "tax liens," "tax certificates,"
 411 or "special assessments," as the case may be) ... interest and
 412 penalties, against said respective parcels of land, as set forth
 413 in said bill of complaint, being set opposite such parcels in
 414 the following schedule, to wit:

415
 416 DESCRIPTION OF LANDS
 417

418 Amount of ~~....~~ ... (~~here~~ insert the word "taxes," or the
 419 words "special assessments" or both, as the case may be)

420 In addition to the amounts set opposite each parcel of land
 421 in the foregoing schedule, interest and penalties, as provided
 422 by law, on such delinquent taxes and special assessments,
 423 together with a proportionate part of the costs and expenses of
 424 this suit, are sought to be enforced and foreclosed in this
 425 suit.

451 chapter 458 or chapter 459, Florida Statutes, hereby certify Mr.
452 Mrs. Miss Ms.(name of totally and
453 permanently disabled person)..., social security number, is
454 totally and permanently disabled as of January 1, ...(year)...,
455 due to the following mental or physical condition(s):

- 456
- 457 Quadriplegia
- 458 Paraplegia
- 459 Hemiplegia
- 460 Other total and permanent disability requiring use of
- 461 a wheelchair for mobility
- 462 Legal Blindness
- 463

464 It is my professional belief that the above-named condition(s)
465 render Mr. Mrs. Miss Ms.(name of
466 totally and permanently disabled person)... totally and
467 permanently disabled, and that the foregoing statements are
468 true, correct, and complete to the best of my knowledge and
469 professional belief.

470

471 Signature

472 Address (print)

473 Date

474 Florida Board of Medicine or Osteopathic Medicine license number

475

476 Issued on

477

478 NOTICE TO TAXPAYER: Each Florida resident applying for a total
479 and permanent disability exemption must present to the county
480 property appraiser, on or before March 1 of each year, a copy of
481 this form or a letter from the United States Department of
482 Veterans Affairs or its predecessor. Each form is to be
483 completed by a licensed Florida physician.

484

485 NOTICE TO TAXPAYER AND PHYSICIAN: Section 196.131(2), Florida
486 Statutes, provides that any person who shall knowingly and
487 willfully give false information for the purpose of claiming
488 homestead exemption shall be guilty of a misdemeanor of the
489 first degree, punishable by a term of imprisonment not exceeding
490 1 year or a fine not exceeding \$5,000, or both.

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

492 Section 15. Paragraph (m) of subsection (5) of section
493 212.08, Florida Statutes, is amended to read:

494 212.08 Sales, rental, use, consumption, distribution, and
495 storage tax; specified exemptions.—The sale at retail, the
496 rental, the use, the consumption, the distribution, and the
497 storage to be used or consumed in this state of the following
498 are hereby specifically exempt from the tax imposed by this
499 chapter.

500 (5) EXEMPTIONS; ACCOUNT OF USE.—

HB 7029

2024

501 (m) *Educational materials purchased by certain child care*
502 *facilities.*—Educational materials, such as glue, paper, paints,
503 crayons, unique craft items, scissors, books, and educational
504 toys, purchased by a child care facility that meets the
505 standards delineated in s. 402.305, is licensed under s.
506 402.308, holds a current Gold Seal Quality Care designation
507 pursuant to s. 1002.945, and provides basic health insurance to
508 all employees are exempt from the taxes imposed by this chapter.
509 For purposes of this paragraph, the term "basic health
510 insurance" shall be defined and promulgated in rules developed
511 jointly by the Department of Education, the Agency for Health
512 Care Administration, and the Financial Services Commission.
513 Reviser's note.—Amended to confirm an editorial insertion to
514 improve clarity.

515 Section 16. Paragraph (d) of subsection (1) of section
516 215.681, Florida Statutes, is amended to read:

517 215.681 ESG bonds; prohibitions.—

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

519 (d) "Issuer" means the division, acting on behalf of any
520 entity; any local government, educational entity, or entity of
521 higher education as defined in s. 215.89(2)(c), (d), and (e),
522 respectively, or other political subdivision granted the power
523 to issue bonds; or any public body corporate and politic
524 authorized or created by general or special law and granted the
525 power to issue bonds, including, but not limited to, a water and

526 sewer district created under chapter 153, a health facilities
 527 authority as defined in s. 154.205, an industrial development
 528 authority created under chapter 159, a housing financing
 529 authority as defined in s. 159.603(3), a research and
 530 development authority as defined in s. 159.702(1)(c), a legal or
 531 administrative entity created by interlocal agreement pursuant
 532 to s. 163.01(7), a community redevelopment agency as defined in
 533 s. 163.340(1), a regional transportation authority created under
 534 chapter 163, a community development district as defined in s.
 535 190.003, an educational facilities authority as defined in s.
 536 243.52(1), the Higher Educational Facilities Financing Authority
 537 created under s. 243.53, the Florida Development Finance
 538 Corporation created under s. 288.9604, a port district or port
 539 authority as defined in s. 315.02(1) and (2), respectively, the
 540 South Florida Regional Transportation Authority created under s.
 541 343.53, the Central Florida Regional Transportation Authority
 542 created under s. 343.63, ~~the Tampa Bay Area Regional Transit~~
 543 ~~Authority created under s. 343.92,~~ the Greater Miami Expressway
 544 Agency created under s. 348.0304, the Tampa-Hillsborough County
 545 Expressway Authority created under s. 348.52, the Central
 546 Florida Expressway Authority created under s. 348.753, the
 547 Jacksonville Transportation Authority created under s. 349.03,
 548 and the Florida Housing Finance Corporation created under s.
 549 420.504.
 550 Reviser's note.—Amended to insert a word to improve clarity, and

551 to conform to the fact that part III, chapter 343, the
 552 Tampa Bay Area Regional Transit Authority Act, was repealed
 553 by s. 1, ch. 2023-143, Laws of Florida, and the authority
 554 was dissolved effective June 30, 2024, by s. 2, ch. 2023-
 555 143.

556 Section 17. Paragraph (b) of subsection (1) of section
 557 220.199, Florida Statutes, is amended to read:

558 220.199 Residential graywater system tax credit.—

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

560 (b) "Graywater" has the same meaning as in s.

561 381.0065(2)(g) ~~381.0065(2)(f)~~.

562 Reviser's note.—Amended to conform to the redesignation of s.

563 381.0065(2)(f) as s. 381.0065(2)(g) by s. 11, ch. 2023-169,
 564 Laws of Florida.

565 Section 18. Paragraph (d) of subsection (6) of section
 566 288.012, Florida Statutes, is amended to read:

567 288.012 State of Florida international offices; direct-
 568 support organization.—The Legislature finds that the expansion
 569 of international trade and tourism is vital to the overall
 570 health and growth of the economy of this state. This expansion
 571 is hampered by the lack of technical and business assistance,
 572 financial assistance, and information services for businesses in
 573 this state. The Legislature finds that these businesses could be
 574 assisted by providing these services at State of Florida
 575 international offices. The Legislature further finds that the

576 accessibility and provision of services at these offices can be
 577 enhanced through cooperative agreements or strategic alliances
 578 between private businesses and state, local, and international
 579 governmental entities.

580 (6)

581 (d) The senior managers and members of the board of
 582 directors of the organization ~~of the organization~~ are subject to
 583 ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
 584 112.3143(2). For purposes of applying ss. 112.313(1)-(8), (10),
 585 (12), and (15); 112.3135; and 112.3143(2) to activities of the
 586 president and staff, those persons shall be considered public
 587 officers or employees and the corporation shall be considered
 588 their agency. The exemption set forth in s. 112.313(12) for
 589 advisory boards applies to the members of board of directors.
 590 Further, each member of the board of directors who is not
 591 otherwise required to file financial disclosures pursuant to s.
 592 8, Art. II of the State Constitution or s. 112.3144, shall file
 593 disclosure of financial interests pursuant to s. 112.3145.

594 Reviser's note.—Amended to confirm an editorial deletion to
 595 eliminate repetition.

596 Section 19. Paragraph (c) of subsection (3) of section
 597 288.095, Florida Statutes, is amended to read:

598 288.095 Economic Development Trust Fund.—

599 (3)

600 (c) Moneys in the Economic Development Incentives Account

601 may be used only to pay tax refunds and make other payments
 602 authorized under s. 288.107 or in agreements authorized under
 603 former s. 288.106. The department shall report within 10 days
 604 after the end of each quarter to the Office of Policy and Budget
 605 in the Executive Officer of the Governor, the chair of the
 606 Senate Appropriations Committee or its successor, and the chair
 607 of the House of Representatives Appropriations Committee or its
 608 successor regarding the status of payments made for all economic
 609 development programs administered by the department under this
 610 chapter, including ss. s. 288.107 and 288.108 and former s. ~~ss.~~
 611 288.106 and 288.108.

612 Reviser's note.—Amended to correct cross-references. The
 613 reference to former ss. 288.106 and 288.108 was added by s.
 614 44, ch. 2023-173, Laws of Florida. Section 288.106 was
 615 repealed by s. 47, ch. 2023-173; s. 288.108 was amended by
 616 s. 49, ch. 2023-173, and was not repealed.

617 Section 20. Paragraph (b) of subsection (5) of section
 618 288.107, Florida Statutes, is amended to read:

619 288.107 Brownfield redevelopment bonus refunds.—

620 (5) ADMINISTRATION.—

621 (b) To facilitate the process of monitoring and auditing
 622 applications made under this program, the department may provide
 623 a list of businesses to the Department of Revenue, to the
 624 Department of Environmental Protection, or to any local
 625 government authority. The department may request the assistance

626 of those entities with respect to monitoring the payment of the
 627 taxes listed in paragraph (4)(c) ~~(3)(e)~~.

628 Reviser's note.—Amended to correct a cross-reference. Paragraph
 629 (3)(c) does not exist; paragraph (4)(c) contains a list of
 630 taxes.

631 Section 21. Subsection (4) of section 296.44, Florida
 632 Statutes, is amended to read:

633 296.44 Definitions.—As used in this part, the term:

634 (4) "Operator" means the person designated to have and who
 635 has the general administrative charge of an adult day health
 636 care facility or adult day care center. The administrator of a
 637 veterans' nursing home under s. 296.34 or the administrator of
 638 the Veterans' Domiciliary Home of Florida under s. 296.04 may
 639 serve as the operator if the adult day health care facility or
 640 adult day care center is collocated at an existing veterans'
 641 nursing home or the Veterans' Domiciliary Home of Florida or is
 642 a freestanding facility.

643 Reviser's note.—Amended to confirm an editorial insertion to
 644 improve clarity.

645 Section 22. Subsections (2) and (6) of section 298.301,
 646 Florida Statutes, are amended to read:

647 298.301 District water control plan adoption; district
 648 boundary modification; plan amendment; notice forms; objections;
 649 hearings; assessments.—

650 (2) Before adopting a water control plan or plan

651 amendment, the board of supervisors must adopt a resolution to
 652 consider adoption of the proposed plan or plan amendment. As
 653 soon as the resolution proposing the adoption or amendment of
 654 the district's water control plan has been filed with the
 655 district secretary, the board of supervisors shall give notice
 656 of a public hearing on the proposed plan or plan amendment by
 657 causing publication to be made once a week for 3 consecutive
 658 weeks in a newspaper of general circulation published in each
 659 county in which lands and other property described in the
 660 resolution are situated. The notice must be in substantially the
 661 following form:

662
 663 Notice of Hearing
 664

665 To the owners and all persons interested in the lands
 666 corporate, and other property in and adjacent to the ... (name of
 667 district)... District.

668 You are notified that the ... (name of district)... District
 669 has filed in the office of the secretary of the district a
 670 resolution to consider approval of a water control plan or an
 671 amendment to the current water control plan to provide ... (~~here~~
 672 insert a summary of the proposed water control plan or plan
 673 amendment).... On or before its scheduled meeting of ... (date
 674 and time)... at the district's offices located at ... (list
 675 address of offices)... written objections to the proposed plan

676 or plan amendment may be filed at the district's offices. A
677 public hearing on the proposed plan or plan amendment will be
678 conducted at the scheduled meeting, and written objections will
679 be considered at that time. At the conclusion of the hearing,
680 the board of supervisors may determine to proceed with the
681 process for approval of the proposed plan or plan amendment and
682 direct the district engineer to prepare an engineer's report
683 identifying any property to be taken, determining benefits and
684 damages, and estimating the cost of implementing the
685 improvements associated with the proposed plan or plan
686 amendment. A final hearing on approval of the proposed plan or
687 plan amendment and engineer's report shall be duly noticed and
688 held at a regularly scheduled board of supervisors meeting at
689 least 25 days but no later than 60 days after the last scheduled
690 publication of the notice of filing of the engineer's report
691 with the secretary of the district.

692
693 Date of first publication:, ... (year)...

694

695 (Chair or President, Board of Supervisors)

696 County, Florida

697 (6) Upon the filing of the engineer's report, the board of
698 supervisors shall give notice thereof by arranging the
699 publication of the notice of filing of the engineer's report
700 together with a geographical depiction of the district once a

701 week for 2 consecutive weeks in a newspaper of general
 702 circulation in each county in the district. A location map or
 703 legal description of the land shall constitute a geographical
 704 depiction. The notice must be substantially as follows:

705
 706 Notice of Filing Engineer's Report for
 707 District
 708

709 Notice is given to all persons interested in the following
 710 described land and property in County (or Counties),
 711 Florida, viz.: ... (~~Here~~ Describe land and property)... included
 712 within the district that the engineer hereto
 713 appointed to determine benefits and damages to the property and
 714 lands situated in the district and to determine the estimated
 715 cost of construction required by the water control plan, within
 716 or without the limits of the district, under the proposed water
 717 control plan or plan amendment, filed her or his report in the
 718 office of the secretary of the district, located at ...(list
 719 address of district offices)..., on the day of
 720, ... (year)..., and you may examine the report and
 721 file written objections with the secretary of the district to
 722 all, or any part thereof, on or before ...(enter date 20 days
 723 after the last scheduled publication of this notice, which date
 724 must be before the date of the final hearing).... The report
 725 recommends ...(describe benefits and damages).... A final

726 hearing to consider approval of the report and proposed water
727 control plan or plan amendment shall be held ... (time, place,
728 and date at least 25 days but no later than 60 days after the
729 last scheduled publication of this notice)....

730
731 Date of first publication:, ... (year)...
732
733 (Chair or President, Board of Supervisors)
734 County, Florida
735

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

737 Section 23. Paragraph (d) of subsection (3) of section
738 322.27, Florida Statutes, is amended to read:

739 322.27 Authority of department to suspend or revoke driver
740 license or identification card.—

741 (3) There is established a point system for evaluation of
742 convictions of violations of motor vehicle laws or ordinances,
743 and violations of applicable provisions of s. 403.413(6) (b) when
744 such violations involve the use of motor vehicles, for the
745 determination of the continuing qualification of any person to
746 operate a motor vehicle. The department is authorized to suspend
747 the license of any person upon showing of its records or other
748 good and sufficient evidence that the licensee has been
749 convicted of violation of motor vehicle laws or ordinances, or
750 applicable provisions of s. 403.413(6) (b), amounting to 12 or

751 more points as determined by the point system. The suspension
 752 shall be for a period of not more than 1 year.

753 (d) The point system shall have as its basic element a
 754 graduated scale of points assigning relative values to
 755 convictions of the following violations:

756 1. Reckless driving, willful and wanton—4 points.

757 2. Leaving the scene of a crash resulting in property
 758 damage of more than \$50—6 points.

759 3. Unlawful speed, or unlawful use of a wireless
 760 communications device, resulting in a crash—6 points.

761 4. Passing a stopped school bus:

762 a. Not causing or resulting in serious bodily injury to or
 763 death of another—4 points.

764 b. Causing or resulting in serious bodily injury to or
 765 death of another—6 points.

766 c. Points may not be imposed for a violation of passing a
 767 stopped school bus as provided in s. 316.172(1)(a) or (b) when
 768 enforced by a school bus infraction detection system pursuant s.
 769 316.173. In addition, a violation of s. 316.172(1)(a) or (b)
 770 when enforced by a school bus infraction detection system
 771 pursuant to s. 316.173 may not be used for purposes of setting
 772 motor vehicle insurance rates.

773 5. Unlawful speed:

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

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

778 c. Points may not be imposed for a violation of unlawful
779 speed as provided in s. 316.1895 or s. 316.183 when enforced by
780 a traffic infraction enforcement officer pursuant to s.
781 316.1896. In addition, a violation of s. 316.1895 or s. 316.183
782 when enforced by a traffic infraction enforcement officer
783 pursuant to s. 316.1896 may not be used for purposes of setting
784 motor vehicle insurance rates.

785 6. A violation of a traffic control signal device as
786 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
787 However, points may not be imposed for a violation of s.
788 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
789 stop at a traffic signal and when enforced by a traffic
790 infraction enforcement officer. In addition, a violation of s.
791 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
792 stop at a traffic signal and when enforced by a traffic
793 infraction enforcement officer may not be used for purposes of
794 setting motor vehicle insurance rates.

795 7. All other moving violations (including parking on a
796 highway outside the limits of a municipality)—3 points. However,
797 points may not be imposed for a violation of s. 316.0741 or s.
798 316.2065(11); and points may be imposed for a violation of s.
799 316.1001 only when imposed by the court after a hearing pursuant
800 to s. 318.14(5).

801 8. Any moving violation covered in this paragraph,
 802 excluding unlawful speed and unlawful use of a wireless
 803 communications device, resulting in a crash—4 points.

804 9. Any conviction under s. 403.413(6)(b)—3 points.

805 10. Any conviction under s. 316.0775(2)—4 points.

806 11. A moving violation covered in this paragraph which is
 807 committed in conjunction with the unlawful use of a wireless
 808 communications device within a school safety zone—2 points, in
 809 addition to the points assigned for the moving violation.

810 Reviser's note.—Amended to confirm an editorial insertion to
 811 improve clarity.

812 Section 24. Paragraph (a) of subsection (2) of section
 813 330.41, Florida Statutes, is amended to read:

814 330.41 Unmanned Aircraft Systems Act.—

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

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

822 1. A power generation or transmission facility,
 823 substation, switching station, or electrical control center.

824 2. A chemical or rubber manufacturing or storage facility.

825 3. A water intake structure, water treatment facility,

- 826 | wastewater treatment plant, or pump station.
- 827 | 4. A mining facility.
- 828 | 5. A natural gas or compressed gas compressor station,
- 829 | storage facility, or natural gas or compressed gas pipeline.
- 830 | 6. A liquid natural gas or propane gas terminal or storage
- 831 | facility.
- 832 | 7. Any portion of an aboveground oil or gas pipeline.
- 833 | 8. A refinery.
- 834 | 9. A gas processing plant, including a plant used in the
- 835 | processing, treatment, or fractionation of natural gas.
- 836 | 10. A wireless communications facility, including the
- 837 | tower, antennae, support structures, and all associated ground-
- 838 | based equipment.
- 839 | 11. A seaport as listed in s. 311.09(1), which need not be
- 840 | completely enclosed by a fence or other physical barrier and
- 841 | need not be marked with a sign or signs indicating that entry is
- 842 | forbidden.
- 843 | 12. An inland port or other facility or group of
- 844 | facilities serving as a point of intermodal transfer of freight
- 845 | in a specific area physically separated from a seaport.
- 846 | 13. An airport as defined in s. 330.27.
- 847 | 14. A spaceport territory as defined in s. 331.303(19)
- 848 | ~~331.303(18)~~.
- 849 | 15. A military installation as defined in 10 U.S.C. s.
- 850 | 2801(c)(4) and an armory as defined in s. 250.01.

851 16. A dam as defined in s. 373.403(1) or other structures,
 852 such as locks, floodgates, or dikes, which are designed to
 853 maintain or control the level of navigable waterways.

854 17. A state correctional institution as defined in s.
 855 944.02 or a private correctional facility authorized under
 856 chapter 957.

857 18. A secure detention center or facility as defined in s.
 858 985.03, or a nonsecure residential facility, a high-risk
 859 residential facility, or a maximum-risk residential facility as
 860 those terms are described in s. 985.03(44).

861 19. A county detention facility as defined in s. 951.23.

862 20. A critical infrastructure facility as defined in s.
 863 692.201.

864 Reviser's note.—Amended to conform to the reordering of
 865 definitions in s. 331.303 by s. 69, ch. 2023-8, Laws of
 866 Florida.

867 Section 25. Subsection (3) of section 348.0304, Florida
 868 Statutes, is reenacted to read:

869 348.0304 Greater Miami Expressway Agency.—

870 (3)(a) The governing body of the agency shall consist of
 871 nine voting members. Except for the district secretary of the
 872 department, each member must be a permanent resident of a county
 873 served by the agency and may not hold, or have held in the
 874 previous 2 years, elected or appointed office in such county,
 875 except that this paragraph does not apply to any initial

876 appointment under paragraph (b) or to any member who previously
877 served on the governing body of the former Greater Miami
878 Expressway Agency. Each member may only serve two terms of 4
879 years each, except that there is no restriction on the term of
880 the department's district secretary. Four members, each of whom
881 must be a permanent resident of Miami-Dade County, shall be
882 appointed by the Governor, subject to confirmation by the Senate
883 at the next regular session of the Legislature. Refusal or
884 failure of the Senate to confirm an appointment shall create a
885 vacancy. Appointments made by the Governor and board of county
886 commissioners of Miami-Dade County shall reflect the state's
887 interests in the transportation sector and represent the intent,
888 duties, and purpose of the Greater Miami Expressway Agency, and
889 have at least 3 years of professional experience in one or more
890 of the following areas: finance; land use planning; tolling
891 industry; or transportation engineering. Two members, who must
892 be residents of an unincorporated portion of the geographic area
893 described in subsection (1) and residing within 15 miles of an
894 area with the highest amount of agency toll roads, shall be
895 appointed by the board of county commissioners of Miami-Dade
896 County. Two members, who must be residents of incorporated
897 municipalities within a county served by the agency, shall be
898 appointed by the metropolitan planning organization for a county
899 served by the agency. The district secretary of the department
900 serving in the district that contains Miami-Dade County shall

901 | serve as an ex officio voting member of the governing body.

902 | (b) Initial appointments to the governing body of the
 903 | agency shall be made by July 31, 2019. For the initial
 904 | appointments:

905 | 1. The Governor shall appoint one member for a term of 1
 906 | year, one member for a term of 2 years, one member for a term of
 907 | 3 years, and one member for a term of 4 years.

908 | 2. The board of county commissioners of Miami-Dade County
 909 | shall appoint one member for a term of 1 year and one member for
 910 | a term of 3 years.

911 | 3. The metropolitan planning organization of Miami-Dade
 912 | County shall appoint one member for a term of 2 years and one
 913 | member for a term of 4 years.

914 | (c) Persons who, on or after July 1, 2009, were members of
 915 | the governing body or employees of the former Miami-Dade County
 916 | Expressway Authority may not be appointed members of the
 917 | governing body of the agency. This paragraph does not apply to
 918 | appointments to the governing body of the agency made by the
 919 | Governor or to the district secretary of the department serving
 920 | in an ex officio role pursuant to paragraph (a).

921 | Reviser's note.—Section 23, ch. 2023-70, Laws of Florida,
 922 | purported to amend subsection (2), redesignated as
 923 | subsection (3), without publishing paragraph (c). Absent
 924 | affirmative evidence of legislative intent to repeal it,
 925 | subsection (3) is reenacted here to confirm that the

926 omission was not intended.

927 Section 26. Paragraphs (aa) and (cc) of subsection (3) of
 928 section 365.172, Florida Statutes, are amended to read:

929 365.172 Emergency communications.—

930 (3) DEFINITIONS.—Only as used in this section and ss.
 931 365.171, 365.173, 365.174, and 365.177, the term:

932 (aa) "Public safety answering point," "PSAP," or
 933 "answering point" means the public safety agency that receives
 934 incoming 911 requests for assistance and dispatches appropriate
 935 public safety agencies to respond to the requests in accordance
 936 with the statewide emergency communications ~~state E911~~ plan.

937 (cc) "Service identifier" means the service number, access
 938 line, or other unique identifier assigned to a subscriber and
 939 established by the Federal Communications Commission for
 940 purposes of routing calls whereby the subscriber has access to
 941 the emergency communications ~~E911~~ system.

942 Reviser's note.—Paragraph (3)(aa) is amended to conform to the
 943 redesignation of the statewide emergency communications
 944 number E911 system plan as the statewide emergency
 945 communications plan by s. 5, ch. 2023-55, Laws of Florida.

946 Paragraph (3)(cc) is amended to conform to the
 947 redesignation of the E911 system to the emergency
 948 communications system by s. 5, ch. 2023-55.

949 Section 27. Subsection (4) of section 373.228, Florida
 950 Statutes, is amended to read:

951 373.228 Landscape irrigation design.—
 952 (4) The water management districts shall work with the
 953 Florida Nursery, Growers and Landscape Association, the Florida
 954 Native Plant Society, the Florida Chapter of the American
 955 Society of Landscape Architects, the Florida Irrigation Society,
 956 the Department of Agriculture and Consumer Services, the
 957 Institute of Food and Agricultural Sciences, the Department of
 958 Environmental Protection, the Department of Transportation, the
 959 Florida League of Cities, the Florida Association of Counties,
 960 and the Florida Association of Community Developers to develop
 961 landscape irrigation and Florida-friendly landscaping design
 962 standards for new construction which incorporate a landscape
 963 irrigation system and develop scientifically based model
 964 guidelines for urban, commercial, and residential landscape
 965 irrigation, including drip irrigation, for plants, trees, sod,
 966 and other landscaping. The standards shall be based on the
 967 irrigation code defined in the Florida Building Code, Plumbing
 968 Volume, Appendix F. Local governments shall use the standards
 969 and guidelines when developing landscape irrigation and Florida-
 970 friendly landscaping ordinances. ~~By January 1, 2011, the~~
 971 ~~agencies and entities specified in this subsection shall review~~
 972 ~~the standards and guidelines to determine whether new research~~
 973 ~~findings require a change or modification of the standards and~~
 974 ~~guidelines.~~
 975 Reviser's note.—Amended to delete obsolete language.

976 Section 28. Subsection (2) of section 373.583, Florida
 977 Statutes, is amended to read:

978 373.583 Registration of bonds.—

979 (2) Such statement stamped, printed or written upon any
 980 such bond may be in substantially the following form:

981
 982 ... (Date, giving month, year and day.) ...

983 This bond is to be registered pursuant to the statutes in
 984 such case made and provided in the name of ... (~~here~~ insert name
 985 of owner) ..., and the interest and principal thereof are
 986 hereafter payable to such owner.

987 ... (Treasurer) ...

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

989 Section 29. Section 376.323, Florida Statutes, is amended
 990 to read:

991 376.323 Registration.—All tanks shall be registered ~~no~~
 992 ~~later than July 1, 1992~~. Registrations shall be renewed
 993 annually. Registration fees shall not exceed \$2,500 per
 994 facility. The department shall issue to the tank owner or
 995 operator one registration placard per facility, covering all
 996 tanks at that facility which have been properly registered, as
 997 evidence of the completion of the registration requirement. The
 998 department shall develop by rule a fee schedule sufficient to
 999 cover the costs associated with registration, inspection,
 1000 surveillance, and other activities associated with ss. 376.320—

HB 7029

2024

1001 376.326. Revenues from such fees collected shall be deposited
 1002 into the Water Quality Assurance Trust Fund, and shall be used
 1003 to implement the provisions of ss. 376.320-376.326.

1004 Reviser's note.—Amended to delete obsolete language.

1005 Section 30. Paragraph (b) of subsection (2) of section
 1006 380.0553, Florida Statutes, is amended to read:

1007 380.0553 Brevard Barrier Island Area; protection and
 1008 designation as area of critical state concern.—

1009 (2) LEGISLATIVE FINDINGS.—The Legislature finds that the
 1010 designation of the Brevard Barrier Island Area as an area of
 1011 critical state concern is necessary for the following reasons:

1012 (b) The beaches of the region are among the most important
 1013 nesting grounds for threatened and endangered sea turtles in the
 1014 Western Hemisphere, ~~and~~ the beach running the length of the
 1015 southern barrier island of Brevard County is home to the largest
 1016 nesting aggregation of loggerhead sea turtles in the world, and
 1017 the management decisions made in the region have global impacts
 1018 for the species.

1019 Reviser's note.—Amended to confirm an editorial deletion to
 1020 improve clarity.

1021 Section 31. Subsection (5) of section 380.0933, Florida
 1022 Statutes, is amended to read:

1023 380.0933 Florida Flood Hub for Applied Research and
 1024 Innovation.—

1025 (5) By July 1 of each year, ~~2022, and each July 1~~

1026 ~~thereafter~~, the hub shall provide an annual comprehensive report
 1027 to the Governor, the President of the Senate, and the Speaker of
 1028 the House of Representatives that outlines its clearly defined
 1029 goals and its efforts and progress on reaching such goals.

1030 Reviser's note.—Amended to delete obsolete language.

1031 Section 32. Paragraph (a) of subsection (3) of section
 1032 381.986, Florida Statutes, is amended to read:

1033 381.986 Medical use of marijuana.—

1034 (3) QUALIFIED PHYSICIANS AND MEDICAL DIRECTORS.—

1035 (a) Before being approved as a qualified physician and
 1036 before each license renewal, a physician must successfully
 1037 complete a 2-hour course and subsequent examination offered by
 1038 the Florida Medical Association or the Florida Osteopathic
 1039 Medical Association which encompass the requirements of this
 1040 section and any rules adopted hereunder. The course and
 1041 examination must be administered at least annually and may be
 1042 offered in a distance learning format, including an electronic,
 1043 online format that is available upon request. The price of the
 1044 course may not exceed \$500. ~~A physician who has met the~~
 1045 ~~physician education requirements of former s. 381.986(4),~~
 1046 ~~Florida Statutes 2016, before June 23, 2017, shall be deemed to~~
 1047 ~~be in compliance with this paragraph from June 23, 2017, until~~
 1048 ~~90 days after the course and examination required by this~~
 1049 ~~paragraph become available.~~

1050 Reviser's note.—Amended to delete obsolete language.

HB 7029

2024

1051 Section 33. Subsection (3) of section 394.9086, Florida
 1052 Statutes, is reenacted to read:
 1053 394.9086 Commission on Mental Health and Substance Use
 1054 Disorder.—
 1055 (3) MEMBERSHIP; TERM LIMITS; MEETINGS.—
 1056 (a) The commission shall be composed of 20 members as
 1057 follows:
 1058 1. A member of the Senate, appointed by the President of
 1059 the Senate.
 1060 2. A member of the House of Representatives, appointed by
 1061 the Speaker of the House of Representatives.
 1062 3. The Secretary of Children and Families or his or her
 1063 designee.
 1064 4. The Secretary of the Agency for Health Care
 1065 Administration or his or her designee.
 1066 5. A person living with a mental health disorder,
 1067 appointed by the President of the Senate.
 1068 6. A family member of a consumer of publicly funded mental
 1069 health services, appointed by the President of the Senate.
 1070 7. A representative of the Louis de la Parte Florida
 1071 Mental Health Institute within the University of South Florida,
 1072 appointed by the President of the Senate.
 1073 8. A representative of a county school district, appointed
 1074 by the President of the Senate.
 1075 9. A representative of mental health courts, appointed by

1076 | the Governor.

1077 | 10. A representative of a treatment facility, as defined
1078 | in s. 394.455, appointed by the Speaker of the House of
1079 | Representatives.

1080 | 11. A representative of a managing entity, as defined in
1081 | s. 394.9082(2), appointed by the Speaker of the House of
1082 | Representatives.

1083 | 12. A representative of a community substance use disorder
1084 | provider, appointed by the Speaker of the House of
1085 | Representatives.

1086 | 13. A psychiatrist licensed under chapter 458 or chapter
1087 | 459 practicing within the mental health delivery system,
1088 | appointed by the Speaker of the House of Representatives.

1089 | 14. A psychologist licensed under chapter 490 practicing
1090 | within the mental health delivery system, appointed by the
1091 | Governor.

1092 | 15. A mental health professional licensed under chapter
1093 | 491, appointed by the Governor.

1094 | 16. An emergency room physician, appointed by the
1095 | Governor.

1096 | 17. A representative from the field of law enforcement,
1097 | appointed by the Governor.

1098 | 18. A representative from the criminal justice system,
1099 | appointed by the Governor.

1100 | 19. A representative of a child welfare agency involved in

HB 7029

2024

1101 the delivery of behavioral health services, appointed by the
1102 Governor.

1103 20. A representative of the statewide Florida 211 Network
1104 as described in s. 408.918, appointed by the Governor.

1105 (b) The Governor shall appoint the chair from the members
1106 of the commission. Appointments to the commission must be made
1107 by August 1, 2021. Members shall be appointed to serve at the
1108 pleasure of the officer who appointed the member. A vacancy on
1109 the commission shall be filled in the same manner as the
1110 original appointment.

1111 (c) The commission shall convene no later than September
1112 1, 2021. The commission shall meet quarterly or upon the call of
1113 the chair. The commission may hold its meetings in person at
1114 locations throughout the state or via teleconference or other
1115 electronic means.

1116 (d) Members of the commission are entitled to receive
1117 reimbursement for per diem and travel expenses pursuant to s.
1118 112.061.

1119 (e) Notwithstanding any other law, the commission may
1120 request and shall be provided with access to any information or
1121 records, including exempt and confidential information or
1122 records, which are necessary for the commission to carry out its
1123 duties. Information or records obtained by the commission which
1124 are otherwise exempt or confidential and exempt shall retain
1125 such exempt or confidential and exempt status, and the

1126 | commission may not disclose such information or records.
 1127 | Reviser's note.—Section 3, ch. 2023-252, Laws of Florida,
 1128 | purported to amend subsection (3) but did not publish
 1129 | paragraphs (b)-(e). Absent affirmative evidence of
 1130 | legislative intent to repeal them, subsection (3) is
 1131 | reenacted to confirm that the omission was not intended.
 1132 | Section 34. Paragraph (i) of subsection (4) of section
 1133 | 397.335, Florida Statutes, is amended to read:
 1134 | 397.335 Statewide Council on Opioid Abatement.—
 1135 | (4) DUTIES.—
 1136 | (i) By each December 1, ~~2023, and annually thereafter,~~ the
 1137 | council shall provide and publish an annual report. The report
 1138 | shall contain information on how settlement moneys were spent
 1139 | the previous fiscal year by the state, each of the managing
 1140 | entities, and each of the counties and municipalities. The
 1141 | report shall also contain recommendations to the Governor, the
 1142 | Legislature, and local governments for how moneys should be
 1143 | prioritized and spent in the coming fiscal year to respond to
 1144 | the opioid epidemic.
 1145 | Reviser's note.—Amended to delete obsolete language and improve
 1146 | clarity.
 1147 | Section 35. Paragraph (b) of subsection (1) of section
 1148 | 403.865, Florida Statutes, is amended to read:
 1149 | 403.865 Water and wastewater facility personnel;
 1150 | legislative purpose.—

1151 (1) The Legislature finds that:
 1152 (b) Water and wastewater facility personnel are essential
 1153 first responders. As used in this section, the term "water and
 1154 wastewater facility personnel" means any employee of a
 1155 governmental authority as defined in s. 367.021; a utility as
 1156 defined in s. 367.021; a state, municipal, or county sewerage
 1157 system as defined in s. 403.031(14) ~~403.031(9)~~; or a public
 1158 water system as defined in s. 403.852(2).

1159 Reviser's note.—Amended to conform to the redesignation of s.
 1160 403.031(9) as s. 403.031(14) by s. 13, ch. 2023-169, Laws
 1161 of Florida.

1162 Section 36. Paragraph (a) of subsection (3) of section
 1163 409.1678, Florida Statutes, is amended to read:

1164 409.1678 Specialized residential options for children who
 1165 are victims of commercial sexual exploitation.—

1166 (3) SERVICES WITHIN A RESIDENTIAL TREATMENT CENTER OR
 1167 HOSPITAL.—Residential treatment centers licensed under s.
 1168 394.875, and hospitals licensed under chapter 395 that provide
 1169 residential mental health treatment, shall provide specialized
 1170 treatment for commercially sexually exploited children in the
 1171 custody of the department who are placed in these facilities
 1172 pursuant to s. 39.407(6), s. 394.4625, or s. 394.467.

1173 (a) The specialized treatment must meet the requirements
 1174 of subparagraphs (2)(c)1., 3., 6., and 8. ~~(2)(c)1., 3., 6., and~~
 1175 ~~7.,~~ paragraph (2)(d), and the department's treatment standards

HB 7029

2024

1176 adopted pursuant to this section. However, a residential
1177 treatment center or hospital may prioritize the delivery of
1178 certain services among those required under paragraph (2)(d) to
1179 meet the specific treatment needs of the child.

1180 Reviser's note.—Amended to conform to the redesignation of
1181 subparagraph (2)(c)7. as subparagraph (2)(c)8. by s. 3, ch.
1182 2023-85, Laws of Florida.

1183 Section 37. Subsections (25) and (26) of section 409.996,
1184 Florida Statutes, are amended to read:

1185 409.996 Duties of the Department of Children and
1186 Families.—The department shall contract for the delivery,
1187 administration, or management of care for children in the child
1188 protection and child welfare system. In doing so, the department
1189 retains responsibility for the quality of contracted services
1190 and programs and shall ensure that, at a minimum, services are
1191 delivered in accordance with applicable federal and state
1192 statutes and regulations and the performance standards and
1193 metrics specified in the strategic plan created under s.
1194 20.19(1).

1195 (25) The department shall develop, in collaboration with
1196 the Florida Institute for Child Welfare, lead agencies, service
1197 providers, current and former foster children placed in
1198 residential group care, and other community stakeholders, a
1199 statewide accountability system for residential group care
1200 providers based on measurable quality standards.

1201 (a) The accountability system must:

1202 1. Promote high quality in services and accommodations,

1203 differentiating between shift and family-style models and

1204 programs and services for children with specialized or

1205 extraordinary needs, such as pregnant teens and children with

1206 Department of Juvenile Justice involvement.

1207 2. Include a quality measurement system with domains and

1208 clearly defined levels of quality. The system must measure the

1209 level of quality for each domain, using criteria that

1210 residential group care providers must meet in order to achieve

1211 each level of quality. Domains may include, but are not limited

1212 to, admissions, service planning, treatment planning, living

1213 environment, and program and service requirements. The system

1214 may also consider outcomes 6 months and 12 months after a child

1215 leaves the provider's care. However, the system may not assign a

1216 single summary rating to residential group care providers.

1217 3. Consider the level of availability of trauma-informed

1218 care and mental health and physical health services, providers'

1219 engagement with the schools children in their care attend, and

1220 opportunities for children's involvement in extracurricular

1221 activities.

1222 (b) After development and implementation of the

1223 accountability system in accordance with paragraph (a), the

1224 department and each lead agency shall use the information from

1225 the accountability system to promote enhanced quality in

HB 7029

2024

1226 residential group care within their respective areas of
1227 responsibility. Such promotion may include, but is not limited
1228 to, the use of incentives and ongoing contract monitoring
1229 efforts.

1230 (c) The department shall submit a report to the Governor,
1231 the President of the Senate, and the Speaker of the House of
1232 Representatives by October 1 of each year. The report must, at a
1233 minimum, include an update on the development of a statewide
1234 accountability system for residential group care providers and a
1235 plan for department oversight and implementation of the
1236 statewide accountability system. After implementation of the
1237 statewide accountability system, the report must also include a
1238 description of the system, including measures and any tools
1239 developed, a description of how the information is being used by
1240 the department and lead agencies, an assessment of placement of
1241 children in residential group care using data from the
1242 accountability system measures, and recommendations to further
1243 improve quality in residential group care.

1244 ~~(d) The accountability system must be implemented by July~~
1245 ~~1, 2022.~~

1246 (d)~~(e)~~ Nothing in this subsection impairs the department's
1247 licensure authority under s. 409.175.

1248 (e)~~(f)~~ The department may adopt rules to administer this
1249 subsection.

1250 (26) In collaboration with lead agencies, service

HB 7029

2024

1251 providers, and other community stakeholders, the department
1252 shall develop a statewide accountability system based on
1253 measurable quality standards. ~~The accountability system must be~~
1254 ~~implemented by July 1, 2021.~~

1255 (a) The accountability system must:

1256 1. Assess the overall health of the child welfare system,
1257 by circuit, using grading criteria established by the
1258 department.

1259 2. Include a quality measurement system with domains and
1260 clearly defined levels of quality. The system must measure the
1261 performance standards for child protective investigators, lead
1262 agencies, and children's legal services throughout the system of
1263 care, using criteria established by the department, and, at a
1264 minimum, address applicable federal- and state-mandated metrics.

1265 3. Align with the principles of the results-oriented
1266 accountability program established under s. 409.997.

1267 (b) After the development and implementation of the
1268 accountability system under this subsection, the department and
1269 each lead agency shall use the information from the
1270 accountability system to promote enhanced quality service
1271 delivery within their respective areas of responsibility.

1272 (c) By December 1 of each year, the department shall
1273 submit a report on the overall health of the child welfare
1274 system to the Governor, the President of the Senate, and the
1275 Speaker of the House of Representatives.

1276 (d) The department may adopt rules to implement this
 1277 subsection.

1278 Reviser's note.—Amended to delete obsolete language.

1279 Section 38. Subsection (9) of section 413.801, Florida
 1280 Statutes, is amended to read:

1281 413.801 Florida Unique Abilities Partner Program.—

1282 (9) REPORT.—

1283 ~~(a) By January 1, 2017, the department shall provide a~~
 1284 ~~report to the President of the Senate and the Speaker of the~~
 1285 ~~House of Representatives on the status of the implementation of~~
 1286 ~~this section, including the adoption of rules, development of~~
 1287 ~~the logo, and development of application procedures.~~

1288 ~~(b) Beginning in 2017 and each year thereafter, The~~
 1289 department's annual report required under s. 20.60 must describe
 1290 in detail the progress and use of the program. At a minimum, the
 1291 report must include, for the most recent year: the number of
 1292 applications and nominations received; the number of nominations
 1293 accepted and declined; the number of designations awarded;
 1294 annual certifications; the use of information provided under
 1295 subsection (8); and any other information deemed necessary to
 1296 evaluate the program.

1297 Reviser's note.—Amended to delete obsolete language.

1298 Section 39. Paragraph (a) of subsection (10) of section
 1299 415.1103, Florida Statutes, is amended to read:

1300 415.1103 Elder and vulnerable adult abuse fatality review

1301 teams.—

1302 (10) (a)1. Any information that is exempt or confidential
 1303 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 1304 Constitution and is obtained by an elder ~~abuse~~ or vulnerable
 1305 adult abuse fatality review team while executing its duties
 1306 under this section retains its exempt or confidential and exempt
 1307 status when held by the review team.

1308 2. Any information contained in a record created by a
 1309 review team pursuant to this section which reveals the identity
 1310 of a victim of abuse, exploitation, or neglect or the identity
 1311 of persons responsible for the welfare of a victim is
 1312 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
 1313 of the State Constitution.

1314 3. Any information that is maintained as exempt or
 1315 confidential and exempt within this chapter retains its exempt
 1316 or confidential and exempt status when held by a review team.
 1317 Reviser's note.—Amended to confirm an editorial deletion to
 1318 conform to the majority of references to the elder or
 1319 vulnerable adult abuse fatality review teams in this
 1320 section.

1321 Section 40. Subsection (3) of section 420.5096, Florida
 1322 Statutes, is amended to read:

1323 420.5096 Florida Hometown Hero Program.—

1324 (3) For loans made available pursuant to s.
 1325 420.507(23) (a)1. or 2., the corporation may underwrite and make

HB 7029

2024

1326 those mortgage loans through the program to persons or families
1327 who have household incomes that do not exceed 150 percent of the
1328 state median income or local median income, whichever is
1329 greater. A borrower must be seeking to purchase a home as a
1330 primary residence; must be a first-time homebuyer and a Florida
1331 resident; and must be employed full-time by a Florida-based
1332 employer. The borrower must provide documentation of full-time
1333 employment, or full-time status for self-employed individuals,
1334 of 35 hours or more per week. The requirement to be a first-time
1335 homebuyer does not apply to a borrower who is an active duty
1336 servicemember of a branch of the armed forces or the Florida
1337 National Guard, as defined in s. 250.01, or a veteran.

1338 Reviser's note.—Amended to confirm editorial insertions to
1339 improve clarity.

1340 Section 41. Paragraph (b) of subsection (7) of section
1341 445.003, Florida Statutes, is amended to read:

1342 445.003 Implementation of the federal Workforce Innovation
1343 and Opportunity Act.—

1344 (7) DUTIES OF THE DEPARTMENT.—The department shall adopt
1345 rules to implement the requirements of this chapter, including:

1346 (b) Initial and subsequent eligibility criteria, based on
1347 input from the state board, local workforce development boards,
1348 the Department of Education, and other stakeholders, for the
1349 Workforce Innovation and Opportunity Act eligible training
1350 provider list. This list directs training resources to programs

1351 leading to employment in high-demand and high-priority
 1352 occupations that provide economic security, particularly those
 1353 occupations facing a shortage of skilled workers. A training
 1354 provider who offers training to obtain a credential on the
 1355 Master Credentials List under s. 445.004(4) (h) may not be
 1356 included on a state or local eligible training provider list if
 1357 the provider fails to submit the required information or fails
 1358 to meet initial or subsequent eligibility criteria. Subsequent
 1359 eligibility criteria must use the performance and outcome
 1360 measures defined and reported under s. 1008.40, to determine
 1361 whether each program offered by a training provider is qualified
 1362 to remain on the list. The Department of Economic Opportunity
 1363 and the Department of Education shall establish the minimum
 1364 criteria a training provider must achieve for completion,
 1365 earnings, and employment rates of eligible participants. A
 1366 provider must meet at least two of the minimum criteria for
 1367 subsequent eligibility. The minimum program criteria may not
 1368 exceed the threshold below ~~at~~ which more than 20 percent of all
 1369 eligible training providers in the state would fall ~~below~~.
 1370 Reviser's note.—Amended to improve clarity.

1371 Section 42. Subsection (3) of section 456.42, Florida
 1372 Statutes, is amended to read:

1373 456.42 Written prescriptions for medicinal drugs.—

1374 (3) A health care practitioner licensed by law to
 1375 prescribe a medicinal drug who maintains a system of electronic

1376 health records as defined in s. 408.051(2)(c) ~~408.051(2)(a)~~, or
1377 who prescribes medicinal drugs as an owner, an employee, or a
1378 contractor of a licensed health care facility or practice that
1379 maintains such a system and who is prescribing in his or her
1380 capacity as such an owner, an employee, or a contractor, may
1381 only electronically transmit prescriptions for such drugs. This
1382 requirement applies to such a health care practitioner upon
1383 renewal of the health care practitioner's license or by July 1,
1384 2021, whichever is earlier, but does not apply if:

1385 (a) The practitioner and the dispenser are the same
1386 entity;

1387 (b) The prescription cannot be transmitted electronically
1388 under the most recently implemented version of the National
1389 Council for Prescription Drug Programs SCRIPT Standard;

1390 (c) The practitioner has been issued a waiver by the
1391 department, not to exceed 1 year in duration, from the
1392 requirement to use electronic prescribing due to demonstrated
1393 economic hardship, technological limitations that are not
1394 reasonably within the control of the practitioner, or another
1395 exceptional circumstance demonstrated by the practitioner;

1396 (d) The practitioner reasonably determines that it would
1397 be impractical for the patient in question to obtain a medicinal
1398 drug prescribed by electronic prescription in a timely manner
1399 and such delay would adversely impact the patient's medical
1400 condition;

1401 (e) The practitioner is prescribing a drug under a
 1402 research protocol;

1403 (f) The prescription is for a drug for which the federal
 1404 Food and Drug Administration requires the prescription to
 1405 contain elements that may not be included in electronic
 1406 prescribing;

1407 (g) The prescription is issued to an individual receiving
 1408 hospice care or who is a resident of a nursing home facility; or

1409 (h) The practitioner determines that it is in the best
 1410 interest of the patient, or the patient determines that it is in
 1411 his or her own best interest, to compare prescription drug
 1412 prices among area pharmacies. The practitioner must document
 1413 such determination in the patient's medical record.
 1414

1415 The department, in consultation with the Board of Medicine, the
 1416 Board of Osteopathic Medicine, the Board of Podiatric Medicine,
 1417 the Board of Dentistry, the Board of Nursing, and the Board of
 1418 Optometry, may adopt rules to implement this subsection.
 1419 Reviser's note.—Amended to correct a cross-reference to conform
 1420 to the redesignation of s. 408.051(2) (a) as s.
 1421 408.051(2) (c) by s. 9, ch. 2023-33, Laws of Florida.
 1422 Section 43. Subsection (6) of section 480.041, Florida
 1423 Statutes, is amended to read:
 1424 480.041 Massage therapists; qualifications; licensure;
 1425 endorsement.—

HB 7029

2024

1426 ~~(6) Massage therapists who were issued a license before~~
1427 ~~July 1, 2014, must submit to the background screening~~
1428 ~~requirements of s. 456.0135 by January 31, 2015.~~

1429 Reviser's note.—Amended to delete an obsolete provision.

1430 Section 44. Paragraph (i) of subsection (1) of section
1431 497.260, Florida Statutes, is amended to read:

1432 497.260 Cemeteries; exemption; investigation and
1433 mediation.—

1434 (1) The provisions of this chapter relating to cemeteries
1435 and all rules adopted pursuant thereto shall apply to all
1436 cemeteries except for:

1437 (i) A columbarium consisting of 5 acres or less which is
1438 located on the main campus of a state university as defined in
1439 s. 1000.21(9) ~~1000.21(8)~~. The university or university direct-
1440 support organization, as defined in s. 1004.28(1), which
1441 establishes the columbarium shall ensure that the columbarium is
1442 constructed and perpetually kept and maintained in a manner
1443 consistent with subsection (2) and the intent of this chapter.

1444 Reviser's note.—Amended to conform to the reordering of
1445 definitions in s. 1000.21 by this act.

1446 Section 45. Section 501.2042, Florida Statutes, is amended
1447 to read:

1448 501.2042 Unlawful acts and practices by online crowd-
1449 funding campaigns.—

1450 (1) As used in this section, the term:

HB 7029

2024

1451 (a) "Crowd-funding campaign" means an online fundraising
1452 initiative that is intended to receive monetary donations from
1453 donors and is created by an organizer in the interest of a
1454 beneficiary.

1455 (b) "Crowd-funding platform" means an entity doing
1456 business in this state which provides an online medium for the
1457 creation and facilitation of a crowd-funding campaign.

1458 (c) "Disaster" has the same meaning as in s. 252.34(2).

1459 (d) "Organizer" means a person who:

1460 1. Resides or is domiciled in this state; and

1461 2. Has an account on a crowd-funding platform and has
1462 created a crowd-funding campaign either as a beneficiary or on
1463 behalf of a beneficiary, regardless of whether the beneficiary
1464 or the crowd-funding campaign has received donations.

1465 (2)a- For crowd-funding campaigns related to and arising
1466 out of a declared disaster, a crowd-funding platform must:

1467 (a)-(I) Collect and retain, for 1 year after the date of
1468 the declared disaster, the name, e-mail address, phone number,
1469 and state of residence of the organizer.

1470 (b)-(II) Require the organizer to indicate, on the crowd-
1471 funding campaign, the state in which they are located.

1472 (c)-(III) Cooperate with any investigation by or in
1473 partnership with law enforcement.

1474 (d)-(IV) Clearly display and direct donors to fundraisers
1475 that comply with the crowd-funding platform's terms of service.

1476 ~~(3)b.~~ When an organizer arranges a crowd-funding campaign
 1477 related to and arising out of a declared disaster, the organizer
 1478 must attest that:

1479 ~~(a)(I)~~ All information provided in connection with a
 1480 crowd-funding campaign is accurate, complete, and not likely to
 1481 deceive users.

1482 ~~(b)(II)~~ All donations contributed to the crowd-funding
 1483 campaign will be used solely as described in the materials the
 1484 organizer posts or provides on the crowd-funding platform.

1485 Reviser's note.—Amended to redesignate subunits to improve the
 1486 structure of the section. Section 501.2042, as added by s.
 1487 3, ch. 2023-130, Laws of Florida, contained a subsection
 1488 (1) but no subsection (2). Paragraph (1)(c) is amended to
 1489 confirm an editorial insertion to improve clarity.

1490 Section 46. Paragraphs (g) and (i) of subsection (3) and
 1491 paragraphs (c) and (d) of subsection (12) of section 553.865,
 1492 Florida Statutes, are amended to read:

1493 553.865 Private spaces.—

1494 (3) As used in this section, the term:

1495 (g) "K-12 educational institution or facility" means:

1496 1. A school as defined in s. 1003.01(17) ~~1003.01(2)~~
 1497 operated under the control of a district school board as defined
 1498 in s. 1003.01(7) ~~1003.01(1)~~;

1499 2. The Florida School for the Deaf and the Blind as
 1500 described in ss. 1000.04(4) and 1002.36;

1501 3. A developmental research (laboratory) school
 1502 established pursuant to s. 1002.32(2);
 1503 4. A charter school authorized under s. 1002.33; or
 1504 5. A private school as defined in s. 1002.01(3)
 1505 ~~1002.01(2)~~.
 1506 (i) "Postsecondary educational institution or facility"
 1507 means:
 1508 1. A state university as defined in s. 1000.21(9)
 1509 ~~1000.21(6)~~;
 1510 2. A Florida College System institution as defined in s.
 1511 1000.21(5) ~~1000.21(3)~~;
 1512 3. A school district career center as described in s.
 1513 1001.44(3);
 1514 4. A college or university licensed by the Commission for
 1515 Independent Education pursuant to s. 1005.31(1)(a); or
 1516 5. An institution not under the jurisdiction or purview of
 1517 the commission as identified in s. 1005.06(1)(b)-(f).
 1518 (12) A covered entity that is:
 1519 (c) A K-12 educational institution or facility, Florida
 1520 College System institution as defined in s. 1000.21(5)
 1521 ~~1000.21(3)~~, or a school district career center as described in
 1522 s. 1001.44(3) shall submit documentation to the State Board of
 1523 Education regarding compliance with subsections (4) and (5), as
 1524 applicable, within 1 year after being established or, if such
 1525 institution, facility, or center was established before July 1,

1526 2023, no later than April 1, 2024.

1527 (d) A state university as defined in s. 1000.21(9)
 1528 ~~1000.21(6)~~ shall submit documentation to the Board of Governors
 1529 regarding compliance with subsections (4) and (5), as
 1530 applicable, within 1 year after being established or, if such
 1531 institution was established before July 1, 2023, no later than
 1532 April 1, 2024.

1533 Reviser's note.—Subparagraph (3)(g)1. is amended to conform to
 1534 the reordering of definitions in s. 1003.01 by s. 148, ch.
 1535 2023-8, Laws of Florida. Subparagraph (3)(g)5. is amended
 1536 to conform to the redesignation of s. 1002.01(2) as s.
 1537 1002.01(3) by s. 4, ch. 2023-16, Laws of Florida.
 1538 Subparagraph (3)(i)2. and paragraph (12)(c) are amended to
 1539 conform to the reordering of definitions in s. 1000.21 by
 1540 s. 148, ch. 2023-8. Subparagraph (3)(i)1. and paragraph
 1541 (12)(d) are amended to conform to the reordering of
 1542 definitions in s. 1000.21 by s. 136, ch. 2023-8, and the
 1543 further reordering of definitions in s. 1000.21 by this
 1544 act.

1545 Section 47. Paragraph (d) of subsection (10) of section
 1546 560.103, Florida Statutes, is amended to read:

1547 560.103 Definitions.—As used in this chapter, the term:
 1548 (10) "Control person" means, with respect to a money
 1549 services business, any of the following:

1550 (d) A shareholder in whose name shares are registered in

1551 the records of a corporation for profit, whether incorporated
 1552 under the laws of this state or organized under the laws of any
 1553 other jurisdiction and existing in that legal form, who owns 25
 1554 percent or more of a class of the company's equity securities.

1555 Reviser's note.—Amended to confirm an editorial insertion to
 1556 improve clarity.

1557 Section 48. Subsection (1) of section 565.04, Florida
 1558 Statutes, is amended to read:

1559 565.04 Package store restrictions.—

1560 (1) Vendors licensed under s. 565.02(1)(a) shall not in
 1561 said place of business sell, offer, or expose for sale any
 1562 merchandise other than such beverages, and such places of
 1563 business shall be devoted exclusively to such sales; provided,
 1564 however, that such vendors shall be permitted to sell bitters; ~~;~~
 1565 grenadine; ~~;~~ nonalcoholic mixer-type beverages, ~~(not to include~~
 1566 fruit juices produced outside this state; ~~;~~ fruit juices
 1567 produced in this state; ~~;~~ home bar and party supplies and
 1568 equipment, ~~(including but not limited to glassware and party-~~
 1569 type foods; ~~;~~ miniatures of no alcoholic content; ~~;~~ nicotine
 1570 products; ~~;~~ and tobacco products. Such places of business shall
 1571 have no openings permitting direct access to any other building
 1572 or room, except to a private office or storage room of the place
 1573 of business from which patrons are excluded.

1574 Reviser's note.—Amended to improve clarity.

1575 Section 49. Subsection (2) of section 571.265, Florida

1576 Statutes, is amended to read:

1577 571.265 Promotion of Florida thoroughbred breeding and of
1578 thoroughbred racing at Florida thoroughbred tracks; distribution
1579 of funds.—

1580 (2) Funds deposited into the Florida Agricultural
1581 Promotional Campaign Trust Fund pursuant to s. 212.20(6)(d)6.f.
1582 ~~212.20(6)(d)6.h.~~ shall be used by the department to encourage
1583 the agricultural activity of breeding thoroughbred racehorses in
1584 this state and to enhance thoroughbred racing conducted at
1585 thoroughbred tracks in this state as provided in this section.
1586 If the funds made available under this section are not fully
1587 used in any one fiscal year, any unused amounts shall be carried
1588 forward in the trust fund into future fiscal years and made
1589 available for distribution as provided in this section.

1590 Reviser's note.—Amended to conform to the redesignation of s.

1591 212.20(6)(d)6.h., added by s. 25, ch. 2023-157, Laws of
1592 Florida, as s. 212.20(6)(d)6.f. to conform to the
1593 redesignation of existing sub-subparagraphs by s. 17, ch.
1594 2023-173, Laws of Florida.

1595 Section 50. Subsections (17), (18), and (19) of section
1596 585.01, Florida Statutes, are amended to read:

1597 585.01 Definitions.—In construing this part, where the
1598 context permits, the word, phrase, or term:

1599 ~~(17) "Technical council" means the Animal Industry~~
1600 ~~Technical Council.~~

HB 7029

2024

1601 (17)~~(18)~~ "Transmissible," "communicable," "contagious,"
1602 and "infectious" all refer to diseases which are readily
1603 transferred between or among animals in a group or to
1604 susceptible animals in proximity to diseased animals. Such
1605 transference may be directly from one animal to another, by
1606 contact with objects contaminated by disease-causing agents, or
1607 by insect (vector) transmission of disease-causing agents from
1608 diseased animals into susceptible animals or humans.

1609 (18)~~(19)~~ "Violative levels" means levels above the
1610 tolerances established by the United States Food and Drug
1611 Administration or the United States Environmental Protection
1612 Agency, as adopted by department rule.

1613 Reviser's note.—Subsection (17) is deleted to conform to the
1614 repeal of s. 585.008, which created the Animal Industry
1615 Technical Council, by s. 27, ch. 2023-154, Laws of Florida.
1616 Subsections (18) and (19) are amended to conform to the
1617 deletion of subsection (17).

1618 Section 51. Paragraph (i) of subsection (1) of section
1619 626.321, Florida Statutes, is amended to read:

1620 626.321 Limited licenses and registration.—

1621 (1) The department shall issue to a qualified applicant a
1622 license as agent authorized to transact a limited class of
1623 business in any of the following categories of limited lines
1624 insurance:

1625 (i) *Preneed funeral agreement insurance*.—Limited license

1626 for insurance covering only prearranged funeral, cremation, or
 1627 cemetery agreements, or any combination thereof, funded by
 1628 insurance and offered in connection with an establishment that
 1629 holds a preneed license pursuant to s. 497.452. Such license may
 1630 be issued without examination only to an individual who has
 1631 filed with the department an application for a license in a form
 1632 and manner prescribed by the department, who currently holds a
 1633 valid preneed sales agent license pursuant to s. 497.466, who
 1634 has paid the applicable fees for a license as prescribed in s.
 1635 624.501, who has been appointed under s. 626.112, and who has
 1636 paid the prescribed appointment fee under s. 624.501.

1637 Reviser's note.—Amended to confirm editorial insertions to
 1638 improve clarity.

1639 Section 52. Subsection (4) of section 626.602, Florida
 1640 Statutes, is amended to read:

1641 626.602 Insurance agency and adjusting firm names;
 1642 disapproval.—The department may disapprove the use of any true
 1643 or fictitious name, other than the bona fide natural name of an
 1644 individual, by any insurance agency or adjusting firm on any of
 1645 the following grounds:

1646 (4) The name contains the word "Medicare" or "Medicaid."
 1647 ~~Licenses for agencies with names containing either of these~~
 1648 ~~words automatically expire on July 1, 2023, unless these words~~
 1649 ~~are removed from the name.~~

1650 Reviser's note.—Amended to delete obsolete language.

1651 Section 53. Subsection (3) of section 627.06292, Florida
 1652 Statutes, is amended to read:

1653 627.06292 Reports of hurricane loss data and associated
 1654 exposure data; public records exemption.—

1655 (3) Each year, on October 1, ~~2011, and on each October 1~~
 1656 ~~thereafter,~~ the Florida International University center that
 1657 develops, maintains, and updates the public model for hurricane
 1658 loss projections shall publish a report summarizing loss data
 1659 and associated exposure data collected from residential property
 1660 insurers and licensed rating and advisory organizations. The
 1661 Florida International University center shall submit the report
 1662 annually, on or before October 1, to the Governor, the President
 1663 of the Senate, and the Speaker of the House of Representatives.

1664 (a) Such report must include a summary of the data
 1665 supplied by residential property insurers and licensed rating
 1666 and advisory organizations from September 1 of the prior year to
 1667 August 31 of the current year, and must include the following
 1668 information:

- 1669 1. The total amount of insurance written by county.
- 1670 2. The number of property insurance policies by county.
- 1671 3. The number of property insurance policies by county and
 1672 by construction type.
- 1673 4. The number of property insurance policies by county and
 1674 by decade of construction.
- 1675 5. The number of property insurance policies by county and

1676 | by deductible amount.

1677 | 6. The number of property insurance policies by county and
 1678 | by wind mitigation features when the information is supplied by
 1679 | the residential property insurer or licensed rating and advisory
 1680 | organization.

1681 | 7. The total amount of hurricane losses by county and by
 1682 | decade of construction.

1683 | 8. The total amount of hurricane losses by county and by
 1684 | deductible amount.

1685 | 9. The total amount of hurricane losses by county and by
 1686 | wind mitigation features when the information is supplied by the
 1687 | residential property insurer or licensed rating and advisory
 1688 | organization.

1689 | (b) Separate compilations of the data obtained shall be
 1690 | presented in order to use the public model for calculating rate
 1691 | indications and to update, validate, or calibrate the public
 1692 | model. Additional detail and a description of the operation and
 1693 | maintenance of the public model may be included in the report.

1694 | (c) The report may not contain any information that
 1695 | identifies a specific insurer or policyholder.

1696 | Reviser's note.—Amended to delete obsolete language.

1697 | Section 54. Paragraphs (b) and (ii) of subsection (6) of
 1698 | section 627.351, Florida Statutes, are amended to read:

1699 | 627.351 Insurance risk apportionment plans.—

1700 | (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

HB 7029

2024

1701 (b)1. All insurers authorized to write one or more subject
1702 lines of business in this state are subject to assessment by the
1703 corporation and, for the purposes of this subsection, are
1704 referred to collectively as "assessable insurers." Insurers
1705 writing one or more subject lines of business in this state
1706 pursuant to part VIII of chapter 626 are not assessable
1707 insurers; however, insureds who procure one or more subject
1708 lines of business in this state pursuant to part VIII of chapter
1709 626 are subject to assessment by the corporation and are
1710 referred to collectively as "assessable insureds." An insurer's
1711 assessment liability begins on the first day of the calendar
1712 year following the year in which the insurer was issued a
1713 certificate of authority to transact insurance for subject lines
1714 of business in this state and terminates 1 year after the end of
1715 the first calendar year during which the insurer no longer holds
1716 a certificate of authority to transact insurance for subject
1717 lines of business in this state.

1718 2.a. All revenues, assets, liabilities, losses, and
1719 expenses of the corporation shall be divided into three separate
1720 accounts as follows:

1721 (I) A personal lines account for personal residential
1722 policies issued by the corporation which provides comprehensive,
1723 multiperil coverage on risks that are not located in areas
1724 eligible for coverage by the Florida Windstorm Underwriting
1725 Association as those areas were defined on January 1, 2002, and

1726 for policies that do not provide coverage for the peril of wind
1727 on risks that are located in such areas;

1728 (II) A commercial lines account for commercial residential
1729 and commercial nonresidential policies issued by the corporation
1730 which provides coverage for basic property perils on risks that
1731 are not located in areas eligible for coverage by the Florida
1732 Windstorm Underwriting Association as those areas were defined
1733 on January 1, 2002, and for policies that do not provide
1734 coverage for the peril of wind on risks that are located in such
1735 areas; and

1736 (III) A coastal account for personal residential policies
1737 and commercial residential and commercial nonresidential
1738 property policies issued by the corporation which provides
1739 coverage for the peril of wind on risks that are located in
1740 areas eligible for coverage by the Florida Windstorm
1741 Underwriting Association as those areas were defined on January
1742 1, 2002. The corporation may offer policies that provide
1743 multiperil coverage and shall offer policies that provide
1744 coverage only for the peril of wind for risks located in areas
1745 eligible for coverage in the coastal account. Effective July 1,
1746 2014, the corporation shall cease offering new commercial
1747 residential policies providing multiperil coverage and shall
1748 instead continue to offer commercial residential wind-only
1749 policies, and may offer commercial residential policies
1750 excluding wind. The corporation may, however, continue to renew

1751 a commercial residential multiperil policy on a building that is
1752 insured by the corporation on June 30, 2014, under a multiperil
1753 policy. In issuing multiperil coverage, the corporation may use
1754 its approved policy forms and rates for the personal lines
1755 account. An applicant or insured who is eligible to purchase a
1756 multiperil policy from the corporation may purchase a multiperil
1757 policy from an authorized insurer without prejudice to the
1758 applicant's or insured's eligibility to prospectively purchase a
1759 policy that provides coverage only for the peril of wind from
1760 the corporation. An applicant or insured who is eligible for a
1761 corporation policy that provides coverage only for the peril of
1762 wind may elect to purchase or retain such policy and also
1763 purchase or retain coverage excluding wind from an authorized
1764 insurer without prejudice to the applicant's or insured's
1765 eligibility to prospectively purchase a policy that provides
1766 multiperil coverage from the corporation. It is the goal of the
1767 Legislature that there be an overall average savings of 10
1768 percent or more for a policyholder who currently has a wind-only
1769 policy with the corporation, and an ex-wind policy with a
1770 voluntary insurer or the corporation, and who obtains a
1771 multiperil policy from the corporation. It is the intent of the
1772 Legislature that the offer of multiperil coverage in the coastal
1773 account be made and implemented in a manner that does not
1774 adversely affect the tax-exempt status of the corporation or
1775 creditworthiness of or security for currently outstanding

HB 7029

2024

1776 financing obligations or credit facilities of the coastal
1777 account, the personal lines account, or the commercial lines
1778 account. The coastal account must also include quota share
1779 primary insurance under subparagraph (c)2. The area eligible for
1780 coverage under the coastal account also includes the area within
1781 Port Canaveral, which is bordered on the south by the City of
1782 Cape Canaveral, bordered on the west by the Banana River, and
1783 bordered on the north by Federal Government property.

1784 b. The three separate accounts must be maintained as long
1785 as financing obligations entered into by the Florida Windstorm
1786 Underwriting Association or Residential Property and Casualty
1787 Joint Underwriting Association are outstanding, in accordance
1788 with the terms of the corresponding financing documents. If no
1789 such financing obligations remain outstanding or if the
1790 financing documents allow for combining of accounts, the
1791 corporation may consolidate the three separate accounts into a
1792 new account, to be known as the Citizens account, for all
1793 revenues, assets, liabilities, losses, and expenses of the
1794 corporation. The Citizens account, if established by the
1795 corporation, is authorized to provide coverage to the same
1796 extent as provided under each of the three separate accounts.
1797 The authority to provide coverage under the Citizens account is
1798 set forth in subparagraph 4. Consistent with this subparagraph
1799 and prudent investment policies that minimize the cost of
1800 carrying debt, the board shall exercise its best efforts to

1801 retire existing debt or obtain the approval of necessary parties
1802 to amend the terms of existing debt, so as to structure the most
1803 efficient plan for consolidating the three separate accounts
1804 into a single account. Once the accounts are combined into one
1805 account, this subparagraph and subparagraph 3. shall be replaced
1806 in their entirety by subparagraphs 4. and 5.

1807 c. Creditors of the Residential Property and Casualty
1808 Joint Underwriting Association and the accounts specified in
1809 sub-sub-subparagraphs a.(I) and (II) may have a claim against,
1810 and recourse to, those accounts and no claim against, or
1811 recourse to, the account referred to in sub-sub-subparagraph
1812 a.(III). Creditors of the Florida Windstorm Underwriting
1813 Association have a claim against, and recourse to, the account
1814 referred to in sub-sub-subparagraph a.(III) and no claim
1815 against, or recourse to, the accounts referred to in sub-sub-
1816 subparagraphs a.(I) and (II).

1817 d. Revenues, assets, liabilities, losses, and expenses not
1818 attributable to particular accounts shall be prorated among the
1819 accounts.

1820 e. The Legislature finds that the revenues of the
1821 corporation are revenues that are necessary to meet the
1822 requirements set forth in documents authorizing the issuance of
1823 bonds under this subsection.

1824 f. The income of the corporation may not inure to the
1825 benefit of any private person.

1826 3. With respect to a deficit in an account:
 1827 a. After accounting for the Citizens policyholder
 1828 surcharge imposed under sub-subparagraph j. ~~sub-subparagraph i.~~,
 1829 if the remaining projected deficit incurred in the coastal
 1830 account in a particular calendar year:
 1831 (I) Is not greater than 2 percent of the aggregate
 1832 statewide direct written premium for the subject lines of
 1833 business for the prior calendar year, the entire deficit shall
 1834 be recovered through regular assessments of assessable insurers
 1835 under paragraph (q) and assessable insureds.
 1836 (II) Exceeds 2 percent of the aggregate statewide direct
 1837 written premium for the subject lines of business for the prior
 1838 calendar year, the corporation shall levy regular assessments on
 1839 assessable insurers under paragraph (q) and on assessable
 1840 insureds in an amount equal to the greater of 2 percent of the
 1841 projected deficit or 2 percent of the aggregate statewide direct
 1842 written premium for the subject lines of business for the prior
 1843 calendar year. Any remaining projected deficit shall be
 1844 recovered through emergency assessments under sub-subparagraph
 1845 e.
 1846 b. Each assessable insurer's share of the amount being
 1847 assessed under sub-subparagraph a. must be in the proportion
 1848 that the assessable insurer's direct written premium for the
 1849 subject lines of business for the year preceding the assessment
 1850 bears to the aggregate statewide direct written premium for the

1851 subject lines of business for that year. The assessment
1852 percentage applicable to each assessable insured is the ratio of
1853 the amount being assessed under sub-subparagraph a. to the
1854 aggregate statewide direct written premium for the subject lines
1855 of business for the prior year. Assessments levied by the
1856 corporation on assessable insurers under sub-subparagraph a.
1857 must be paid as required by the corporation's plan of operation
1858 and paragraph (q). Assessments levied by the corporation on
1859 assessable insureds under sub-subparagraph a. shall be collected
1860 by the surplus lines agent at the time the surplus lines agent
1861 collects the surplus lines tax required by s. 626.932, and paid
1862 to the Florida Surplus Lines Service Office at the time the
1863 surplus lines agent pays the surplus lines tax to that office.
1864 Upon receipt of regular assessments from surplus lines agents,
1865 the Florida Surplus Lines Service Office shall transfer the
1866 assessments directly to the corporation as determined by the
1867 corporation.

1868 c. The corporation may not levy regular assessments under
1869 paragraph (q) pursuant to sub-subparagraph a. or sub-
1870 subparagraph b. if the three separate accounts in sub-sub-
1871 subparagraphs 2.a.(I)-(III) have been consolidated into the
1872 Citizens account pursuant to sub-subparagraph 2.b. However, the
1873 outstanding balance of any regular assessment levied by the
1874 corporation before establishment of the Citizens account remains
1875 payable to the corporation.

1876 d. After accounting for the Citizens policyholder
 1877 surcharge imposed under sub-subparagraph j., the remaining
 1878 projected deficits in the personal lines account and in the
 1879 commercial lines account in a particular calendar year shall be
 1880 recovered through emergency assessments under sub-subparagraph
 1881 e.

1882 e. Upon a determination by the board of governors that a
 1883 projected deficit in an account exceeds the amount that is
 1884 expected to be recovered through regular assessments under sub-
 1885 subparagraph a., plus the amount that is expected to be
 1886 recovered through surcharges under sub-subparagraph j., the
 1887 board, after verification by the office, shall levy emergency
 1888 assessments for as many years as necessary to cover the
 1889 deficits, to be collected by assessable insurers and the
 1890 corporation and collected from assessable insureds upon issuance
 1891 or renewal of policies for subject lines of business, excluding
 1892 National Flood Insurance policies. The amount collected in a
 1893 particular year must be a uniform percentage of that year's
 1894 direct written premium for subject lines of business and all
 1895 accounts of the corporation, excluding National Flood Insurance
 1896 Program policy premiums, as annually determined by the board and
 1897 verified by the office. The office shall verify the arithmetic
 1898 calculations involved in the board's determination within 30
 1899 days after receipt of the information on which the determination
 1900 was based. The office shall notify assessable insurers and the

1901 Florida Surplus Lines Service Office of the date on which
 1902 assessable insurers shall begin to collect and assessable
 1903 insureds shall begin to pay such assessment. The date must be at
 1904 least 90 days after the date the corporation levies emergency
 1905 assessments pursuant to this sub-subparagraph. Notwithstanding
 1906 any other provision of law, the corporation and each assessable
 1907 insurer that writes subject lines of business shall collect
 1908 emergency assessments from its policyholders without such
 1909 obligation being affected by any credit, limitation, exemption,
 1910 or deferment. Emergency assessments levied by the corporation on
 1911 assessable insureds shall be collected by the surplus lines
 1912 agent at the time the surplus lines agent collects the surplus
 1913 lines tax required by s. 626.932 and paid to the Florida Surplus
 1914 Lines Service Office at the time the surplus lines agent pays
 1915 the surplus lines tax to that office. The emergency assessments
 1916 collected shall be transferred directly to the corporation on a
 1917 periodic basis as determined by the corporation and held by the
 1918 corporation solely in the applicable account. The aggregate
 1919 amount of emergency assessments levied for an account in any
 1920 calendar year may be less than but may not exceed the greater of
 1921 10 percent of the amount needed to cover the deficit, plus
 1922 interest, fees, commissions, required reserves, and other costs
 1923 associated with financing the original deficit, or 10 percent of
 1924 the aggregate statewide direct written premium for subject lines
 1925 of business and all accounts of the corporation for the prior

1926 | year, plus interest, fees, commissions, required reserves, and
1927 | other costs associated with financing the deficit.

1928 | f. The corporation may pledge the proceeds of assessments,
1929 | projected recoveries from the Florida Hurricane Catastrophe
1930 | Fund, other insurance and reinsurance recoverables, policyholder
1931 | surcharges and other surcharges, and other funds available to
1932 | the corporation as the source of revenue for and to secure bonds
1933 | issued under paragraph (q), bonds or other indebtedness issued
1934 | under subparagraph (c)3., or lines of credit or other financing
1935 | mechanisms issued or created under this subsection, or to retire
1936 | any other debt incurred as a result of deficits or events giving
1937 | rise to deficits, or in any other way that the board determines
1938 | will efficiently recover such deficits. The purpose of the lines
1939 | of credit or other financing mechanisms is to provide additional
1940 | resources to assist the corporation in covering claims and
1941 | expenses attributable to a catastrophe. As used in this
1942 | subsection, the term "assessments" includes regular assessments
1943 | under sub-subparagraph a. or subparagraph (q)1. and emergency
1944 | assessments under sub-subparagraph e. Emergency assessments
1945 | collected under sub-subparagraph e. are not part of an insurer's
1946 | rates, are not premium, and are not subject to premium tax,
1947 | fees, or commissions; however, failure to pay the emergency
1948 | assessment shall be treated as failure to pay premium. The
1949 | emergency assessments shall continue as long as any bonds issued
1950 | or other indebtedness incurred with respect to a deficit for

1951 | which the assessment was imposed remain outstanding, unless
 1952 | adequate provision has been made for the payment of such bonds
 1953 | or other indebtedness pursuant to the documents governing such
 1954 | bonds or indebtedness.

1955 | g. As used in this subsection for purposes of any deficit
 1956 | incurred on or after January 25, 2007, the term "subject lines
 1957 | of business" means insurance written by assessable insurers or
 1958 | procured by assessable insureds for all property and casualty
 1959 | lines of business in this state, but not including workers'
 1960 | compensation or medical malpractice. As used in this sub-
 1961 | subparagraph, the term "property and casualty lines of business"
 1962 | includes all lines of business identified on Form 2, Exhibit of
 1963 | Premiums and Losses, in the annual statement required of
 1964 | authorized insurers under s. 624.424 and any rule adopted under
 1965 | this section, except for those lines identified as accident and
 1966 | health insurance and except for policies written under the
 1967 | National Flood Insurance Program or the Federal Crop Insurance
 1968 | Program. For purposes of this sub-subparagraph, the term
 1969 | "workers' compensation" includes both workers' compensation
 1970 | insurance and excess workers' compensation insurance.

1971 | h. The Florida Surplus Lines Service Office shall
 1972 | determine annually the aggregate statewide written premium in
 1973 | subject lines of business procured by assessable insureds and
 1974 | report that information to the corporation in a form and at a
 1975 | time the corporation specifies to ensure that the corporation

1976 | can meet the requirements of this subsection and the
 1977 | corporation's financing obligations.

1978 | i. The Florida Surplus Lines Service Office shall verify
 1979 | the proper application by surplus lines agents of assessment
 1980 | percentages for regular assessments and emergency assessments
 1981 | levied under this subparagraph on assessable insureds and assist
 1982 | the corporation in ensuring the accurate, timely collection and
 1983 | payment of assessments by surplus lines agents as required by
 1984 | the corporation.

1985 | j. Upon determination by the board of governors that an
 1986 | account has a projected deficit, the board shall levy a Citizens
 1987 | policyholder surcharge against all policyholders of the
 1988 | corporation.

1989 | (I) The surcharge shall be levied as a uniform percentage
 1990 | of the premium for the policy of up to 15 percent of such
 1991 | premium, which funds shall be used to offset the deficit.

1992 | (II) The surcharge is payable upon cancellation or
 1993 | termination of the policy, upon renewal of the policy, or upon
 1994 | issuance of a new policy by the corporation within the first 12
 1995 | months after the date of the levy or the period of time
 1996 | necessary to fully collect the surcharge amount.

1997 | (III) The corporation may not levy any regular assessments
 1998 | under paragraph (q) pursuant to sub-subparagraph a. or sub-
 1999 | subparagraph b. with respect to a particular year's deficit
 2000 | until the corporation has first levied the full amount of the

2001 surcharge authorized by this sub-subparagraph.

2002 (IV) The surcharge is not considered premium and is not
 2003 subject to commissions, fees, or premium taxes. However, failure
 2004 to pay the surcharge shall be treated as failure to pay premium.

2005 k. If the amount of any assessments or surcharges
 2006 collected from corporation policyholders, assessable insurers or
 2007 their policyholders, or assessable insureds exceeds the amount
 2008 of the deficits, such excess amounts shall be remitted to and
 2009 retained by the corporation in a reserve to be used by the
 2010 corporation, as determined by the board of governors and
 2011 approved by the office, to pay claims or reduce any past,
 2012 present, or future plan-year deficits or to reduce outstanding
 2013 debt.

2014 4. The Citizens account, if established by the corporation
 2015 pursuant to sub-subparagraph 2.b., is authorized to provide:

2016 a. Personal residential policies that provide
 2017 comprehensive, multiperil coverage on risks that are not located
 2018 in areas eligible for coverage by the Florida Windstorm
 2019 Underwriting Association, as those areas were defined on January
 2020 1, 2002, and for policies that do not provide coverage for the
 2021 peril of wind on risks that are located in such areas;

2022 b. Commercial residential and commercial nonresidential
 2023 policies that provide coverage for basic property perils on
 2024 risks that are not located in areas eligible for coverage by the
 2025 Florida Windstorm Underwriting Association, as those areas were

2026 defined on January 1, 2002, and for policies that do not provide
2027 coverage for the peril of wind on risks that are located in such
2028 areas; and

2029 c. Personal residential policies and commercial
2030 residential and commercial nonresidential property policies that
2031 provide coverage for the peril of wind on risks that are located
2032 in areas eligible for coverage by the Florida Windstorm
2033 Underwriting Association, as those areas were defined on January
2034 1, 2002. The corporation may offer policies that provide
2035 multiperil coverage and shall offer policies that provide
2036 coverage only for the peril of wind for risks located in areas
2037 eligible for coverage by the Florida Windstorm Underwriting
2038 Association, as those areas were defined on January 1, 2002. The
2039 corporation may not offer new commercial residential policies
2040 providing multiperil coverage, but shall continue to offer
2041 commercial residential wind-only policies, and may offer
2042 commercial residential policies excluding wind. However, the
2043 corporation may continue to renew a commercial residential
2044 multiperil policy on a building that was insured by the
2045 corporation on June 30, 2014, under a multiperil policy. In
2046 issuing multiperil coverage under this sub-subparagraph, the
2047 corporation may use its approved policy forms and rates for
2048 risks located in areas not eligible for coverage by the Florida
2049 Windstorm Underwriting Association as those areas were defined
2050 on January 1, 2002, and for policies that do not provide

HB 7029

2024

2051 coverage for the peril of wind on risks that are located in such
2052 areas. An applicant or insured who is eligible to purchase a
2053 multiperil policy from the corporation may purchase a multiperil
2054 policy from an authorized insurer without prejudice to the
2055 applicant's or insured's eligibility to prospectively purchase a
2056 policy that provides coverage only for the peril of wind from
2057 the corporation. An applicant or insured who is eligible for a
2058 corporation policy that provides coverage only for the peril of
2059 wind may elect to purchase or retain such policy and also
2060 purchase or retain coverage excluding wind from an authorized
2061 insurer without prejudice to the applicant's or insured's
2062 eligibility to prospectively purchase a policy that provides
2063 multiperil coverage from the corporation. The following
2064 policies, which provide coverage only for the peril of wind,
2065 must also include quota share primary insurance under
2066 subparagraph (c)2.: Personal residential policies and commercial
2067 residential and commercial nonresidential property policies that
2068 provide coverage for the peril of wind on risks that are located
2069 in areas eligible for coverage by the Florida Windstorm
2070 Underwriting Association, as those areas were defined on January
2071 1, 2002; policies that provide multiperil coverage, if offered
2072 by the corporation, and policies that provide coverage only for
2073 the peril of wind for risks located in areas eligible for
2074 coverage by the Florida Windstorm Underwriting Association, as
2075 those areas were defined on January 1, 2002; commercial

2076 residential wind-only policies; commercial residential policies
2077 excluding wind, if offered by the corporation; and commercial
2078 residential multiperil policies on a building that was insured
2079 by the corporation on June 30, 2014. The area eligible for
2080 coverage with the corporation under this sub-subparagraph
2081 includes the area within Port Canaveral, which is bordered on
2082 the south by the City of Cape Canaveral, bordered on the west by
2083 the Banana River, and bordered on the north by Federal
2084 Government property.

2085 5. With respect to a deficit in the Citizens account:

2086 a. Upon a determination by the board of governors that the
2087 Citizens account has a projected deficit, the board shall levy a
2088 Citizens policyholder surcharge against all policyholders of the
2089 corporation.

2090 (I) The surcharge shall be levied as a uniform percentage
2091 of the premium for the policy of up to 15 percent of such
2092 premium, which funds shall be used to offset the deficit.

2093 (II) The surcharge is payable upon cancellation or
2094 termination of the policy, upon renewal of the policy, or upon
2095 issuance of a new policy by the corporation within the first 12
2096 months after the date of the levy or the period of time
2097 necessary to fully collect the surcharge amount.

2098 (III) The surcharge is not considered premium and is not
2099 subject to commissions, fees, or premium taxes. However, failure
2100 to pay the surcharge shall be treated as failure to pay premium.

2101 b. After accounting for the Citizens policyholder
 2102 surcharge imposed under sub-subparagraph a., the remaining
 2103 projected deficit incurred in the Citizens account in a
 2104 particular calendar year shall be recovered through emergency
 2105 assessments under sub-subparagraph c.

2106 c. Upon a determination by the board of governors that a
 2107 projected deficit in the Citizens account exceeds the amount
 2108 that is expected to be recovered through surcharges under sub-
 2109 subparagraph a., the board, after verification by the office,
 2110 shall levy emergency assessments for as many years as necessary
 2111 to cover the deficits, to be collected by assessable insurers
 2112 and the corporation and collected from assessable insureds upon
 2113 issuance or renewal of policies for subject lines of business,
 2114 excluding National Flood Insurance Program policies. The amount
 2115 collected in a particular year must be a uniform percentage of
 2116 that year's direct written premium for subject lines of business
 2117 and the Citizens account, National Flood Insurance Program
 2118 policy premiums, as annually determined by the board and
 2119 verified by the office. The office shall verify the arithmetic
 2120 calculations involved in the board's determination within 30
 2121 days after receipt of the information on which the determination
 2122 was based. The office shall notify assessable insurers and the
 2123 Florida Surplus Lines Service Office of the date on which
 2124 assessable insurers shall begin to collect and assessable
 2125 insureds shall begin to pay such assessment. The date must be at

2126 | least 90 days after the date the corporation levies emergency
2127 | assessments pursuant to this sub-subparagraph. Notwithstanding
2128 | any other law, the corporation and each assessable insurer that
2129 | writes subject lines of business shall collect emergency
2130 | assessments from its policyholders without such obligation being
2131 | affected by any credit, limitation, exemption, or deferment.
2132 | Emergency assessments levied by the corporation on assessable
2133 | insureds shall be collected by the surplus lines agent at the
2134 | time the surplus lines agent collects the surplus lines tax
2135 | required by s. 626.932 and paid to the Florida Surplus Lines
2136 | Service Office at the time the surplus lines agent pays the
2137 | surplus lines tax to that office. The emergency assessments
2138 | collected shall be transferred directly to the corporation on a
2139 | periodic basis as determined by the corporation and held by the
2140 | corporation solely in the Citizens account. The aggregate amount
2141 | of emergency assessments levied for the Citizens account in any
2142 | calendar year may be less than, but may not exceed the greater
2143 | of, 10 percent of the amount needed to cover the deficit, plus
2144 | interest, fees, commissions, required reserves, and other costs
2145 | associated with financing the original deficit or 10 percent of
2146 | the aggregate statewide direct written premium for subject lines
2147 | of business and the Citizens accounts for the prior year, plus
2148 | interest, fees, commissions, required reserves, and other costs
2149 | associated with financing the deficit.

2150 | d. The corporation may pledge the proceeds of assessments,

2151 | projected recoveries from the Florida Hurricane Catastrophe
2152 | Fund, other insurance and reinsurance recoverables, policyholder
2153 | surcharges and other surcharges, and other funds available to
2154 | the corporation as the source of revenue for and to secure bonds
2155 | issued under paragraph (q), bonds or other indebtedness issued
2156 | under subparagraph (c)3., or lines of credit or other financing
2157 | mechanisms issued or created under this subsection; or to retire
2158 | any other debt incurred as a result of deficits or events giving
2159 | rise to deficits, or in any other way that the board determines
2160 | will efficiently recover such deficits. The purpose of the lines
2161 | of credit or other financing mechanisms is to provide additional
2162 | resources to assist the corporation in covering claims and
2163 | expenses attributable to a catastrophe. As used in this
2164 | subsection, the term "assessments" includes emergency
2165 | assessments under sub-subparagraph c. Emergency assessments
2166 | collected under sub-subparagraph c. are not part of an insurer's
2167 | rates, are not premium, and are not subject to premium tax,
2168 | fees, or commissions; however, failure to pay the emergency
2169 | assessment shall be treated as failure to pay premium. The
2170 | emergency assessments shall continue as long as any bonds issued
2171 | or other indebtedness incurred with respect to a deficit for
2172 | which the assessment was imposed remain outstanding, unless
2173 | adequate provision has been made for the payment of such bonds
2174 | or other indebtedness pursuant to the documents governing such
2175 | bonds or indebtedness.

2176 e. As used in this subsection and for purposes of any
2177 deficit incurred on or after January 25, 2007, the term "subject
2178 lines of business" means insurance written by assessable
2179 insurers or procured by assessable insureds for all property and
2180 casualty lines of business in this state, but not including
2181 workers' compensation or medical malpractice. As used in this
2182 sub-subparagraph, the term "property and casualty lines of
2183 business" includes all lines of business identified on Form 2,
2184 Exhibit of Premiums and Losses, in the annual statement required
2185 of authorized insurers under s. 624.424 and any rule adopted
2186 under this section, except for those lines identified as
2187 accident and health insurance and except for policies written
2188 under the National Flood Insurance Program or the Federal Crop
2189 Insurance Program. For purposes of this sub-subparagraph, the
2190 term "workers' compensation" includes both workers' compensation
2191 insurance and excess workers' compensation insurance.

2192 f. The Florida Surplus Lines Service Office shall annually
2193 determine the aggregate statewide written premium in subject
2194 lines of business procured by assessable insureds and report
2195 that information to the corporation in a form and at a time the
2196 corporation specifies to ensure that the corporation can meet
2197 the requirements of this subsection and the corporation's
2198 financing obligations.

2199 g. The Florida Surplus Lines Service Office shall verify
2200 the proper application by surplus lines agents of assessment

2201 percentages for emergency assessments levied under this
 2202 subparagraph on assessable insureds and assist the corporation
 2203 in ensuring the accurate, timely collection and payment of
 2204 assessments by surplus lines agents as required by the
 2205 corporation.

2206 h. If the amount of any assessments or surcharges
 2207 collected from corporation policyholders, assessable insurers or
 2208 their policyholders, or assessable insureds exceeds the amount
 2209 of the deficits, such excess amounts shall be remitted to and
 2210 retained by the corporation in a reserve to be used by the
 2211 corporation, as determined by the board of governors and
 2212 approved by the office, to pay claims or reduce any past,
 2213 present, or future plan-year deficits or to reduce outstanding
 2214 debt.

2215 (ii) The corporation shall revise the programs adopted
 2216 pursuant to sub-subparagraph (q)3.a. for personal lines
 2217 residential policies to maximize policyholder options and
 2218 encourage increased participation by insurers and agents. After
 2219 January 1, 2017, a policy may not be taken out of the
 2220 corporation unless the provisions of this paragraph are met.

2221 1. The corporation must publish a periodic schedule of
 2222 cycles during which an insurer may identify, and notify the
 2223 corporation of, policies that the insurer is requesting to take
 2224 out. A request must include a description of the coverage
 2225 offered and an estimated premium and must be submitted to the

2226 corporation in a form and manner prescribed by the corporation.

2227 2. The corporation must maintain and make available to the
2228 agent of record a consolidated list of all insurers requesting
2229 to take out a policy. The list must include a description of the
2230 coverage offered and the estimated premium for each take-out
2231 request.

2232 3. If a policyholder receives a take-out offer from an
2233 authorized insurer, the risk is no longer eligible for coverage
2234 with the corporation unless the premium for coverage from the
2235 authorized insurer is more than 20 percent greater than the
2236 renewal premium for comparable coverage from the corporation
2237 pursuant to sub-subparagraph (c)5.c. This subparagraph applies
2238 to take-out offers that are part of an application to
2239 participate in depopulation submitted to the office on or after
2240 January 1, 2023.

2241 4. The corporation must provide written notice to the
2242 policyholder and the agent of record regarding all insurers
2243 requesting to take out the policy. The notice must be in a
2244 format prescribed by the corporation and include, for each take-
2245 out offer:

- 2246 a. The amount of the estimated premium;
2247 b. A description of the coverage; and
2248 c. A comparison of the estimated premium and coverage
2249 offered by the insurer to the estimated premium and coverage
2250 provided by the corporation.

2251 Reviser's note.—Sub-subparagraph (6)(b)3.a. is amended to
 2252 confirm an editorial substitution to conform to the
 2253 redesignation of sub-subparagraphs by s. 8, ch. 2022-271,
 2254 Laws of Florida. Subparagraph (6)(ii)3. is amended to
 2255 confirm an editorial insertion to improve clarity.

2256 Section 55. Subsection (4) of section 627.410, Florida
 2257 Statutes, is amended to read:

2258 627.410 Filing, approval of forms.—

2259 (4) The office may, by order, exempt from the requirements
 2260 of this section for so long as it deems proper any insurance
 2261 document or form or type thereof as specified in such order, to
 2262 which, in its opinion, this section may not practicably be
 2263 applied, or the filing and approval of which are, in its
 2264 opinion, not desirable or necessary for the protection of the
 2265 public. The office may not exempt from the requirements of this
 2266 section the insurance documents or forms of any insurer, against
 2267 whom the office enters a final order determining that such
 2268 insurer violated any provision of this code, for a period of 36
 2269 months after the date of such order, and such insurance
 2270 documents or forms may not be deemed approved under subsection
 2271 (2).

2272 Reviser's note.—Amended to improve clarity.

2273 Section 56. Paragraph (c) of subsection (2) and paragraph
 2274 (b) of subsection (3) of section 628.8015, Florida Statutes, are
 2275 amended to read:

2276 | 628.8015 Own-risk and solvency assessment; corporate
 2277 | governance annual disclosure.—

2278 | (2) OWN-RISK AND SOLVENCY ASSESSMENT.—

2279 | (c) *ORSA summary report*.—

2280 | 1.a. A domestic insurer or insurer member of an insurance
 2281 | group of which the office is the lead state, as determined by
 2282 | the procedures in the most recent National Association of
 2283 | Insurance Commissioners Financial Analysis Handbook, shall:

2284 | (I) Submit an ORSA summary report to the office once every
 2285 | calendar year.

2286 | (II) Notify the office of its proposed annual submission
 2287 | date by December 1, 2016. ~~The initial ORSA summary report must~~
 2288 | ~~be submitted by December 31, 2017.~~

2289 | b. An insurer not required to submit an ORSA summary
 2290 | report pursuant to sub-subparagraph a. shall:

2291 | (I) Submit an ORSA summary report at the request of the
 2292 | office, but not more than once per calendar year.

2293 | (II) Notify the office of the proposed submission date
 2294 | within 30 days after the request of the office.

2295 | 2. An insurer may comply with sub-subparagraph 1.a. or
 2296 | sub-subparagraph 1.b. by providing the most recent and
 2297 | substantially similar ORSA summary report submitted by the
 2298 | insurer, or another member of an insurance group of which the
 2299 | insurer is a member, to the chief insurance regulatory official
 2300 | of another state or the supervisor or regulator of a foreign

2301 jurisdiction. For purposes of this subparagraph, a
2302 "substantially similar" ORSA summary report is one that contains
2303 information comparable to the information described in the ORSA
2304 guidance manual as determined by the commissioner of the office.
2305 If the report is in a language other than English, it must be
2306 accompanied by an English translation.

2307 3. The chief risk officer or chief executive officer of
2308 the insurer or insurance group responsible for overseeing the
2309 enterprise risk management process must sign the ORSA summary
2310 report attesting that, to the best of his or her knowledge and
2311 belief, the insurer or insurance group applied the enterprise
2312 risk management process described in the ORSA summary report and
2313 provided a copy of the report to the board of directors or the
2314 appropriate board committee.

2315 4. The ORSA summary report must be prepared in accordance
2316 with the ORSA guidance manual. Documentation and supporting
2317 information must be maintained by the insurer and made available
2318 upon examination pursuant to s. 624.316 or upon the request of
2319 the office.

2320 5. The ORSA summary report must include a brief
2321 description of material changes and updates since the prior year
2322 report.

2323 6. The office's review of the ORSA summary report must be
2324 conducted, and any additional requests for information must be
2325 made, using procedures similar to those used in the analysis and

2326 examination of multistate or global insurers and insurance
 2327 groups.

2328 (3) CORPORATE GOVERNANCE ANNUAL DISCLOSURE.—

2329 (b) *Disclosure requirement.*—

2330 1.a. An insurer, or insurer member of an insurance group,
 2331 of which the office is the lead state regulator, as determined
 2332 by the procedures in the most recent National Association of
 2333 Insurance Commissioners Financial Analysis Handbook, shall
 2334 submit a corporate governance annual disclosure to the office by
 2335 June 1 of each calendar year. ~~The initial corporate governance~~
 2336 ~~annual disclosure must be submitted by December 31, 2018.~~

2337 b. An insurer or insurance group not required to submit a
 2338 corporate governance annual disclosure under sub-subparagraph a.
 2339 shall do so at the request of the office, but not more than once
 2340 per calendar year. The insurer or insurance group shall notify
 2341 the office of the proposed submission date within 30 days after
 2342 the request of the office.

2343 ~~e. Before December 31, 2018, the office may require an~~
 2344 ~~insurer or insurance group to provide a corporate governance~~
 2345 ~~annual disclosure:~~

2346 ~~(I) Based on unique circumstances, including, but not~~
 2347 ~~limited to, the type and volume of business written, the~~
 2348 ~~ownership and organizational structure, federal agency requests,~~
 2349 ~~and international supervisor requests;~~

2350 ~~(II) If the insurer has risk-based capital for a company~~

HB 7029

2024

2351 ~~action level event pursuant to s. 624.4085(3), meets one or more~~
2352 ~~of the standards of an insurer deemed to be in hazardous~~
2353 ~~financial condition under s. 624.805, or exhibits qualities of~~
2354 ~~an insurer in hazardous financial condition as determined by the~~
2355 ~~office;~~

2356 ~~(III) If the insurer is the member of an insurer group of~~
2357 ~~which the office acts as the lead state regulator as determined~~
2358 ~~by the procedures in the most recent National Association of~~
2359 ~~Insurance Commissioners Financial Analysis Handbook; or~~

2360 ~~(IV) If the office determines that it is in the best~~
2361 ~~interest of the state.~~

2362 2. The chief executive officer or corporate secretary of
2363 the insurer or the insurance group must sign the corporate
2364 governance annual disclosure attesting that, to the best of his
2365 or her knowledge and belief, the insurer has implemented the
2366 corporate governance practices and provided a copy of the
2367 disclosure to the board of directors or the appropriate board
2368 committee.

2369 3.a. Depending on the structure of its system of corporate
2370 governance, the insurer or insurance group may provide corporate
2371 governance information at one of the following levels:

- 2372 (I) The ultimate controlling parent level;
2373 (II) An intermediate holding company level; or
2374 (III) The individual legal entity level.

2375 b. The insurer or insurance group may make the corporate

HB 7029

2024

2376 | governance annual disclosure at:

2377 | (I) The level used to determine the risk appetite of the
2378 | insurer or insurance group;

2379 | (II) The level at which the earnings, capital, liquidity,
2380 | operations, and reputation of the insurer are collectively
2381 | overseen and the supervision of those factors is coordinated and
2382 | exercised; or

2383 | (III) The level at which legal liability for failure of
2384 | general corporate governance duties would be placed.

2385 |

2386 | An insurer or insurance group must indicate the level of
2387 | reporting used and explain any subsequent changes in the
2388 | reporting level.

2389 | 4. The review of the corporate governance annual
2390 | disclosure and any additional requests for information shall be
2391 | made through the lead state as determined by the procedures in
2392 | the most recent National Association of Insurance Commissioners
2393 | Financial Analysis Handbook.

2394 | 5. An insurer or insurance group may comply with this
2395 | paragraph by cross-referencing other existing relevant and
2396 | applicable documents, including, but not limited to, the ORSA
2397 | summary report, Holding Company Form B or F filings, Securities
2398 | and Exchange Commission proxy statements, or foreign regulatory
2399 | reporting requirements, if the documents contain information
2400 | substantially similar to the information described in paragraph

2401 (c). The insurer or insurance group shall clearly identify and
 2402 reference the specific location of the relevant and applicable
 2403 information within the corporate governance annual disclosure
 2404 and attach the referenced document if it has not already been
 2405 filed with, or made available to, the office.

2406 6. Each year following the initial filing of the corporate
 2407 governance annual disclosure, the insurer or insurance group
 2408 shall file an amended version of the previously filed corporate
 2409 governance annual disclosure indicating changes that have been
 2410 made. If changes have not been made in the previously filed
 2411 disclosure, the insurer or insurance group should so indicate.
 2412 Reviser's note.—Amended to delete obsolete language.

2413 Section 57. Paragraphs (c) and (i) of subsection (2) of
 2414 section 692.201, Florida Statutes, are amended to read:

2415 692.201 Definitions.—As used in this part, the term:

2416 (2) "Critical infrastructure facility" means any of the
 2417 following, if it employs measures such as fences, barriers, or
 2418 guard posts that are designed to exclude unauthorized persons:

2419 (c) An electrical power plant as defined in s. 403.031(4)
 2420 ~~403.031(20)~~.

2421 (i) A spaceport territory as defined in s. 331.303(19)
 2422 ~~331.303(18)~~.

2423 Reviser's note.—Paragraph (2)(c) is amended to conform to the
 2424 redesignation of s. 403.031(20) as s. 403.031(4) by s. 13,
 2425 ch. 2023-169, Laws of Florida. Paragraph (2)(i) is amended

2426 to conform to the redesignation of s. 331.303(18) as s.
 2427 331.303(19) by s. 69, ch. 2023-8, Laws of Florida.

2428 Section 58. Subsection (1) of section 720.305, Florida
 2429 Statutes, is amended to read:

2430 720.305 Obligations of members; remedies at law or in
 2431 equity; levy of fines and suspension of use rights.—

2432 (1) Each member and the member's tenants, guests, and
 2433 invitees, and each association, are governed by, and must comply
 2434 with, this chapter, the governing documents of the community,
 2435 and the rules of the association. Actions at law or in equity,
 2436 or both, to redress alleged failure or refusal to comply with
 2437 these provisions may be brought by the association or by any
 2438 member against:

2439 (a) The association;

2440 (b) A member;

2441 (c) Any director or officer of an association who
 2442 willfully and knowingly fails to comply with these provisions;
 2443 and

2444 (d) Any tenants, guests, or invitees occupying a parcel or
 2445 using the common areas.

2446
 2447 The prevailing party in any such litigation is entitled to
 2448 recover reasonable attorney fees and costs ~~as provided in~~
 2449 ~~paragraph (2)(c)~~. A member prevailing in an action between the
 2450 association and the member under this section, in addition to

HB 7029

2024

2451 recovering his or her reasonable attorney fees, may recover
 2452 additional amounts as determined by the court to be necessary to
 2453 reimburse the member for his or her share of assessments levied
 2454 by the association to fund its expenses of the litigation. This
 2455 relief does not exclude other remedies provided by law. This
 2456 section does not deprive any person of any other available right
 2457 or remedy.

2458 Reviser's note.—Amended to correct a scrivener's error. Attorney
 2459 fees and costs are not referenced in paragraph (2) (e).

2460 Section 59. Paragraph (c) of subsection (1) of section
 2461 744.21031, Florida Statutes, is amended to read:

2462 744.21031 Public records exemption.—

2463 (1) For purposes of this section, the term:

2464 (c) "Telephone numbers" has the same meaning as provided
 2465 in s. 119.071(4)(d)1.c. ~~119.071(4)(d)1.b.~~

2466 Reviser's note.—Amended to correct a cross-reference. Section
 2467 119.071(4)(d)1.b. was redesignated as s. 119.071(4)(d)1.c.
 2468 by s. 1, ch. 2023-131, Laws of Florida.

2469 Section 60. Subsections (7) and (8) of section 766.315,
 2470 Florida Statutes, are amended to read:

2471 766.315 Florida Birth-Related Neurological Injury
 2472 Compensation Association; board of directors; notice of
 2473 meetings; report.—

2474 (7) The association shall publish a report on its website
 2475 by January 1 of each year, ~~2022, and every January 1 thereafter.~~

2476 The report shall include:

2477 (a) The names and terms of each board member and executive
2478 staff member.

2479 (b) The amount of compensation paid to each association
2480 employee.

2481 (c) A summary of reimbursement disputes and resolutions.

2482 (d) A list of expenditures for attorney fees and lobbying
2483 fees.

2484 (e) Other expenses to oppose each plan claim. Any personal
2485 identifying information of the parent, legal guardian, or child
2486 involved in the claim must be removed from this list.

2487 (8) By ~~On or before~~ November 1 ~~of, 2021,~~ and by each year
2488 ~~November 1 thereafter,~~ the association shall submit a report to
2489 the Governor, the President of the Senate, the Speaker of the
2490 House of Representatives, and the Chief Financial Officer. The
2491 report must include:

2492 (a) The number of petitions filed for compensation with
2493 the division, the number of claimants awarded compensation, the
2494 number of claimants denied compensation, and the reasons for the
2495 denial of compensation.

2496 (b) The number and dollar amount of paid and denied
2497 compensation for expenses by category and the reasons for any
2498 denied compensation for expenses by category.

2499 (c) The average turnaround time for paying or denying
2500 compensation for expenses.

HB 7029

2024

2501 (d) Legislative recommendations to improve the program.

2502 (e) A summary of any pending or resolved litigation during

2503 the year which affects the plan.

2504 (f) The amount of compensation paid to each association

2505 employee or member of the board of directors.

2506 ~~(g) For the initial report due on or before November 1,~~

2507 ~~2021, an actuarial report conducted by an independent actuary~~

2508 ~~which provides an analysis of the estimated costs of~~

2509 ~~implementing the following changes to the plan:~~

2510 ~~1. Reducing the minimum birth weight eligibility for a~~

2511 ~~participant in the plan from 2,500 grams to 2,000 grams.~~

2512 ~~2. Revising the eligibility for participation in the plan~~

2513 ~~by providing that an infant must be permanently and~~

2514 ~~substantially mentally or physically impaired, rather than~~

2515 ~~permanently and substantially mentally and physically impaired.~~

2516 ~~3. Increasing the annual special benefit or quality of~~

2517 ~~life benefit from \$500 to \$2,500 per calendar year.~~

2518 Reviser's note.—Amended to delete obsolete language.

2519 Section 61. Paragraph (e) of subsection (2) of section

2520 768.38, Florida Statutes, is amended to read:

2521 768.38 Liability protections for COVID-19-related claims.—

2522 (2) As used in this section, the term:

2523 (e) "Health care provider" means:

2524 1. A provider as defined in s. 408.803.

2525 2. A clinical laboratory providing services in this state

2526 or services to health care providers in this state, if the
 2527 clinical laboratory is certified by the Centers for Medicare and
 2528 Medicaid Services under the federal Clinical Laboratory
 2529 Improvement Amendments and the federal rules adopted thereunder.

2530 3. A federally qualified health center as defined in 42
 2531 U.S.C. s. 1396d(1)(2)(B), as that definition exists on the
 2532 effective date of this act.

2533 4. Any site providing health care services which was
 2534 established for the purpose of responding to the COVID-19
 2535 pandemic pursuant to any federal or state order, declaration, or
 2536 waiver.

2537 5. A health care practitioner as defined in s. 456.001.

2538 6. A health care professional licensed under part IV of
 2539 chapter 468.

2540 7. A home health aide as defined in s. 400.462(17)
 2541 ~~400.462(15)~~.

2542 8. A provider licensed under chapter 394 or chapter 397
 2543 and its clinical and nonclinical staff providing inpatient or
 2544 outpatient services.

2545 9. A continuing care facility licensed under chapter 651.

2546 10. A pharmacy permitted under chapter 465.

2547 Reviser's note.—Amended to correct a cross-reference to conform
 2548 to the redesignation of s. 400.462(15) as s. 400.462(14) by
 2549 s. 25, ch. 2021-51, Laws of Florida, and the further
 2550 redesignation of s. 400.462(14) as s. 400.462(17) by s. 1,

2551 ch. 2023-183, Laws of Florida.
 2552 Section 62. Paragraph (f) of subsection (1) of section
 2553 768.381, Florida Statutes, is amended to read:
 2554 768.381 COVID-19-related claims against health care
 2555 providers.—
 2556 (1) DEFINITIONS.—As used in this section, the term:
 2557 (f) "Health care provider" means any of the following:
 2558 1. A provider as defined in s. 408.803.
 2559 2. A clinical laboratory providing services in this state
 2560 or services to health care providers in this state, if the
 2561 clinical laboratory is certified by the Centers for Medicare and
 2562 Medicaid Services under the federal Clinical Laboratory
 2563 Improvement Amendments and the federal rules adopted thereunder.
 2564 3. A federally qualified health center as defined in 42
 2565 U.S.C. s. 1396d(1)(2)(B), as that definition existed on the
 2566 effective date of this act.
 2567 4. Any site providing health care services which was
 2568 established for the purpose of responding to the COVID-19
 2569 pandemic pursuant to any federal or state order, declaration, or
 2570 waiver.
 2571 5. A health care practitioner as defined in s. 456.001.
 2572 6. A health care professional licensed under part IV of
 2573 chapter 468.
 2574 7. A home health aide as defined in s. 400.462(17)
 2575 ~~400.462(15)~~.

HB 7029

2024

2576 8. A provider licensed under chapter 394 or chapter 397
 2577 and its clinical and nonclinical staff providing inpatient or
 2578 outpatient services.

2579 9. A continuing care facility licensed under chapter 651.

2580 10. A pharmacy permitted under chapter 465.

2581 Reviser's note.—Amended to correct a cross-reference to conform
 2582 to the redesignation of s. 400.462(15) as s. 400.462(14) by
 2583 s. 25, ch. 2021-51, Laws of Florida, and the further
 2584 redesignation of s. 400.462(14) as s. 400.462(17) by s. 1,
 2585 ch. 2023-183, Laws of Florida.

2586 Section 63. Subsection (1) of section 790.013, Florida
 2587 Statutes, is amended to read:

2588 790.013 Carrying of concealed weapons or concealed
 2589 firearms without a license.—A person who carries a concealed
 2590 weapon or concealed firearm without a license as authorized
 2591 under s. 790.01(1)(b):

2592 (1)~~(a)~~ Must carry valid identification at all times when
 2593 he or she is in actual possession of a concealed weapon or
 2594 concealed firearm and must display such identification upon
 2595 demand by a law enforcement officer.

2596 ~~(b)~~ A violation of this subsection is a noncriminal
 2597 violation punishable by a \$25 fine, payable to the clerk of the
 2598 court.

2599 Reviser's note.—Amended to improve the structure of the section
 2600 and conform to context.

HB 7029

2024

2601 Section 64. Subsection (2) of section 810.098, Florida
 2602 Statutes, is amended to read:

2603 810.098 Trespass for the purpose of threatening or
 2604 intimidating another person.—

2605 (2) As used in this section, the terms "Florida College
 2606 System institution" and "state university" have the same
 2607 meanings as in s. 1000.21(5) and (9) ~~1000.21(3) and (6)~~,
 2608 respectively.

2609 Reviser's note.—Amended to conform to the reordering of
 2610 definitions in s. 1000.21 by s. 136, ch. 2023-8, Laws of
 2611 Florida, and the further reordering of definitions in s.
 2612 1000.21 by this act.

2613 Section 65. Subsection (3) of section 849.38, Florida
 2614 Statutes, is amended to read:

2615 849.38 Proceedings for forfeiture; notice of seizure and
 2616 order to show cause.—

2617 (3) The said citation may be in, or substantially in, the
 2618 following form:

2619
 2620 IN THE CIRCUIT COURT OF THE JUDICIAL CIRCUIT, IN AND FOR
 2621 COUNTY, FLORIDA.

2622 IN RE FORFEITURE OF THE FOLLOWING DESCRIBED PROPERTY:

2623 ... (Here Describe property) ...

2624 THE STATE OF FLORIDA TO:

2625

HB 7029

2024

2626 ALL PERSONS, FIRMS AND CORPORATIONS OWNING, HAVING OR
 2627 CLAIMING AN INTEREST IN OR LIEN ON THE ABOVE DESCRIBED PROPERTY.
 2628

2629 YOU AND EACH OF YOU are hereby notified that the above
 2630 described property has been seized, under and by virtue of
 2631 chapter , Laws of Florida, and is now in the possession of
 2632 the sheriff of this county, and you, and each of you, are hereby
 2633 further notified that a petition, under said chapter, has been
 2634 filed in the Circuit Court of the Judicial Circuit, in and
 2635 for County, Florida, seeking the forfeiture of the said
 2636 property, and you are hereby directed and required to file your
 2637 claim, if any you have, and show cause, on or before ,
 2638 . . . (year) . . . , if not personally served with process herein, and
 2639 within 20 days from personal service if personally served with
 2640 process herein, why the said property should not be forfeited
 2641 pursuant to said chapter , Laws of Florida, 1955. Should you
 2642 fail to file claim as herein directed judgment will be entered
 2643 herein against you in due course. Persons not personally served
 2644 with process may obtain a copy of the petition for forfeiture
 2645 filed herein from the undersigned clerk of court.

2646 WITNESS my hand and the seal of the above mentioned court,
 2647 at Florida, this , . . . (year)

2648 (COURT SEAL)

2649 . . . (Clerk of the above-mentioned Court.) . . .

2650 By . . . (Deputy Clerk) . . .

2651
 2652 Reviser's note.—Amended to conform to general style in forms.
 2653 Section 66. Paragraph (f) of subsection (1) of section
 2654 893.055, Florida Statutes, is reenacted to read:
 2655 893.055 Prescription drug monitoring program.—
 2656 (1) As used in this section, the term:
 2657 (f) "Electronic health recordkeeping system" means an
 2658 electronic or computer-based information system used by health
 2659 care practitioners or providers to create, collect, store,
 2660 manipulate, exchange, or make available personal health
 2661 information for the delivery of patient care.
 2662 Reviser's note.—Paragraph (1)(f) was created by s. 1, ch. 2019-
 2663 70, Laws of Florida, and s. 1, ch. 2019-127, Laws of
 2664 Florida. Section 3, ch. 2019-127, as amended by s. 25, ch.
 2665 2021-131, Laws of Florida, provided for the repeal of
 2666 paragraph (1)(f) on June 30, 2023. The paragraph is
 2667 relevant to the material added to s. 893.055 by s. 1, ch.
 2668 2019-70, concerning reciprocal agreements or contracts with
 2669 other jurisdictions, which continues in existence, as well
 2670 as the text added by s. 1, ch. 2019-127, which relates to a
 2671 unique identifier for each patient in the system and
 2672 requests for information from the prescription drug
 2673 monitoring program in litigation. Paragraph (1)(f) is
 2674 reenacted to confirm the intent to keep the language in s.
 2675 893.055.

HB 7029

2024

2676 Section 67. Paragraph (b) of subsection (1) of section
 2677 933.40, Florida Statutes, is amended to read:

2678 933.40 Agriculture warrants.—

2679 (1) As used in this section:

2680 (b) "Animal pest" means any biological or chemical residue
 2681 as defined in s. 585.01(4), pathogenic organism or virulent
 2682 organism as defined in s. 585.01(15), or any transmissible,
 2683 communicable, contagious, or infectious disease as described in
 2684 s. 585.01(17) ~~585.01(18)~~.

2685 Reviser's note.—Amended to conform to the deletion of s.
 2686 585.01(17) by this act.

2687 Section 68. Paragraph (b) of subsection (1) of section
 2688 961.06, Florida Statutes, is amended to read:

2689 961.06 Compensation for wrongful incarceration.—

2690 (1) Except as otherwise provided in this act and subject
 2691 to the limitations and procedures prescribed in this section, a
 2692 person who is found to be entitled to compensation under the
 2693 provisions of this act is entitled to:

2694 (b) A waiver of tuition and fees for up to 120 hours of
 2695 instruction at any career center established under s. 1001.44,
 2696 any Florida College System institution as defined in s.
 2697 1000.21(5), or any state university as defined in s. 1000.21(9)
 2698 ~~1000.21(8)~~, if the wrongfully incarcerated person meets and
 2699 maintains the regular admission requirements of such career
 2700 center, Florida College System institution, or state university;

2701 remains registered at such educational institution; and makes
 2702 satisfactory academic progress as defined by the educational
 2703 institution in which the claimant is enrolled;

2704
 2705 The total compensation awarded under paragraphs (a), (c), and
 2706 (d) may not exceed \$2 million. No further award for attorney's
 2707 fees, lobbying fees, costs, or other similar expenses shall be
 2708 made by the state.

2709 Reviser's note.—Amended to conform to the reordering of
 2710 definitions in s. 1000.21 by this act.

2711 Section 69. Subsections (7), (8), and (9) of section
 2712 1000.21, Florida Statutes, are reordered and amended to read:

2713 1000.21 Systemwide definitions.—As used in the Florida
 2714 Early Learning-20 Education Code:

2715 (8)~~(7)~~ "State academic standards" means the state's public
 2716 K-12 curricular standards adopted under s. 1003.41.

2717 (9)~~(8)~~ "State university," except as otherwise
 2718 specifically provided, includes the following institutions and
 2719 any branch campuses, centers, or other affiliates of the
 2720 institution:

- 2721 (a) The University of Florida.
- 2722 (b) The Florida State University.
- 2723 (c) The Florida Agricultural and Mechanical University.
- 2724 (d) The University of South Florida.
- 2725 (e) The Florida Atlantic University.

2726 (f) The University of West Florida.
 2727 (g) The University of Central Florida.
 2728 (h) The University of North Florida.
 2729 (i) The Florida International University.
 2730 (j) The Florida Gulf Coast University.
 2731 (k) New College of Florida.
 2732 (l) The Florida Polytechnic University.
 2733 (7)~~(9)~~ "Sex" means the classification of a person as
 2734 either female or male based on the organization of the body of
 2735 such person for a specific reproductive role, as indicated by
 2736 the person's sex chromosomes, naturally occurring sex hormones,
 2737 and internal and external genitalia present at birth.
 2738 Reviser's note.—Amended to place the definitions of the section
 2739 in alphabetical order.
 2740 Section 70. Paragraph (c) of subsection (8) of section
 2741 1001.42, Florida Statutes, is amended to read:
 2742 1001.42 Powers and duties of district school board.—The
 2743 district school board, acting as a board, shall exercise all
 2744 powers and perform all duties listed below:
 2745 (8) STUDENT WELFARE.—
 2746 (c)1. In accordance with the rights of parents enumerated
 2747 in ss. 1002.20 and 1014.04, adopt procedures for notifying a
 2748 student's parent if there is a change in the student's services
 2749 or monitoring related to the student's mental, emotional, or
 2750 physical health or well-being and the school's ability to

2751 provide a safe and supportive learning environment for the
2752 student. The procedures must reinforce the fundamental right of
2753 parents to make decisions regarding the upbringing and control
2754 of their children by requiring school district personnel to
2755 encourage a student to discuss issues relating to his or her
2756 well-being with his or her parent or to facilitate discussion of
2757 the issue with the parent. The procedures may not prohibit
2758 parents from accessing any of their student's education and
2759 health records created, maintained, or used by the school
2760 district, as required by s. 1002.22(2).

2761 2. A school district may not adopt procedures or student
2762 support forms that prohibit school district personnel from
2763 notifying a parent about his or her student's mental, emotional,
2764 or physical health or well-being, or a change in related
2765 services or monitoring, or that encourage or have the effect of
2766 encouraging a student to withhold from a parent such
2767 information. School district personnel may not discourage or
2768 prohibit parental notification of and involvement in critical
2769 decisions affecting a student's mental, emotional, or physical
2770 health or well-being. This subparagraph does not prohibit a
2771 school district from adopting procedures that permit school
2772 personnel to withhold such information from a parent if a
2773 reasonably prudent person would believe that disclosure would
2774 result in abuse, abandonment, or neglect, as those terms are
2775 defined in s. 39.01.

2776 3. Classroom instruction by school personnel or third
 2777 parties on sexual orientation or gender identity may not occur
 2778 in prekindergarten through grade 8, except when required by ss.
 2779 1003.42(2)(o)3. ~~1003.42(2)(n)3.~~ and 1003.46. If such instruction
 2780 is provided in grades 9 through 12, the instruction must be age-
 2781 appropriate or developmentally appropriate for students in
 2782 accordance with state standards. This subparagraph applies to
 2783 charter schools.

2784 4. Student support services training developed or provided
 2785 by a school district to school district personnel must adhere to
 2786 student services guidelines, standards, and frameworks
 2787 established by the Department of Education.

2788 5. At the beginning of the school year, each school
 2789 district shall notify parents of each health care service
 2790 offered at their student's school and the option to withhold
 2791 consent or decline any specific service in accordance with s.
 2792 1014.06. Parental consent to a health care service does not
 2793 waive the parent's right to access his or her student's
 2794 educational or health records or to be notified about a change
 2795 in his or her student's services or monitoring as provided by
 2796 this paragraph.

2797 6. Before administering a student well-being questionnaire
 2798 or health screening form to a student in kindergarten through
 2799 grade 3, the school district must provide the questionnaire or
 2800 health screening form to the parent and obtain the permission of

2801 | the parent.

2802 | 7. Each school district shall adopt procedures for a
 2803 | parent to notify the principal, or his or her designee,
 2804 | regarding concerns under this paragraph at his or her student's
 2805 | school and the process for resolving those concerns within 7
 2806 | calendar days after notification by the parent.

2807 | a. At a minimum, the procedures must require that within
 2808 | 30 days after notification by the parent that the concern
 2809 | remains unresolved, the school district must either resolve the
 2810 | concern or provide a statement of the reasons for not resolving
 2811 | the concern.

2812 | b. If a concern is not resolved by the school district, a
 2813 | parent may:

2814 | (I) Request the Commissioner of Education to appoint a
 2815 | special magistrate who is a member of The Florida Bar in good
 2816 | standing and who has at least 5 years' experience in
 2817 | administrative law. The special magistrate shall determine facts
 2818 | relating to the dispute over the school district procedure or
 2819 | practice, consider information provided by the school district,
 2820 | and render a recommended decision for resolution to the State
 2821 | Board of Education within 30 days after receipt of the request
 2822 | by the parent. The State Board of Education must approve or
 2823 | reject the recommended decision at its next regularly scheduled
 2824 | meeting that is more than 7 calendar days and no more than 30
 2825 | days after the date the recommended decision is transmitted. The

2826 costs of the special magistrate shall be borne by the school
 2827 district. The State Board of Education shall adopt rules,
 2828 including forms, necessary to implement this subparagraph.

2829 (II) Bring an action against the school district to obtain
 2830 a declaratory judgment that the school district procedure or
 2831 practice violates this paragraph and seek injunctive relief. A
 2832 court may award damages and shall award reasonable attorney fees
 2833 and court costs to a parent who receives declaratory or
 2834 injunctive relief.

2835 c. Each school district shall adopt and post on its
 2836 website policies to notify parents of the procedures required
 2837 under this subparagraph.

2838 d. Nothing contained in this subparagraph shall be
 2839 construed to abridge or alter rights of action or remedies in
 2840 equity already existing under the common law or general law.
 2841 Reviser's note.—Amended to conform to the redesignation of
 2842 paragraphs in s. 1003.42(2) by s. 6, ch. 2023-39, Laws of
 2843 Florida.

2844 Section 71. Subsection (2) of section 1002.01, Florida
 2845 Statutes, is amended to read:

2846 1002.01 Definitions.—

2847 (2) A "personalized education program" means the
 2848 sequentially progressive instruction of a student directed by
 2849 his or her parent to satisfy the attendance requirements of ss.
 2850 1003.01(16) ~~1003.01(13)~~ and 1003.21(1) while registered with an

HB 7029

2024

2851 eligible nonprofit scholarship-funding organization pursuant to
2852 s. 1002.395. A personalized education student shall be provided
2853 the same flexibility and opportunities as provided in s.
2854 1002.41(3)-(12).

2855 Reviser's note.—Amended to confirm an editorial substitution to
2856 conform to the redesignation of subsections in s. 1003.01
2857 by s. 148, ch. 2023-8, Laws of Florida.

2858 Section 72. Paragraph (a) of subsection (6) of section
2859 1002.20, Florida Statutes, is amended to read:

2860 1002.20 K-12 student and parent rights.—Parents of public
2861 school students must receive accurate and timely information
2862 regarding their child's academic progress and must be informed
2863 of ways they can help their child to succeed in school. K-12
2864 students and their parents are afforded numerous statutory
2865 rights including, but not limited to, the following:

2866 (6) EDUCATIONAL CHOICE.—

2867 (a) *Public educational school choices.*—Parents of public
2868 school students may seek any public educational school choice
2869 options that are applicable and available to students throughout
2870 the state. These options may include controlled open enrollment,
2871 single-gender programs, lab schools, virtual instruction
2872 programs, charter schools, charter technical career centers,
2873 magnet schools, alternative schools, special programs, auditory-
2874 oral education programs, advanced placement, dual enrollment,
2875 International Baccalaureate, International General Certificate

2876 of Secondary Education (pre-AICE), CAPE digital tools, CAPE
 2877 industry certifications, early college programs, Advanced
 2878 International Certificate of Education, early admissions, credit
 2879 by examination or demonstration of competency, the New World
 2880 School of the Arts, the Florida School for the Deaf and the
 2881 Blind, and the Florida Virtual School. These options may also
 2882 include the public educational choice option ~~options~~ of the
 2883 Opportunity Scholarship Program ~~and the McKay Scholarships for~~
 2884 ~~Students with Disabilities Program.~~

2885 Reviser's note.—Amended to conform to the repeal of s. 1002.39,
 2886 which established the John M. McKay Scholarships for
 2887 Students with Disabilities Program, by s. 9, ch. 2023-9,
 2888 Laws of Florida.

2889 Section 73. Paragraph (e) of subsection (3) and paragraph
 2890 (b) of subsection (8) of section 1002.351, Florida Statutes, are
 2891 amended to read:

2892 1002.351 The Florida School for Competitive Academics.—

2893 (3) BOARD OF TRUSTEES.—

2894 (e) The board of trustees has the full power and authority
 2895 to:

2896 1. Adopt rules pursuant to ss. 120.536(1) and 120.54 to
 2897 implement provisions of law relating to operation of the Florida
 2898 School for Competitive Academics. Such rules must be submitted
 2899 to the State Board of Education for approval or disapproval.

2900 After a rule is approved by the State Board of Education, the

2901 rule must be filed immediately with the Department of State. The
 2902 board of trustees shall act at all times in conjunction with the
 2903 rules of the State Board of Education.

2904 2. Appoint a principal, administrators, teachers, and
 2905 other employees.

2906 3. Remove principals, administrators, teachers, and other
 2907 employees at the board's discretion.

2908 4. Determine eligibility of students and procedures for
 2909 admission.

2910 5. Provide for the proper keeping of accounts and records
 2911 and for budgeting of funds.

2912 6. Receive gifts, donations, and bequests of money or
 2913 property, real or personal, tangible or intangible, from any
 2914 person, firm, corporation, or other legal entity for the use and
 2915 benefit of the school.

2916 7. Recommend to the Legislature that ~~for~~ the school ~~to~~
 2917 become a residential public school.

2918 8. Do and perform every other matter or thing requisite to
 2919 the proper management, maintenance, support, and control of the
 2920 school at the highest efficiency economically possible.

2921 (8) EXEMPTION FROM STATUTES.—

2922 (b) Additionally, the Florida School for Competitive
 2923 Academics shall be in compliance with the following statutes:

2924 1. Section 286.011, relating to public meetings and
 2925 records, public inspection, and criminal and civil penalties.

- 2926 | 2. Chapter 119, relating to public records.
- 2927 | 3. Section 1006.12, relating to safe-school officers.
- 2928 | 4. Section 1006.07(7), relating to threat management
- 2929 | ~~assessment~~ teams.
- 2930 | 5. Section 1006.07(9), relating to school environmental
- 2931 | safety incident reporting.
- 2932 | 6. Section 1006.07(10), relating to reporting of
- 2933 | involuntary examinations.
- 2934 | 7. Section 1006.1493, relating to the Florida Safe Schools
- 2935 | Assessment Tool.
- 2936 | 8. Section 1006.07(6)(d), relating to adopting active
- 2937 | assailant response plans.
- 2938 | 9. Section 943.082(4)(b), relating to the mobile
- 2939 | suspicious activity reporting tool.
- 2940 | 10. Section 1012.584, relating to youth mental health
- 2941 | awareness and assistance training.
- 2942 | 11. Section 1003.4282, relating to requirements for a
- 2943 | standard high school diploma.
- 2944 | 12. Section 1003.03(1), relating to class size maximums.
- 2945 | 13.a. Section 1011.61, relating to instructional hours
- 2946 | requirements.
- 2947 | b. Notwithstanding sub-subparagraph a., the school may
- 2948 | provide instruction that exceeds the minimum time requirements
- 2949 | for the purposes of offering a summer program.
- 2950 | Reviser's note.—Paragraph (3)(e) is amended to improve clarity.

2951 Paragraph (8)(b) is amended to confirm an editorial
 2952 substitution to conform to s. 23, ch. 2023-18, Laws of
 2953 Florida, which amended s. 1006.07(7) to change the term
 2954 "threat assessment team" to the term "threat management
 2955 team."

2956 Section 74. Paragraph (a) of subsection (4) and paragraph
 2957 (a) of subsection (12) of section 1002.394, Florida Statutes,
 2958 are amended to read:

2959 1002.394 The Family Empowerment Scholarship Program.—

2960 (4) AUTHORIZED USES OF PROGRAM FUNDS.—

2961 (a) Program funds awarded to a student determined eligible
 2962 pursuant to paragraph (3)(a) may be used for:

2963 1. Tuition and fees at an eligible private school.

2964 2. Transportation to a Florida public school in which a
 2965 student is enrolled and that is different from the school to
 2966 which the student was assigned or to a lab school as defined in
 2967 s. 1002.32.

2968 3. Instructional materials, including digital materials
 2969 and Internet resources.

2970 4. Curriculum as defined in subsection (2).

2971 5. Tuition and fees associated with full-time or part-time
 2972 enrollment in an eligible postsecondary educational institution
 2973 or a program offered by the postsecondary educational
 2974 institution, unless the program is subject to s. 1009.25 or
 2975 reimbursed pursuant to s. 1009.30; an approved preapprenticeship

2976 program as defined in s. 446.021(5) which is not subject to s.
 2977 1009.25 and complies with all applicable requirements of the
 2978 department pursuant to chapter 1005; a private tutoring program
 2979 authorized under s. 1002.43; a virtual program offered by a
 2980 department-approved private online provider that meets the
 2981 provider qualifications specified in s. 1002.45(2)(a); the
 2982 Florida Virtual School as a private paying student; or an
 2983 approved online course offered pursuant to s. 1003.499 or s.
 2984 1004.0961.

2985 6. Fees for nationally standardized, norm-referenced
 2986 achievement tests, Advanced Placement Examinations, industry
 2987 certification examinations, assessments related to postsecondary
 2988 education, or other assessments.

2989 7. Contracted services provided by a public school or
 2990 school district, including classes. A student who receives
 2991 contracted services under this subparagraph is not considered
 2992 enrolled in a public school for eligibility purposes as
 2993 specified in subsection (6) but rather attending a public school
 2994 on a part-time basis as authorized under s. 1002.44.

2995 8. Tuition and fees for part-time tutoring services or
 2996 fees for services provided by a choice navigator. Such services
 2997 must be provided by a person who holds a valid Florida
 2998 educator's certificate pursuant to s. 1012.56, a person who
 2999 holds an adjunct teaching certificate pursuant to s. 1012.57, a
 3000 person who has a bachelor's degree or a graduate degree in the

3001 subject area in which instruction is given, a person who has
 3002 demonstrated a mastery of subject area knowledge pursuant to s.
 3003 1012.56(5), or a person certified by a nationally or
 3004 internationally recognized research-based training program as
 3005 approved by the department. As used in this subparagraph, the
 3006 term "part-time tutoring services" does not qualify as regular
 3007 school attendance as defined in s. 1003.01(16)(e)
 3008 ~~1003.01(13)(e)~~.

3009 (12) SCHOLARSHIP FUNDING AND PAYMENT.—

3010 (a)1. Scholarships for students determined eligible
 3011 pursuant to paragraph (3) (a) may be funded once all scholarships
 3012 have been funded in accordance with s. 1002.395(6)(1)2. The
 3013 calculated scholarship amount for a participating student
 3014 determined eligible pursuant to paragraph (3) (a) shall be based
 3015 upon the grade level and school district in which the student
 3016 was assigned as 100 percent of the funds per unweighted full-
 3017 time equivalent in the Florida Education Finance Program for a
 3018 student in the basic program established pursuant to s.
 3019 1011.62(1)(c)1., plus a per-full-time equivalent share of funds
 3020 for the categorical programs established in s. 1011.62(5),
 3021 (7)(a), and (16), as funded in the General Appropriations Act.

3022 2. A scholarship of \$750 or an amount equal to the school
 3023 district expenditure per student riding a school bus, as
 3024 determined by the department, whichever is greater, may be
 3025 awarded to an eligible student who is enrolled in a Florida

3026 public school that is different from the school to which the
3027 student was assigned or in a lab school as defined in s. 1002.32
3028 if the school district does not provide the student with
3029 transportation to the school.

3030 3. The organization must provide the department with the
3031 documentation necessary to verify the student's participation.
3032 Upon receiving the documentation, the department shall transfer,
3033 beginning August 1, from state funds only, the amount calculated
3034 pursuant to subparagraph 1. ~~subparagraph 2.~~ to the organization
3035 for quarterly disbursement to parents of participating students
3036 each school year in which the scholarship is in force. For a
3037 student exiting a Department of Juvenile Justice commitment
3038 program who chooses to participate in the scholarship program,
3039 the amount of the Family Empowerment Scholarship calculated
3040 pursuant to subparagraph 1. ~~subparagraph 2.~~ must be transferred
3041 from the school district in which the student last attended a
3042 public school before commitment to the Department of Juvenile
3043 Justice. When a student enters the scholarship program, the
3044 organization must receive all documentation required for the
3045 student's participation, including the private school's and the
3046 student's fee schedules, at least 30 days before the first
3047 quarterly scholarship payment is made for the student.

3048 4. The initial payment shall be made after the
3049 organization's verification of admission acceptance, and
3050 subsequent payments shall be made upon verification of continued

HB 7029

2024

3051 enrollment and attendance at the private school. Payment must be
3052 by funds transfer or any other means of payment that the
3053 department deems to be commercially viable or cost-effective. An
3054 organization shall ensure that the parent has approved a funds
3055 transfer before any scholarship funds are deposited.

3056 5. An organization may not transfer any funds to an
3057 account of a student determined eligible pursuant to paragraph
3058 (3)(a) which has a balance in excess of \$24,000.

3059 Reviser's note.—Paragraph (4)(a) is amended to confirm an
3060 editorial substitution to conform to the redesignation of
3061 subsections in s. 1003.01 by s. 148, ch. 2023-8, Laws of
3062 Florida. Paragraph (12)(a) is amended to correct a cross-
3063 reference. The amendment by s. 5, ch. 2023-16, Laws of
3064 Florida, redesignated subparagraphs within paragraph (a)
3065 but did not revise references to subparagraph 2. The
3066 material found in subparagraph 2., as that reference
3067 existed prior to the amendment by s. 5, ch. 2023-16, is now
3068 contained in subparagraph 1.

3069 Section 75. Paragraphs (d) and (e) of subsection (6) of
3070 section 1002.395, Florida Statutes, are amended to read:

3071 1002.395 Florida Tax Credit Scholarship Program.—

3072 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
3073 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
3074 organization:

3075 (d)1. For the 2023-2024 school year, may fund no more than

HB 7029

2024

3076 20,000 scholarships for students who are enrolled pursuant to
3077 paragraph (7)(b). The number of scholarships funded for such
3078 students may increase by 40,000 in each subsequent school year.
3079 This subparagraph is repealed July 1, 2027.

3080 2. Must establish and maintain separate empowerment
3081 accounts from eligible contributions for each eligible student.
3082 For each account, the organization must maintain a record of
3083 accrued interest retained in the student's account. The
3084 organization must verify that scholarship funds are used for:

3085 a. Tuition and fees for full-time or part-time enrollment
3086 in an eligible private school.

3087 b. Transportation to a Florida public school in which a
3088 student is enrolled and that is different from the school to
3089 which the student was assigned or to a lab school as defined in
3090 s. 1002.32.

3091 c. Instructional materials, including digital materials
3092 and Internet resources.

3093 d. Curriculum as defined in s. 1002.394(2).

3094 e. Tuition and fees associated with full-time or part-time
3095 enrollment in a home education instructional program; an
3096 eligible postsecondary educational institution or a program
3097 offered by the postsecondary educational institution, unless the
3098 program is subject to s. 1009.25 or reimbursed pursuant to s.
3099 1009.30; an approved preapprenticeship program as defined in s.
3100 446.021(5) which is not subject to s. 1009.25 and complies with

3101 all applicable requirements of the Department of Education
3102 pursuant to chapter 1005; a private tutoring program authorized
3103 under s. 1002.43; a virtual program offered by a department-
3104 approved private online provider that meets the provider
3105 qualifications specified in s. 1002.45(2)(a); the Florida
3106 Virtual School as a private paying student; or an approved
3107 online course offered pursuant to s. 1003.499 or s. 1004.0961.

3108 f. Fees for nationally standardized, norm-referenced
3109 achievement tests, Advanced Placement Examinations, industry
3110 certification examinations, assessments related to postsecondary
3111 education, or other assessments.

3112 g. Contracted services provided by a public school or
3113 school district, including classes. A student who receives
3114 contracted services under this sub-subparagraph is not
3115 considered enrolled in a public school for eligibility purposes
3116 as specified in subsection (11) but rather attending a public
3117 school on a part-time basis as authorized under s. 1002.44.

3118 h. Tuition and fees for part-time tutoring services or
3119 fees for services provided by a choice navigator. Such services
3120 must be provided by a person who holds a valid Florida
3121 educator's certificate pursuant to s. 1012.56, a person who
3122 holds an adjunct teaching certificate pursuant to s. 1012.57, a
3123 person who has a bachelor's degree or a graduate degree in the
3124 subject area in which instruction is given, a person who has
3125 demonstrated a mastery of subject area knowledge pursuant to s.

3126 1012.56(5), or a person certified by a nationally or
3127 internationally recognized research-based training program as
3128 approved by the Department of Education. As used in this
3129 paragraph, the term "part-time tutoring services" does not
3130 qualify as regular school attendance as defined in s.
3131 1003.01(16)(e) ~~1003.01(13)(e)~~.

3132 (e) For students determined eligible pursuant to paragraph
3133 (7)(b), must:

3134 1. Maintain a signed agreement from the parent which
3135 constitutes compliance with the attendance requirements under
3136 ss. 1003.01(16) ~~1003.01(13)~~ and 1003.21(1).

3137 2. Receive eligible student test scores and, beginning
3138 with the 2027-2028 school year, by August 15, annually report
3139 test scores for students pursuant to paragraph (7)(b) to a state
3140 university pursuant to paragraph (9)(f).

3141 3. Provide parents with information, guidance, and support
3142 to create and annually update a student learning plan for their
3143 student. The organization must maintain the plan and allow
3144 parents to electronically submit, access, and revise the plan
3145 continuously.

3146 4. Upon submission by the parent of an annual student
3147 learning plan, fund a scholarship for a student determined
3148 eligible.

3149
3150 Information and documentation provided to the Department of

3151 Education and the Auditor General relating to the identity of a
 3152 taxpayer that provides an eligible contribution under this
 3153 section shall remain confidential at all times in accordance
 3154 with s. 213.053.

3155 Reviser's note.—Amended to confirm editorial substitutions to
 3156 conform to the redesignation of subsections in s. 1003.01
 3157 by s. 148, ch. 2023-8, Laws of Florida.

3158 Section 76. Subsections (1) and (3) of section 1002.44,
 3159 Florida Statutes, are amended to read:

3160 1002.44 Part-time public school enrollment.—

3161 (1) Any public school in this state, including a charter
 3162 school, may enroll a student who meets the regular school
 3163 attendance criteria in s. 1003.01(16)(b)-(f) ~~1003.01(13)(b)-(f)~~
 3164 on a part-time basis, subject to space and availability
 3165 according to the school's capacity determined pursuant to s.
 3166 1002.31(2)(b).

3167 (3) A student attending a public school on a part-time
 3168 basis pursuant to this section is not considered to be in
 3169 regular attendance at a public school as defined in s.
 3170 1003.01(16)(a) ~~1003.01(13)(a)~~.

3171 Reviser's note.—Amended to confirm editorial substitutions to
 3172 conform to the redesignation of subsections in s. 1003.01
 3173 by s. 148, ch. 2023-8, Laws of Florida.

3174 Section 77. Paragraphs (o), (p), and (q) of subsection (2)
 3175 of section 1002.82, Florida Statutes, are amended to read:

3176 1002.82 Department of Education; powers and duties.—
 3177 (2) The department shall:
 3178 (o) ~~No later than July 1, 2019,~~ Develop a differential
 3179 payment program based on the quality measures adopted by the
 3180 department under paragraph (n). The differential payment may not
 3181 exceed a total of 15 percent for each care level and unit of
 3182 child care for a child care provider. No more than 5 percent of
 3183 the 15 percent total differential may be provided to providers
 3184 who submit valid and reliable data to the statewide information
 3185 system in the domains of language and executive functioning
 3186 using a child assessment identified pursuant to paragraph (k).
 3187 Providers below the minimum program assessment score adopted for
 3188 contracting purposes are ineligible for such payment.
 3189 (p) ~~No later than July 1, 2022,~~ Develop and adopt
 3190 requirements for the implementation of a program designed to
 3191 make available contracted slots to serve children at the
 3192 greatest risk of school failure as determined by such children
 3193 being located in an area that has been designated as a poverty
 3194 area tract according to the latest census data. The contracted
 3195 slot program may also be used to increase the availability of
 3196 child care capacity based on the assessment under s.
 3197 1002.85(2)(i).
 3198 (q) Establish a single statewide information system that
 3199 each coalition must use for the purposes of managing the single
 3200 point of entry, tracking children's progress, coordinating

HB 7029

2024

3201 services among stakeholders, determining eligibility of
3202 children, tracking child attendance, and streamlining
3203 administrative processes for providers and early learning
3204 coalitions. ~~By July 1, 2019,~~ The system, subject to ss. 1002.72
3205 and 1002.97, shall:

3206 1. Allow a parent to find early learning programs online,
3207 including the performance profile under s. 1002.92(3)(a) which
3208 must be integrated into the online portal under s. 1001.10(10).

3209 2. Allow a parent to monitor the development of his or her
3210 child as the child moves among programs within the state.

3211 3. Enable analysis at the state, regional, and local level
3212 to measure child growth over time, program impact, and quality
3213 improvement and investment decisions.

3214 Reviser's note.—Amended to delete obsolete language.

3215 Section 78. Paragraph (i) of subsection (1) of section
3216 1003.02, Florida Statutes, is amended to read:

3217 1003.02 District school board operation and control of
3218 public K-12 education within the school district.—As provided in
3219 part II of chapter 1001, district school boards are
3220 constitutionally and statutorily charged with the operation and
3221 control of public K-12 education within their school districts.
3222 The district school boards must establish, organize, and operate
3223 their public K-12 schools and educational programs, employees,
3224 and facilities. Their responsibilities include staff
3225 development, public K-12 school student education including

HB 7029

2024

3226 education for exceptional students and students in juvenile
3227 justice programs, special programs, adult education programs,
3228 and career education programs. Additionally, district school
3229 boards must:

3230 (1) Provide for the proper accounting for all students of
3231 school age, for the attendance and control of students at
3232 school, and for proper attention to health, safety, and other
3233 matters relating to the welfare of students in the following
3234 areas:

3235 (i) *Notification of acceleration, academic, and career*
3236 *planning options.*—At the beginning of each school year, notify
3237 students in or entering high school and the students' parents,
3238 in a language that is understandable to students and parents, of
3239 the opportunity and benefits of advanced placement,
3240 International Baccalaureate, Advanced International Certificate
3241 of Education, and dual enrollment courses; career and
3242 professional academies; career-themed courses; the career and
3243 technical education pathway to earn a standard high school
3244 diploma under s. 1003.4282(10); work-based learning
3245 opportunities, including internships and apprenticeship and
3246 preapprenticeship programs; foundational and soft-skill
3247 credentialing programs under s. 445.06; Florida Virtual School
3248 courses; and options for early graduation under s. 1003.4281,
3249 and provide those students and parents with guidance on
3250 accessing and using Florida's online career planning and work-

3251 based learning coordination system and the contact information
 3252 of a certified school counselor who can advise students and
 3253 parents on those options.

3254 Reviser's note.—Amended to confirm an editorial reinsertion to
 3255 improve clarity and facilitate correct interpretation.

3256 Section 79. Paragraph (a) of subsection (2) of section
 3257 1003.4201, Florida Statutes, is amended to read:

3258 1003.4201 Comprehensive system of reading instruction.—

3259 Each school district must implement a system of comprehensive
 3260 reading instruction for students enrolled in prekindergarten
 3261 through grade 12 and certain students who exhibit a substantial
 3262 deficiency in early literacy.

3263 (2)(a) Components of the reading instruction plan may
 3264 include the following:

3265 1. Additional time per day of evidence-based intensive
 3266 reading instruction for kindergarten through grade 12 students,
 3267 which may be delivered during or outside of the regular school
 3268 day.

3269 2. Highly qualified reading coaches, who must be endorsed
 3270 in reading, to specifically support classroom teachers in making
 3271 instructional decisions based on progress monitoring data
 3272 collected pursuant to s. 1008.25(9) ~~1008.25(8)~~ and improve
 3273 classroom teacher delivery of effective reading instruction,
 3274 reading intervention, and reading in the content areas based on
 3275 student need.

3276 3. Professional development to help instructional
 3277 personnel and certified prekindergarten teachers funded in the
 3278 Florida Education Finance Program earn a certification, a
 3279 credential, an endorsement, or an advanced degree in
 3280 scientifically researched and evidence-based reading
 3281 instruction.

3282 4. Summer reading camps, using only classroom teachers or
 3283 other district personnel who possess a micro-credential as
 3284 specified in s. 1003.485 or are certified or endorsed in reading
 3285 consistent with s. 1008.25(8)(b)3. ~~1008.25(7)(b)3.~~, for all
 3286 students in kindergarten through grade 5 exhibiting a reading
 3287 deficiency as determined by district and state assessments.

3288 5. Incentives for instructional personnel and certified
 3289 prekindergarten teachers funded in the Florida Education Finance
 3290 Program who possess a reading certification or endorsement or
 3291 micro-credential as specified in s. 1003.485 and provide
 3292 educational support to improve student literacy.

3293 6. Tutoring in reading.
 3294 Reviser's note.—Amended to correct cross-references to conform
 3295 to the redesignation of subsections in s. 1008.25 by s. 15,
 3296 ch. 2023-108, Laws of Florida.

3297 Section 80. Paragraph (a) of subsection (2) of section
 3298 1003.46, Florida Statutes, is amended to read:

3299 1003.46 Health education; instruction in acquired immune
 3300 deficiency syndrome.—

3301 (2) Throughout instruction in acquired immune deficiency
 3302 syndrome, sexually transmitted diseases, or health education,
 3303 when such instruction and course material contains instruction
 3304 in human sexuality, a school shall:

3305 (a) Classify males and females as provided in s.
 3306 1000.21(7) ~~1000.21(9)~~ and teach that biological males impregnate
 3307 biological females by fertilizing the female egg with male
 3308 sperm; that the female then gestates the offspring; and that
 3309 these reproductive roles are binary, stable, and unchangeable.

3310
 3311 The Department of Education must approve any materials used for
 3312 instruction under this subsection.

3313 Reviser's note.—Amended to conform to the reordering of
 3314 definitions in s. 1000.21 by this act.

3315 Section 81. Paragraphs (a) and (b) of subsection (9) and
 3316 subsection (10) of section 1004.615, Florida Statutes, are
 3317 amended to read:

3318 1004.615 Florida Institute for Child Welfare.—

3319 (9) By October 1 of each year, the institute shall provide
 3320 a written report to the Governor, the President of the Senate,
 3321 and the Speaker of the House of Representatives which outlines
 3322 its activities in the preceding year, reports significant
 3323 research findings, as well as results of other programs, and
 3324 provides specific recommendations for improving child protection
 3325 and child welfare services.

3326 ~~(a) The institute shall include an evaluation of the~~
 3327 ~~results of the educational and training requirements for child~~
 3328 ~~protection and child welfare personnel established under this~~
 3329 ~~act in its report due October 1, 2017.~~

3330 ~~(b) The institute shall include an evaluation of the~~
 3331 ~~effects of the other provisions of this act and recommendations~~
 3332 ~~for improvements in child protection and child welfare services~~
 3333 ~~in its report due October 1, 2018.~~

3334 (10) The institute shall submit a report with
 3335 recommendations for improving the state's child welfare system.
 3336 The report shall address topics including, but not limited to,
 3337 enhancing working relationships between the entities involved in
 3338 the child protection and child welfare system, identification of
 3339 and replication of best practices, reducing paperwork,
 3340 increasing the retention of child protective investigators and
 3341 case managers, and caring for medically complex children within
 3342 the child welfare system, with the goal of allowing the child to
 3343 remain in the least restrictive and most nurturing environment.
 3344 ~~The institute shall submit an interim report by February 1,~~
 3345 ~~2015, and final report by October 1, 2015, to the Governor, the~~
 3346 ~~President of the Senate, and the Speaker of the House of~~
 3347 ~~Representatives.~~

3348 Reviser's note.—Amended to delete obsolete language.

3349 Section 82. Subsection (3) of section 1004.648, Florida
 3350 Statutes, is amended to read:

3351 1004.648 Florida Energy Systems Consortium.—
 3352 (3) The consortium shall consist of the state universities
 3353 as identified under s. 1000.21(9) ~~1000.21(8)~~.
 3354 Reviser's note.—Amended to conform to the reordering of
 3355 definitions in s. 1000.21 by this act.
 3356 Section 83. Paragraph (d) of subsection (2), paragraphs
 3357 (c) and (e) of subsection (4), and paragraph (b) of subsection
 3358 (7) of section 1006.07, Florida Statutes, are amended to read:
 3359 1006.07 District school board duties relating to student
 3360 discipline and school safety.—The district school board shall
 3361 provide for the proper accounting for all students, for the
 3362 attendance and control of students at school, and for proper
 3363 attention to health, safety, and other matters relating to the
 3364 welfare of students, including:
 3365 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student
 3366 conduct for elementary schools and a code of student conduct for
 3367 middle and high schools and distribute the appropriate code to
 3368 all teachers, school personnel, students, and parents, at the
 3369 beginning of every school year. Each code shall be organized and
 3370 written in language that is understandable to students and
 3371 parents and shall be discussed at the beginning of every school
 3372 year in student classes, school advisory council meetings, and
 3373 parent and teacher association or organization meetings. Each
 3374 code shall be based on the rules governing student conduct and
 3375 discipline adopted by the district school board and shall be

3376 made available in the student handbook or similar publication.
3377 Each code shall include, but is not limited to:

3378 (d)1. An explanation of the responsibilities of each
3379 student with regard to appropriate dress, respect for self and
3380 others, and the role that appropriate dress and respect for self
3381 and others has on an orderly learning environment. Each district
3382 school board shall adopt a dress code policy that prohibits a
3383 student, while on the grounds of a public school during the
3384 regular school day, from wearing clothing that exposes underwear
3385 or body parts in an indecent or vulgar manner or that disrupts
3386 the orderly learning environment.

3387 2. Any student who violates the dress code policy
3388 described in subparagraph 1. is subject to the following
3389 disciplinary actions:

3390 a. For a first offense, a student shall be given a verbal
3391 warning and the school principal shall call the student's parent
3392 or guardian.

3393 b. For a second offense, the student is ineligible to
3394 participate in any extracurricular activity for a period of time
3395 not to exceed 5 days and the school principal shall meet with
3396 the student's parent or guardian.

3397 c. For a third or subsequent offense, a student shall
3398 receive an in-school suspension pursuant to s. 1003.01(13) for a
3399 period not to exceed 3 days, the student is ineligible to
3400 participate in any extracurricular activity for a period not to

HB 7029

2024

3401 exceed 30 days, and the school principal shall call the
3402 student's parent or guardian and send the parent or guardian a
3403 written letter regarding the student's in-school suspension and
3404 ineligibility to participate in extracurricular activities.

3405 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

3406 (c) ~~Beginning with the 2021-2022 school year,~~ Each public
3407 school, including charter schools, shall implement a mobile
3408 panic alert system capable of connecting diverse emergency
3409 services technologies to ensure real-time coordination between
3410 multiple first responder agencies. Such system, known as
3411 "Alyssa's Alert," must integrate with local public safety
3412 answering point infrastructure to transmit 911 calls and mobile
3413 activations.

3414 ~~(c) For the 2020-2021 fiscal year and subject to the~~
3415 ~~appropriation of funds in the General Appropriations Act for~~
3416 ~~this purpose, the department shall issue a competitive~~
3417 ~~solicitation to contract for a mobile panic alert system that~~
3418 ~~may be used by each school district. The department shall~~
3419 ~~consult with the Marjory Stoneman Douglas High School Public~~
3420 ~~Safety Commission, the Department of Law Enforcement, and the~~
3421 ~~Division of Emergency Management in the development of the~~
3422 ~~competitive solicitation for the mobile panic alert system.~~

3423 (7) THREAT MANAGEMENT TEAMS.—Each district school board
3424 and charter school governing board shall establish a threat
3425 management team at each school whose duties include the

HB 7029

2024

3426 coordination of resources and assessment and intervention with
3427 students whose behavior may pose a threat to the safety of the
3428 school, school staff, or students.

3429 (b) A threat management team shall include persons with
3430 expertise in counseling, instruction, school administration, and
3431 law enforcement. All members of the threat management team must
3432 be involved in the threat assessment and threat management
3433 process and final decisionmaking. At least one member of the
3434 threat management team must have personal familiarity with the
3435 individual who is the subject of the threat assessment. If no
3436 member of the threat management team has such familiarity, a
3437 member of the ~~an~~ instructional personnel or administrative
3438 personnel, as those terms are defined in s. 1012.01(2) and (3),
3439 who is personally familiar with the individual who is the
3440 subject of the threat assessment must consult with the threat
3441 management team for the purpose of assessing the threat. The
3442 instructional or administrative personnel who provides such
3443 consultation shall not participate in the decisionmaking
3444 process.

3445 Reviser's note.—Subparagraph (2) (d)2. is amended to conform to
3446 language in subparagraph (2) (d)1. Paragraphs (4) (c) and (e)
3447 are amended to delete obsolete language. Paragraph (7) (b)
3448 is amended to confirm an editorial substitution to improve
3449 clarity.

3450 Section 84. Paragraphs (a) and (d) of subsection (2) of

HB 7029

2024

3451 section 1006.28, Florida Statutes, are amended to read:

3452 1006.28 Duties of district school board, district school
3453 superintendent; and school principal regarding K-12
3454 instructional materials.—

3455 (2) DISTRICT SCHOOL BOARD.—The district school board has
3456 the constitutional duty and responsibility to select and provide
3457 adequate instructional materials for all students in accordance
3458 with the requirements of this part. The district school board
3459 also has the following specific duties and responsibilities:

3460 (a) *Courses of study; adoption.*—Adopt courses of study,
3461 including instructional materials, for use in the schools of the
3462 district.

3463 1. Each district school board is responsible for the
3464 content of all instructional materials and any other materials
3465 used in a classroom, made available in a school or classroom
3466 library, or included on a reading list, whether adopted and
3467 purchased from the state-adopted instructional materials list,
3468 adopted and purchased through a district instructional materials
3469 program under s. 1006.283, or otherwise purchased or made
3470 available.

3471 2. Each district school board must adopt a policy
3472 regarding an objection by a parent or a resident of the county
3473 to the use of a specific material, which clearly describes a
3474 process to handle all objections and provides for resolution.
3475 The objection form, as prescribed by State Board of Education

3476 rule, and the district school board's process must be easy to
 3477 read and understand and be easily accessible on the homepage of
 3478 the school district's website. The objection form must also
 3479 identify the school district point of contact and contact
 3480 information for the submission of an objection. The process must
 3481 provide the parent or resident the opportunity to proffer
 3482 evidence to the district school board that:

3483 a. An instructional material does not meet the criteria of
 3484 s. 1006.31(2) or s. 1006.40(3)(c) ~~1006.40(3)(d)~~ if it was
 3485 selected for use in a course or otherwise made available to
 3486 students in the school district but was not subject to the
 3487 public notice, review, comment, and hearing procedures under s.
 3488 1006.283(2)(b) 8., 9., and 11.

3489 b. Any material used in a classroom, made available in a
 3490 school or classroom library, or included on a reading list
 3491 contains content which:

3492 (I) Is pornographic or prohibited under s. 847.012;

3493 (II) Depicts or describes sexual conduct as defined in s.
 3494 847.001(19), unless such material is for a course required by s.
 3495 1003.46 ~~or~~ s. 1003.42(2)(o) 1.g. or 3. ~~1003.42(2)(n) 1.g., or s.~~
 3496 ~~1003.42(2)(n) 3.~~, or identified by State Board of Education rule;

3497 (III) Is not suited to student needs and their ability to
 3498 comprehend the material presented; or

3499 (IV) Is inappropriate for the grade level and age group
 3500 for which the material is used.

3501
3502 Any material that is subject to an objection on the basis of
3503 sub-sub-subparagraph b.(I) or sub-sub-subparagraph b.(II) must
3504 be removed within 5 school days of receipt of the objection and
3505 remain unavailable to students of that school until the
3506 objection is resolved. Parents shall have the right to read
3507 passages from any material that is subject to an objection. If
3508 the school board denies a parent the right to read passages due
3509 to content that meets the requirements under sub-sub-
3510 subparagraph b.(I), the school district shall discontinue the
3511 use of the material. If the district school board finds that any
3512 material meets the requirements under sub-subparagraph a. or
3513 that any other material contains prohibited content under sub-
3514 sub-subparagraph b.(I), the school district shall discontinue
3515 use of the material. If the district school board finds that any
3516 other material contains prohibited content under sub-sub-
3517 subparagraphs b.(II)-(IV), the school district shall discontinue
3518 use of the material for any grade level or age group for which
3519 such use is inappropriate or unsuitable.

3520 3. Each district school board must establish a process by
3521 which the parent of a public school student or a resident of the
3522 county may contest the district school board's adoption of a
3523 specific instructional material. The parent or resident must
3524 file a petition, on a form provided by the school board, within
3525 30 calendar days after the adoption of the instructional

HB 7029

2024

3526 material by the school board. The school board must make the
3527 form available to the public and publish the form on the school
3528 district's website. The form must be signed by the parent or
3529 resident, include the required contact information, and state
3530 the objection to the instructional material based on the
3531 criteria of s. 1006.31(2) or s. 1006.40(3)(c) ~~1006.40(3)(d)~~.
3532 Within 30 days after the 30-day period has expired, the school
3533 board must, for all petitions timely received, conduct at least
3534 one open public hearing before an unbiased and qualified hearing
3535 officer. The hearing officer may not be an employee or agent of
3536 the school district. The hearing is not subject to the
3537 provisions of chapter 120; however, the hearing must provide
3538 sufficient procedural protections to allow each petitioner an
3539 adequate and fair opportunity to be heard and present evidence
3540 to the hearing officer. The school board's decision after
3541 convening a hearing is final and not subject to further petition
3542 or review.

3543 4. Meetings of committees convened for the purpose of
3544 ranking, eliminating, or selecting instructional materials for
3545 recommendation to the district school board must be noticed and
3546 open to the public in accordance with s. 286.011. Any committees
3547 convened for such purposes must include parents of students who
3548 will have access to such materials.

3549 5. Meetings of committees convened for the purpose of
3550 resolving an objection by a parent or resident to specific

HB 7029

2024

3551 materials must be noticed and open to the public in accordance
3552 with s. 286.011. Any committees convened for such purposes must
3553 include parents of students who will have access to such
3554 materials.

3555 6. If a parent disagrees with the determination made by
3556 the district school board on the objection to the use of a
3557 specific material, a parent may request the Commissioner of
3558 Education to appoint a special magistrate who is a member of The
3559 Florida Bar in good standing and who has at least 5 years'
3560 experience in administrative law. The special magistrate shall
3561 determine facts relating to the school district's determination,
3562 consider information provided by the parent and the school
3563 district, and render a recommended decision for resolution to
3564 the State Board of Education within 30 days after receipt of the
3565 request by the parent. The State Board of Education must approve
3566 or reject the recommended decision at its next regularly
3567 scheduled meeting that is more than 7 calendar days and no more
3568 than 30 days after the date the recommended decision is
3569 transmitted. The costs of the special magistrate shall be borne
3570 by the school district. The State Board of Education shall adopt
3571 rules, including forms, necessary to implement this
3572 subparagraph.

3573 (d) *School library media services; establishment and*
3574 *maintenance.*—Establish and maintain a program of school library
3575 media services for all public schools in the district, including

3576 school library media centers, or school library media centers
3577 open to the public, and, in addition such traveling or
3578 circulating libraries as may be needed for the proper operation
3579 of the district school system. Beginning January 1, 2023, school
3580 librarians, media specialists, and other personnel involved in
3581 the selection of school district library materials must complete
3582 the training program developed pursuant to s. 1006.29(6) before
3583 reviewing and selecting age-appropriate materials and library
3584 resources. Upon written request, a school district shall provide
3585 access to any material or book specified in the request that is
3586 maintained in a district school system library and is available
3587 for review.

3588 1. Each book made available to students through a school
3589 district library media center or included in a recommended or
3590 assigned school or grade-level reading list must be selected by
3591 a school district employee who holds a valid educational media
3592 specialist certificate, regardless of whether the book is
3593 purchased, donated, or otherwise made available to students.

3594 2. Each district school board shall adopt procedures for
3595 developing library media center collections and post the
3596 procedures on the website for each school within the district.
3597 The procedures must:

3598 a. Require that book selections meet the criteria in s.
3599 1006.40(3)(c) ~~1006.40(3)(d)~~.

3600 b. Require consultation of reputable, professionally

3601 recognized reviewing periodicals and school community
 3602 stakeholders.

3603 c. Provide for library media center collections, including
 3604 classroom libraries, based on reader interest, support of state
 3605 academic standards and aligned curriculum, and the academic
 3606 needs of students and faculty.

3607 d. Provide for the regular removal or discontinuance of
 3608 books based on, at a minimum, physical condition, rate of recent
 3609 circulation, alignment to state academic standards and relevancy
 3610 to curriculum, out-of-date content, and required removal
 3611 pursuant to subparagraph (a)2.

3612 3. Each elementary school must publish on its website, in
 3613 a searchable format prescribed by the department, a list of all
 3614 materials maintained and accessible in the school library media
 3615 center or a classroom library or required as part of a school or
 3616 grade-level reading list.

3617 4. Each district school board shall adopt and publish on
 3618 its website the process for a parent to limit his or her
 3619 student's access to materials in the school or classroom
 3620 library.

3621 Reviser's note.—Amended to correct cross-references to conform
 3622 to the redesignation of s. 1006.40(3)(d) as s.

3623 1006.40(3)(c) by s. 32, ch. 2023-245, Laws of Florida.

3624 Paragraph (a) is further amended to correct cross-

3625 references to conform to the redesignation of s.

3626 | 1003.42 (2) (n) as s. 1003.42 (2) (o) by s. 6, ch. 2023-39,
 3627 | Laws of Florida, and to conform to Florida Statutes
 3628 | citation style.

3629 | Section 85. Paragraph (d) of subsection (5) and paragraph
 3630 | (c) of subsection (6) of section 1008.25, Florida Statutes, are
 3631 | amended to read:

3632 | 1008.25 Public school student progression; student
 3633 | support; coordinated screening and progress monitoring;
 3634 | reporting requirements.—

3635 | (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

3636 | (d) The parent of any student who exhibits a substantial
 3637 | deficiency in reading, as described in paragraph (a), must be
 3638 | notified in writing of the following:

3639 | 1. That his or her child has been identified as having a
 3640 | substantial deficiency in reading, including a description and
 3641 | explanation, in terms understandable to the parent, of the exact
 3642 | nature of the student's difficulty in learning and lack of
 3643 | achievement in reading.

3644 | 2. A description of the current services that are provided
 3645 | to the child.

3646 | 3. A description of the proposed intensive interventions
 3647 | and supports that will be provided to the child that are
 3648 | designed to remediate the identified area of reading deficiency.

3649 | 4. That if the child's reading deficiency is not
 3650 | remediated by the end of grade 3, the child must be retained

3651 unless he or she is exempt from mandatory retention for good
 3652 cause.

3653 5. Strategies, including multisensory strategies and
 3654 programming, through a read-at-home plan the parent can use in
 3655 helping his or her child succeed in reading. The read-at-home
 3656 plan must provide access to the resources identified in
 3657 paragraph (e) ~~(f)~~.

3658 6. That the statewide, standardized English Language Arts
 3659 assessment is not the sole determiner of promotion and that
 3660 additional evaluations, portfolio reviews, and assessments are
 3661 available to the child to assist parents and the school district
 3662 in knowing when a child is reading at or above grade level and
 3663 ready for grade promotion.

3664 7. The district's specific criteria and policies for a
 3665 portfolio as provided in subparagraph (7)(b)4. and the evidence
 3666 required for a student to demonstrate mastery of Florida's
 3667 academic standards for English Language Arts. A school must
 3668 immediately begin collecting evidence for a portfolio when a
 3669 student in grade 3 is identified as being at risk of retention
 3670 or upon the request of the parent, whichever occurs first.

3671 8. The district's specific criteria and policies for
 3672 midyear promotion. Midyear promotion means promotion of a
 3673 retained student at any time during the year of retention once
 3674 the student has demonstrated ability to read at grade level.

3675 9. Information about the student's eligibility for the New

3676 Worlds Reading Initiative under s. 1003.485 and the New Worlds
 3677 Scholarship Accounts under s. 1002.411 and information on parent
 3678 training modules and other reading engagement resources
 3679 available through the initiative.

3680
 3681 After initial notification, the school shall apprise the parent
 3682 at least monthly of the student's progress in response to the
 3683 intensive interventions and supports. Such communications must
 3684 be in writing and must explain any additional interventions or
 3685 supports that will be implemented to accelerate the student's
 3686 progress if the interventions and supports already being
 3687 implemented have not resulted in improvement.

3688 (6) MATHEMATICS DEFICIENCY AND PARENTAL NOTIFICATION.—

3689 (c) The parent of a student who exhibits a substantial
 3690 deficiency in mathematics, as described in paragraph (a), must
 3691 be notified in writing of the following:

3692 1. That his or her child has been identified as having a
 3693 substantial deficiency in mathematics, including a description
 3694 and explanation, in terms understandable to the parent, of the
 3695 exact nature of the student's difficulty in learning and lack of
 3696 achievement in mathematics.

3697 2. A description of the current services that are provided
 3698 to the child.

3699 3. A description of the proposed intensive interventions
 3700 and supports that will be provided to the child that are

3701 | designed to remediate the identified area of mathematics
 3702 | deficiency.

3703 | 4. Strategies, including multisensory strategies and
 3704 | programming, through a home-based plan the parent can use in
 3705 | helping his or her child succeed in mathematics. The home-based
 3706 | plan must provide access to the resources identified in
 3707 | paragraph (d) ~~(e)~~.

3708 |
 3709 | After the initial notification, the school shall apprise the
 3710 | parent at least monthly of the student's progress in response to
 3711 | the intensive interventions and supports. Such communications
 3712 | must be in writing and must explain any additional interventions
 3713 | or supports that will be implemented to accelerate the student's
 3714 | progress if the interventions and supports already being
 3715 | implemented have not resulted in improvement.

3716 | Reviser's note.—Paragraph (5)(d) is amended to correct a cross-
 3717 | reference to conform to the fact that paragraph (f) does
 3718 | not exist; paragraph (e) provides a list of resources to be
 3719 | incorporated into a home-based plan for use by the parent
 3720 | of a student identified as having a substantial reading
 3721 | deficiency. Paragraph (6)(c) is amended to correct a cross-
 3722 | reference to conform to the fact that paragraph (e) does
 3723 | not exist; paragraph (d) provides a list of resources to be
 3724 | incorporated into a home-based plan for use by the parent
 3725 | of a student identified as having a substantial mathematics

3726 deficiency.

3727 Section 86. Paragraph (c) of subsection (1) of section
3728 1009.21, Florida Statutes, is amended to read:

3729 1009.21 Determination of resident status for tuition
3730 purposes.—Students shall be classified as residents or
3731 nonresidents for the purpose of assessing tuition in
3732 postsecondary educational programs offered by charter technical
3733 career centers or career centers operated by school districts,
3734 in Florida College System institutions, and in state
3735 universities.

3736 (1) As used in this section, the term:

3737 (c) "Institution of higher education" means any charter
3738 technical career center as defined in s. 1002.34, career center
3739 operated by a school district as defined in s. 1001.44, Florida
3740 College System institution as defined in s. 1000.21(5), or state
3741 university as defined in s. 1000.21(9) ~~1000.21(8)~~.

3742 Reviser's note.—Amended to conform to the reordering of
3743 definitions in s. 1000.21 by this act.

3744 Section 87. Subsection (6) of section 1009.286, Florida
3745 Statutes, is amended to read:

3746 1009.286 Additional student payment for hours exceeding
3747 baccalaureate degree program completion requirements at state
3748 universities.—

3749 (6) For purposes of this section, the term "state
3750 university" includes the institutions identified in s.

3751 1000.21(9) ~~1000.21(8)~~ and the term "Florida College System
 3752 institution" includes the institutions identified in s.
 3753 1000.21(5).

3754 Reviser's note.—Amended to conform to the reordering of
 3755 definitions in s. 1000.21 by this act.

3756 Section 88. Paragraph (b) of subsection (3) of section
 3757 1009.30, Florida Statutes, is amended to read:

3758 1009.30 Dual Enrollment Scholarship Program.—

3759 (3)

3760 (b) The program shall reimburse institutions for tuition
 3761 and related instructional materials costs for dual enrollment
 3762 courses taken by public school, private school, home education
 3763 program ~~secondary students~~, or personalized education program
 3764 secondary students during the summer term.

3765 Reviser's note.—Amended to confirm an editorial deletion to
 3766 improve clarity.

3767 Section 89. Paragraph (c) of subsection (2) and paragraph
 3768 (b) of subsection (5) of section 1009.895, Florida Statutes, are
 3769 amended to read:

3770 1009.895 Open Door Grant Program.—

3771 (2) ELIGIBILITY.—In order to be eligible for the program,
 3772 a student must:

3773 (c) Be enrolled at a school district postsecondary
 3774 technical career center under s. 1001.44, a Florida College
 3775 System institution under s. 1000.21(5) ~~1000.21(3)~~, or a charter

3776 technical career center under s. 1002.34.
 3777
 3778 An institution may not impose additional criteria to determine a
 3779 student's eligibility to receive a grant under this section.
 3780 (5) INSTITUTIONAL REPORTING.—Each institution shall report
 3781 to the department by the established date:
 3782 (b) ~~Submit a report with~~ Data from the previous fiscal
 3783 year on program completion and credential attainment by students
 3784 participating in the grant program that, at a minimum, includes:
 3785 1. A list of the programs offered.
 3786 2. The number of students who enrolled in the programs.
 3787 3. The number of students who completed the programs.
 3788 4. The number of students who attained workforce
 3789 credentials, categorized by credential name and relevant
 3790 occupation, after completing training programs.
 3791 Reviser's note.—Paragraph (2)(c) is amended to conform to the
 3792 reordering of definitions in s. 1000.21 by s. 136, ch.
 3793 2023-8, Laws of Florida. Paragraph (5)(b) is amended to
 3794 confirm an editorial deletion to improve clarity.
 3795 Section 90. Subsection (13) of section 1011.62, Florida
 3796 Statutes, is amended, and subsection (15) of that section is
 3797 reenacted, to read:
 3798 1011.62 Funds for operation of schools.—If the annual
 3799 allocation from the Florida Education Finance Program to each
 3800 district for operation of schools is not determined in the

HB 7029

2024

3801 annual appropriations act or the substantive bill implementing
3802 the annual appropriations act, it shall be determined as
3803 follows:

3804 (13) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental
3805 health assistance allocation is created to provide funding to
3806 assist school districts in implementing ~~their implementation of~~
3807 their school-based mental health assistance program pursuant to
3808 s. 1006.041. These funds shall be allocated annually in the
3809 General Appropriations Act or other law to each eligible school
3810 district. Each school district shall receive a minimum of
3811 \$100,000, with the remaining balance allocated based on each
3812 school district's proportionate share of the state's total
3813 unweighted full-time equivalent student enrollment.

3814 (15) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR
3815 CURRENT OPERATION.—The total annual state allocation to each
3816 district for current operation for the Florida Education Finance
3817 Program shall be distributed periodically in the manner
3818 prescribed in the General Appropriations Act.

3819 (a) If the funds appropriated for current operation of the
3820 Florida Education Finance Program, including funds appropriated
3821 pursuant to subsection (18), are not sufficient to pay the state
3822 requirement in full, the department shall prorate the available
3823 state funds to each district in the following manner:

3824 1. Determine the percentage of proration by dividing the
3825 sum of the total amount for current operation, as provided in

3826 | this paragraph for all districts collectively, and the total
3827 | district required local effort into the sum of the state funds
3828 | available for current operation and the total district required
3829 | local effort.

3830 | 2. Multiply the percentage so determined by the sum of the
3831 | total amount for current operation as provided in this paragraph
3832 | and the required local effort for each individual district.

3833 | 3. From the product of such multiplication, subtract the
3834 | required local effort of each district; and the remainder shall
3835 | be the amount of state funds allocated to the district for
3836 | current operation. However, no calculation subsequent to the
3837 | appropriation shall result in negative state funds for any
3838 | district.

3839 | (b) The amount thus obtained shall be the net annual
3840 | allocation to each school district. However, if it is determined
3841 | that any school district received an under allocation or over
3842 | allocation for any prior year because of an arithmetical error,
3843 | assessment roll change required by final judicial decision,
3844 | full-time equivalent student membership error, or any allocation
3845 | error revealed in an audit report, the allocation to that
3846 | district shall be appropriately adjusted. An under allocation in
3847 | a prior year caused by a school district's error may not be the
3848 | basis for a positive allocation adjustment for the current year.
3849 | Beginning with the 2011-2012 fiscal year, if a special program
3850 | cost factor is less than the basic program cost factor, an audit

HB 7029

2024

3851 adjustment may not result in the reclassification of the special
3852 program FTE to the basic program FTE. If the Department of
3853 Education audit adjustment recommendation is based upon
3854 controverted findings of fact, the Commissioner of Education is
3855 authorized to establish the amount of the adjustment based on
3856 the best interests of the state.

3857 (c) The amount thus obtained shall represent the net
3858 annual state allocation to each district; however,
3859 notwithstanding any of the provisions herein, each district
3860 shall be guaranteed a minimum level of funding in the amount and
3861 manner prescribed in the General Appropriations Act.

3862 Reviser's note.—Subsection (13) is amended to confirm an
3863 editorial substitution to improve clarity. Section 41, ch.
3864 2023-245, Laws of Florida, purported to amend subsection
3865 (15), but did not publish paragraphs (b) and (c). Absent
3866 affirmative evidence of legislative intent to repeal them,
3867 subsection (15) is reenacted to confirm that the omission
3868 was not intended.

3869 Section 91. Subsection (2) of section 1012.71, Florida
3870 Statutes, is amended to read:

3871 1012.71 The Florida Teachers Classroom Supply Assistance
3872 Program.—

3873 (2) The amount of funds per classroom teacher for the
3874 Florida Teachers Classroom Supply Assistance Program shall be
3875 specified in the General Appropriations Act. Classroom teachers

3876 shall use the funds to purchase, on behalf of the school
 3877 district or charter school, classroom materials and supplies for
 3878 the public school students assigned to them, and the funds may
 3879 not be used to purchase equipment. The funds shall be used to
 3880 supplement the materials and supplies otherwise available to
 3881 classroom teachers.

3882 Reviser's note.—Amended to confirm editorial insertions to
 3883 improve clarity and sentence structure.

3884 Section 92. Section 1012.993, Florida Statutes, is amended
 3885 to read:

3886 1012.993 Interstate Teacher Mobility Compact.—The Governor
 3887 is authorized and directed to execute the Interstate Teacher
 3888 Mobility Compact on behalf of this state with any other state or
 3889 states legally joining therein in the form substantially as
 3890 follows:

3891
 3892 ARTICLE I

3893 PURPOSE

3894
 3895 The purpose of this compact is to facilitate the mobility
 3896 of teachers across the member states with the goal of supporting
 3897 teachers through a new pathway to licensure. Through this
 3898 compact, the member states seek to establish a collective
 3899 regulatory framework which expedites and enhances the ability of
 3900 teachers from a variety of backgrounds to move across state

3901 | lines. This compact is intended to achieve the following
 3902 | objectives and should be interpreted accordingly. The member
 3903 | states hereby ratify the same intentions by subscribing hereto:
 3904 | (1) Create a streamlined pathway to licensure mobility for
 3905 | teachers;
 3906 | (2) Support the relocation of eligible military spouses;
 3907 | (3) Facilitate and enhance the exchange of licensure,
 3908 | investigative, and disciplinary information between the member
 3909 | states;
 3910 | (4) Enhance the power of state and district level
 3911 | education officials to hire qualified, competent teachers by
 3912 | removing barriers to the employment of out-of-state teachers;
 3913 | (5) Support the retention of teachers in the profession by
 3914 | removing barriers to relicensure in a new state; and
 3915 | (6) Maintain state sovereignty in the regulation of the
 3916 | teaching profession.

3917 |
 3918 | ARTICLE II
 3919 | DEFINITIONS

3920 |
 3921 | As used in this compact, and except as otherwise provided,
 3922 | the following definitions shall govern the terms herein:

3923 | (1) "Active military member" means any person with a full-
 3924 | time duty status in the uniformed armed services of the United
 3925 | States, including members of the National Guard and Reserve.

3926 (2) "Adverse action" means any limitation or restriction
3927 imposed by a member state's licensing authority, including the
3928 revocation, suspension, reprimand, probation, or limitation on
3929 the licensee's ability to work as a teacher.

3930 (3) "Bylaws" means the bylaws established by the
3931 commission.

3932 (4) "Career and technical education" means a current,
3933 valid authorization issued by a member state's licensing
3934 authority allowing an individual to serve as a teacher in K-12
3935 public educational settings in a specific career and technical
3936 education area.

3937 (5) "Commissioner" means the delegate of a member state.

3938 (6) "Eligible license" means a license to engage in the
3939 teaching profession which requires at least a bachelor's degree
3940 and the completion of a state-approved program for teacher
3941 licensure.

3942 (7) "Eligible military spouse" means the spouse of any
3943 individual in full-time duty status in the active uniformed
3944 service of the United States, including members of the National
3945 Guard and Reserve on active duty moving as a result of military
3946 mission or military career progression requirements, or are on
3947 their terminal move as a result of separation or retirement,
3948 including surviving spouses of deceased military members.

3949 (8) "Executive committee" means a group of commissioners
3950 elected or appointed to act on behalf of, and within the powers

HB 7029

2024

3951 granted to them by, the commission as provided herein.

3952 (9) "Licensing authority" means an official, agency,
3953 board, or other entity of a state that is responsible for the
3954 licensing and regulation of teachers authorized to teach in K-12
3955 public educational settings.

3956 (10) "Member state" means any state that has adopted this
3957 compact, including all agencies and officials of such a state.

3958 (11) "Receiving state" means any state where a teacher has
3959 applied for licensure under this compact.

3960 (12) "Rule" means any regulation adopted by the commission
3961 under this compact which shall have the force of law in each
3962 member state.

3963 (13) "State" means a state, territory, or possession of
3964 the United States and the District of Columbia.

3965 (14) "State practice laws" means a member state's laws,
3966 rules, and regulations that govern the teaching profession,
3967 define the scope of such profession, and create the method and
3968 grounds for imposing discipline.

3969 (15) "Teacher" means an individual who currently holds an
3970 authorization from a member state which forms the basis for
3971 employment in the K-12 public schools of the state to provide
3972 instruction in a specific subject area, grade level, or student
3973 population.

3974 (16) "Unencumbered license" means a current, valid
3975 authorization issued by a member state's licensing authority

3976 | allowing an individual to serve as a teacher in K-12 public
 3977 | education settings. An unencumbered license is not a restricted,
 3978 | probationary, provisional, substitute, or temporary credential.

3979 |
 3980 | ARTICLE III
 3981 | LICENSURE UNDER THE COMPACT
 3982 |

3983 | (1) Licensure under this compact pertains only to the
 3984 | initial grant of a license by the receiving state. Nothing
 3985 | herein applies to any subsequent or ongoing compliance
 3986 | requirements that a receiving state might require for teachers.

3987 | (2) Each member state shall, in accordance with rules of
 3988 | the commission, define, compile, and update, as necessary, a
 3989 | list of eligible licenses and career and technical education
 3990 | licenses that the member state is willing to consider for
 3991 | equivalency under this compact and provide the list to the
 3992 | commission. The list shall include those licenses that a
 3993 | receiving state is willing to grant teachers from other member
 3994 | states, pending a determination of equivalency by the receiving
 3995 | state's licensing authority.

3996 | (3) Upon the receipt of an application for licensure by a
 3997 | teacher holding an unencumbered license, the receiving state
 3998 | shall determine which of the receiving state's eligible licenses
 3999 | the teacher is qualified to hold and shall grant such a license
 4000 | or licenses to the applicant. Such a determination shall be made

HB 7029

2024

4001 in the sole discretion of the receiving state's licensing
4002 authority and may include a determination that the applicant is
4003 not eligible for any of the receiving state's licenses. For all
4004 teachers who hold an unencumbered license, the receiving state
4005 shall grant one or more unencumbered licenses that, in the
4006 receiving state's sole discretion, are equivalent to the license
4007 held by the teacher in any other member state.

4008 (4) For active duty military members and eligible military
4009 spouses who hold a license that is not unencumbered, the
4010 receiving state shall grant an equivalent license or licenses
4011 that, in the receiving state's sole discretion, is equivalent to
4012 the license or licenses held by the teacher in any other member
4013 state, except where the receiving state does not have an
4014 equivalent license.

4015 (5) For a teacher holding an unencumbered career and
4016 technical education license, the receiving state shall grant an
4017 unencumbered license equivalent to the career and technical
4018 education license held by the applying teacher and issued by
4019 another member state, as determined by the receiving state in
4020 its sole discretion, except where a career and technical
4021 education teacher does not hold a bachelor's degree and the
4022 receiving state requires a bachelor's degree for licenses to
4023 teach career and technical education. A receiving state may
4024 require career and technical education teachers to meet state
4025 industry recognized requirements, if required by law in the

4026 receiving state.

4027

4028 ARTICLE IV

4029 LICENSURE NOT UNDER THE COMPACT

4030

4031 (1) Except as provided in Article III, nothing in this
 4032 compact shall be construed to limit or inhibit the power of a
 4033 member state to regulate licensure or endorsements overseen by
 4034 the member state's licensing authority.

4035 (2) When a teacher is required to renew a license received
 4036 pursuant to this compact, the state granting such a license may
 4037 require the teacher to complete state-specific requirements as a
 4038 condition of licensure renewal or advancement in that state.

4039 (3) For purposes of determining compensation, a receiving
 4040 state may require additional information from teachers receiving
 4041 a license under the provisions of this compact.

4042 (4) Nothing in this compact shall be construed to limit
 4043 the power of a member state to control and maintain ownership of
 4044 its information pertaining to teachers or limit the application
 4045 of a member state's laws or regulations governing the ownership,
 4046 use, or dissemination of information pertaining ~~pertain~~ to
 4047 teachers.

4048 (5) Nothing in this compact shall be construed to
 4049 invalidate or alter any existing agreement or other cooperative
 4050 arrangement which a member state may already be a party to or

4076 receiving state; and

4077 (b) Provide the receiving state with information in
 4078 addition to the information required for licensure for the
 4079 purposes of determining compensation, if applicable.

4080

4081 ARTICLE VI

4082 DISCIPLINE AND ADVERSE ACTIONS

4083

4084 Nothing in this compact shall be deemed or construed to
 4085 limit the authority of a member state to investigate or impose
 4086 disciplinary measures on teachers according to the state
 4087 practice laws thereof.

4088

4089 ARTICLE VII

4090 ESTABLISHMENT OF THE INTERSTATE

4091 TEACHER MOBILITY COMPACT COMMISSION

4092

4093 (1) The interstate compact member states hereby create and
 4094 establish a joint public agency known as the Interstate Teacher
 4095 Mobility Compact Commission:

4096 (a) The commission is a joint interstate governmental
 4097 agency comprised of states that have enacted the Interstate
 4098 Teacher Mobility Compact.

4099 (b) Nothing in this compact shall be construed to be a
 4100 waiver of sovereign immunity.

HB 7029

2024

4101 (2) (a) Each member state shall have and be limited to one
 4102 delegate to the commission, who shall be given the title of
 4103 commissioner.

4104 (b) The commissioner shall be the primary administrative
 4105 officer of the state licensing authority or their designee.

4106 (c) Any commissioner may be removed or suspended from
 4107 office as provided by the law of the state from which the
 4108 commissioner is appointed.

4109 (d) The member state shall fill any vacancy occurring in
 4110 the commission within 90 days.

4111 (e) Each commissioner shall be entitled ~~entitle~~ to one
 4112 vote about the adoption of rules and creation of bylaws and
 4113 shall otherwise have an opportunity to participate in the
 4114 business and affairs of the commission. A commissioner shall
 4115 vote in person or by such other means as provided in the bylaws.
 4116 The bylaws may provide for commissioners' participation in
 4117 meetings by telephone or other means of communication.

4118 (f) The commission shall meet at least once during each
 4119 calendar year. Additional meetings shall be held as set forth in
 4120 the bylaws.

4121 (g) The commission shall establish by rule a term of
 4122 office for commissioners.

4123 (3) The commission shall have the following powers and
 4124 duties:

4125 (a) Establish a code of ethics for the commission.

HB 7029

2024

- 4126 (b) Establish a fiscal year of the commission.
- 4127 (c) Establish bylaws for the commission.
- 4128 (d) Maintain its financial records in accordance with the
4129 bylaws of the commission.
- 4130 (e) Meet and take such actions as are consistent with the
4131 provisions of this compact, the bylaws, and rules of the
4132 commission.
- 4133 (f) Adopt uniform rules to implement and administer this
4134 compact. The rules shall have the force and effect of law and
4135 shall be binding in all member states. In the event the
4136 commission exercises its rulemaking authority in a manner that
4137 is beyond the scope of the purposes of this compact, or the
4138 powers granted hereunder, then such an action by the commission
4139 shall be invalid and have no force and effect of law.
- 4140 (g) Bring and prosecute legal proceedings or actions in
4141 the name of the commission, provided that the standing of any
4142 member state licensing authority to sue or be sued under
4143 applicable law shall not be affected.
- 4144 (h) Purchase and maintain insurance and bonds.
- 4145 (i) Borrow, accept, or contract for services of personnel,
4146 including, but not limited to, employees of a member state or an
4147 associated nongovernmental organization that is open to
4148 membership by all states.
- 4149 (j) Hire employees, elect or appoint officers, fix
4150 compensation, define duties, grant such individuals appropriate

HB 7029

2024

4151 authority to carry out the purposes of this compact, and
4152 establish the commission's personnel policies and programs
4153 relating to conflicts of interest, qualifications of personnel,
4154 and other related personnel matters.

4155 (k) Lease, purchase, accept appropriate gifts or donations
4156 of, or otherwise own, hold, improve, or use, any property, real,
4157 personal or mixed, provided that at all times the commission
4158 shall avoid any appearance of impropriety.

4159 (l) Sell, convey, mortgage, pledge, lease, exchange,
4160 abandon, or otherwise dispose of any property real, personal or
4161 mixed.

4162 (m) Establish a budget and make expenditures.

4163 (n) Borrow money.

4164 (o) Appoint committees, including standing committees
4165 composed of members and such other interested persons as may be
4166 designated in this interstate compact, rules, or bylaws.

4167 (p) Provide and receive information from, and cooperate
4168 with, law enforcement agencies.

4169 (q) Establish and elect an executive committee.

4170 (r) Establish and develop a charter for an executive
4171 information governance committee to advise on facilitating the
4172 exchange of information, the use of information, data privacy,
4173 and technical support needs, and provide reports as needed.

4174 (s) Perform such other functions as may be necessary or
4175 appropriate to achieve the purposes of this compact consistent

HB 7029

2024

4176 with the state regulation of teacher licensure.

4177 (t) Determine whether a state's adopted language is
4178 materially different from the model compact language such that
4179 the state would not qualify for participation in the compact.

4180 (4) (a) The executive committee shall have the power to act
4181 on behalf of the commission according to the terms of this
4182 compact.

4183 (b) The executive committee shall be composed of eight
4184 voting members as follows:

4185 1. The chair of the commission.

4186 2. The vice chair ~~vicechair~~ of the commission.

4187 3. The treasurer of the commission.

4188 4. Five members who are elected by the commission from the
4189 current membership as follows:

4190 a. Four voting members representing geographic regions in
4191 accordance with commission rules.

4192 b. One at-large voting member in accordance with
4193 commission rules.

4194 (c) The commission may add or remove members of the
4195 executive committee as provided in commission rules.

4196 (d) The executive committee shall meet at least once
4197 annually.

4198 (e) The executive committee shall have the following
4199 duties and responsibilities:

4200 1. Recommend to the entire commission changes to the rules

HB 7029

2024

4201 or bylaws, changes to the compact legislation, fees paid by
4202 interstate compact member states such as annual dues, and any
4203 compact fee charged by the member states on behalf of the
4204 commission.

4205 2. Ensure commission administration services are
4206 appropriately provided, contractual or otherwise.

4207 3. Prepare and recommend the budget.

4208 4. Maintain financial records on behalf of the commission.

4209 5. Monitor compliance of member states and provide reports
4210 to the commission.

4211 6. Perform other duties as provided in the rules or
4212 bylaws.

4213 (5)(a) All meetings of the commission shall be open to the
4214 public, and public notice of meetings shall be given in
4215 accordance with commission bylaws.

4216 (b) The commission shall keep minutes of commission
4217 meetings and shall provide a full and accurate summary of
4218 actions taken ~~take~~, and the reasons thereof, including a
4219 description of the views expressed. All documents considered in
4220 connection with an action shall be identified in such minutes.

4221 (6)(a) The commission shall pay, or provide for the
4222 payment of, the reasonable expenses of its establishment,
4223 organization, and ongoing activities.

4224 (b) The commission may accept all appropriate donations
4225 and grants of money, equipment, supplies, materials, and

4226 services, and receive, utilize, and dispose of the same,
4227 provided that at all times the commission shall avoid any
4228 appearance of impropriety or conflicts of interest.

4229 (c) The commission may levy on and collect an annual
4230 assessment from each member state or impose fees on other
4231 parties to cover the cost of the operations and activities of
4232 the commission, in accordance with the rules of the commission.

4233 (d) The commission shall not incur obligations of any kind
4234 prior to securing the funds adequate to meet the same; nor shall
4235 the commission pledge the credit of any of the member states,
4236 except by and with the authority of the member state.

4237 (e) The commission shall keep accurate accounts of all
4238 receipts and disbursements. The receipts and disbursements of
4239 the commission shall be subject to all accounting procedures
4240 established under the commission bylaws. All receipts and
4241 disbursements of funds of the commission shall be reviewed
4242 annually in accordance with commission bylaws, and a report of
4243 the review shall be included in and become part of the annual
4244 report of the commission.

4245 (7)(a) The members, officers, executive director,
4246 employees, and representatives of the commission shall be immune
4247 from suit and liability, either personally or in their official
4248 capacity, for any claim for damage to or loss of property or
4249 personal injury or other civil liability caused by or arising
4250 out of any actual or alleged act, error, or omission that

4251 occurred or that the person against whom the claim is made had a
4252 reasonable basis for believing occurred within the scope of
4253 commission employment, duties, or responsibilities. Nothing in
4254 this paragraph shall be construed to protect any such person
4255 from suit or liability for any damage, loss, injury, or
4256 liability caused by the intentional, willful, or wanton
4257 misconduct of that person.

4258 (b) The commission shall defend any member, officer,
4259 executive director, employee, or representative of the
4260 commission in any civil action seeking to impose liability
4261 arising out of any actual or alleged act, error, or omission
4262 that occurred within the scope of commission employment, duties,
4263 or responsibilities, or that the person against whom the claim
4264 is made had a reasonable basis for believing occurred within the
4265 scope of commission employment, duties, or responsibilities.
4266 Nothing in this paragraph shall be construed to prohibit that
4267 person from retaining his or her own counsel and provided
4268 ~~provide~~ further that the actual or alleged act, error, or
4269 omission did not result from the person's intentional, willful,
4270 or wanton misconduct.

4271 (c) The commission shall indemnify and hold harmless any
4272 member, officer, executive director, employee, or representative
4273 of the commission for the amount of any settlement or judgment
4274 obtained against that person arising out of any actual or
4275 alleged act, error, or omission that occurred within the scope

4276 of commission employment, duties, or responsibilities, or that
4277 such person had a reasonable basis for believing occurred within
4278 the scope of commission employment, duties, or responsibilities,
4279 provided the actual or alleged act, error, or omission did not
4280 result from the intentional, willful, or wanton misconduct of
4281 that person.

4282

4283 ARTICLE VIII

4284 RULEMAKING

4285

4286 (1) The commission shall exercise its rulemaking powers
4287 pursuant to the criteria set forth in this compact and the rules
4288 adopted thereunder. Rules and amendments shall become binding as
4289 of the date specified in each rule or amendment.

4290 (2) The commission shall adopt reasonable rules to achieve
4291 the intent and purpose of this compact. In the event the
4292 commission exercises its rulemaking authority in a manner that
4293 is beyond the purpose and intent of this compact, or the powers
4294 granted hereunder, then such action by the commission shall be
4295 invalid and have no force and effect of law in the member
4296 states.

4297 (3) If a majority of the legislatures of the member states
4298 rejects a rule, by enactment of a statute or resolution in the
4299 same manner used to adopt this compact within 4 years of the
4300 date of the adoption of the rule, then such rule shall have no

4301 further force and effect in any member state.

4302 (4) Rules or amendments to the rules shall be adopted or
 4303 ratified at a regular or special meeting of the commission in
 4304 accordance with the commission's rules and bylaws.

4305 (5) Upon a determination that an emergency exists, the
 4306 commission may consider and adopt an emergency rule with 48
 4307 hours' notice, with opportunity for comment, provided the usual
 4308 rulemaking procedures shall be retroactively applied to the rule
 4309 as soon as reasonably possible, in no event ~~even~~ later than 90
 4310 days after the effective date of the rule. For the purposes of
 4311 this subsection, an emergency rule is one that must be adopted
 4312 immediately to:

- 4313 (a) Meet an imminent threat to the public health, safety,
 4314 or welfare;
- 4315 (b) Prevent a loss of commission or member state funds;
- 4316 (c) Meet a deadline for the adoption of an administrative
 4317 rule that is established by federal law or rule; or
- 4318 (d) Protect the public health or safety.

4320 ARTICLE IX
 4321 FACILITATING THE EXCHANGE
 4322 OF INFORMATION
 4323

4324 (1) The commission shall provide for facilitating the
 4325 exchange of information to administer and implement the

4326 provisions of this compact in accordance with the rules of the
 4327 commission, consistent with generally accepted data protection
 4328 principles.

4329 (2) Nothing in this compact shall be deemed or construed
 4330 to alter, limit, or inhibit the power of a member state to
 4331 control and maintain ownership of its licensee information or
 4332 alter, limit, or inhibit the laws or regulations governing
 4333 licensee information in member states.

4334
 4335 ARTICLE X
 4336 OVERSIGHT, DISPUTE RESOLUTION,
 4337 AND ENFORCEMENT
 4338

4339 (1) (a) The executive and judicial branches of state
 4340 government in each member state shall enforce this compact and
 4341 take all actions necessary and appropriate to effectuate this
 4342 compact's purpose and intent. The provisions of this compact
 4343 shall have standing as statutory law.

4344 (b) Venue is proper and judicial proceedings by or against
 4345 the commission shall be brought solely and exclusively in a
 4346 court of competent jurisdiction where the principal office of
 4347 the commission is located. The commission may waive venue and
 4348 jurisdictional defenses to the extent it adopts or consents to
 4349 participate in alternative dispute resolution proceedings.
 4350 Nothing herein shall affect or limit the selection or propriety

4351 of venue in any action against a licensee for professional
4352 malpractice, misconduct, or any such similar matter.

4353 (c) All courts and all administrative agencies shall take
4354 judicial notice of this compact, the rules of the commission,
4355 and any information provided to a member state pursuant thereto
4356 in any judicial or quasi-judicial proceeding in a member state
4357 pertaining to the subject matter of this compact, or which may
4358 affect the powers, responsibilities, or actions of the
4359 commission.

4360 (d) The commission shall be entitled to receive service of
4361 process in any proceeding regarding the enforcement or
4362 interpretation of this compact and shall have standing to
4363 intervene in such a proceeding for all purposes. Failure to
4364 provide the commission service of process shall render a
4365 judgment or an order void as to the commission, this compact, or
4366 adopted rules.

4367 (2)(a) If the commission determines that a member state
4368 has defaulted in the performance of its obligations or
4369 responsibilities under this compact or the adopted rules, the
4370 commission shall:

4371 1. Provide written notice to the defaulting state and
4372 other member states of the nature of the default, the proposed
4373 means of curing the default, and any other action to be taken by
4374 the commission; and

4375 2. Provide remedial training and specific technical

4376 assistance regarding the default.

4377 (b) If a state in default fails to cure the default, the
4378 defaulting state may be terminated from this compact upon an
4379 affirmative vote of a majority of the commissioners of the
4380 member states, and all rights, privileges, and benefits
4381 conferred on that state by this compact may be terminated on the
4382 effective date of termination. A cure of the default does not
4383 relieve the offending state of obligations or liabilities
4384 incurred during the period of default.

4385 (c) Termination of membership in the compact shall be
4386 imposed only after all other means of securing compliance have
4387 been exhausted. Notice of intent to suspend or terminate shall
4388 be given by the commission to the Governor, the Majority and
4389 Minority Leaders of the State Legislature, and the state
4390 licensing authority of the ~~of the~~ defaulting state and to each
4391 of the member states.

4392 (d) A state that has been terminated is responsible for
4393 all assessments, obligations, and liabilities incurred through
4394 the effective date of termination, including obligations that
4395 extend beyond the effective date of termination.

4396 (e) The commission shall not bear any costs related to a
4397 state that is found to be in default or that has been terminated
4398 from this compact unless agreed upon in writing between the
4399 commission and the defaulting state.

4400 (f) Nothing in this compact shall be construed to be a

4401 waiver of sovereign immunity.

4402 (g) The defaulting state may appeal the action of the
 4403 commission by petitioning the United States District Court for
 4404 the District of Columbia or the federal district where the
 4405 commission has its principal offices. The prevailing party shall
 4406 be awarded all costs of such litigation, including reasonable
 4407 attorney fees.

4408 (h)1. Upon the request of a member state, the commission
 4409 shall attempt to resolve disputes related to this compact that
 4410 arise among member states and between member and nonmember
 4411 states.

4412 2. The commission shall adopt a rule providing for both
 4413 binding and nonbinding alternative dispute resolution for
 4414 disputes as appropriate.

4415 (i)1. The commission, in the reasonable exercise of its
 4416 discretion, shall enforce the provisions and rules of this
 4417 compact.

4418 2. By a majority vote, the commission may initiate legal
 4419 action in the United States District Court for the District of
 4420 Columbia or the federal district where the commission has its
 4421 principal offices against a member state in default to enforce
 4422 compliance with the provisions of this compact and its adopted
 4423 rules and bylaws. The relief sought may include both injunctive
 4424 relief and damages. In the event judicial enforcement is
 4425 necessary, the prevailing party shall be awarded all costs of

4426 such litigation, including reasonable attorney fees. The
 4427 remedies herein shall not be the exclusive remedies of the
 4428 commission. The commission may pursue any other remedies
 4429 available under federal or state law.

4430

4431 ARTICLE XI

4432 EFFECTUATION, WITHDRAWAL, AND AMENDMENT

4433

4434 (1) This compact shall come into effect on the date on
 4435 which the compact statute is enacted into law in the tenth
 4436 member state.

4437 (a) On or after the effective date of this compact, the
 4438 commission shall convene and review the enactment of each of the
 4439 charter member states to determine if the statute enacted by
 4440 such charter member state is materially different from the model
 4441 compact statute.

4442 (b) A charter member state whose enactment is found to be
 4443 materially different from the model compact statute shall be
 4444 entitled ~~entitled~~ to the default process set forth in Article X.

4445 (c) Member states enacting the compact subsequent to the
 4446 charter member states shall be subject to the process set forth
 4447 in Article VII(3)(t) ~~Article VII(X)(a)~~ to determine if their
 4448 enactments are materially different from the model compact
 4449 statute and whether they qualify for participation in the
 4450 compact.

HB 7029

2024

4451 (2) If any member state is later found to be in default,
4452 or is terminated or withdraws from the compact, the commission
4453 ~~commissioner~~ shall remain in existence and the compact shall
4454 remain in effect even if the number of member states should be
4455 less than 10.

4456 (3) Any state that joins this compact after the
4457 commission's initial adoption of the rules and bylaws shall be
4458 subject to the rules and bylaws as they exist on the date on
4459 which this compact becomes law in that state. Any rule that has
4460 been previously adopted by the commission shall have the full
4461 force and effect of law on the day this compact becomes law in
4462 that state, as the rules and bylaws may be amended as provided
4463 in this compact.

4464 (4) Any member state may withdraw from this compact by
4465 enacting a statute repealing the same.

4466 (a) A member state's withdrawal shall not take effect
4467 until 6 months after the enactment of the repealing statute.

4468 (b) Withdrawal shall not affect the continuing requirement
4469 of the withdrawing state's licensing authority to comply with
4470 the investigative and adverse action reporting requirements of
4471 this act prior to the effective date of the withdrawal.

4472 (5) This compact may be amended by member states. No
4473 amendment to this compact shall become effective and binding
4474 upon any member state until it is enacted into the laws of all
4475 member states.

4476
 4477 ARTICLE XII
 4478 CONSTRUCTION AND SEVERABILITY
 4479

4480 This compact shall be liberally construed to effectuate the
 4481 purpose thereof. The provisions of this compact shall be
 4482 severable, and if any phrase, clause, sentence, or provision of
 4483 this compact is declared to be contrary to the constitution of
 4484 any member state or a state seeking membership in this compact
 4485 or the United States Constitution or the applicability thereof
 4486 to any other government, agency, person, or circumstance is held
 4487 invalid, the validity of the remainder of this compact and the
 4488 applicability thereof to any government, agency, person, or
 4489 circumstance shall not be affected ~~effected~~. If this compact
 4490 shall be held contrary to the constitution of any member state,
 4491 this compact shall remain in full force and effect as to the
 4492 remaining member states and in full force and effect as to the
 4493 member state affected as to all severable matters.
 4494

4495 ARTICLE XIII
 4496 CONSISTENT EFFECT AND
 4497 CONFLICT WITH OTHER STATE LAWS
 4498

4499 (1) Nothing herein shall prevent or inhibit the
 4500 enforcement of any other law of a member state that is not

HB 7029

2024

4501 inconsistent with this compact.

4502 (2) Any laws, statutes, regulations, or other legal
4503 requirements in a member state in conflict with this compact are
4504 superseded to the extent of the conflict.

4505 (3) All permissible agreements between the commission and
4506 the member states are binding in accordance with their terms.
4507 Reviser's note.—Amended to conform to context, to confirm
4508 editorial substitutions to improve clarity and facilitate
4509 correct interpretation, to confirm an editorial deletion to
4510 eliminate a repetition of words, and to correct a cross-
4511 reference to conform to the fact that the provision for the
4512 duty of the commission to determine whether a state's
4513 adopted language is materially different from the model
4514 compact such that the state would not qualify for
4515 participation in the compact, is found in Article VII(3)(t)
4516 of the compact as passed by the Florida Legislature,
4517 codified as s. 1012.993.

4518 Section 93. Paragraph (a) of subsection (2) of section
4519 1013.64, Florida Statutes, is amended to read:

4520 1013.64 Funds for comprehensive educational plant needs;
4521 construction cost maximums for school district capital
4522 projects.—Allocations from the Public Education Capital Outlay
4523 and Debt Service Trust Fund to the various boards for capital
4524 outlay projects shall be determined as follows:

4525 (2)(a) The department shall establish, as a part of the

HB 7029

2024

4526 Public Education Capital Outlay and Debt Service Trust Fund, a
4527 separate account, in an amount determined by the Legislature, to
4528 be known as the "Special Facility Construction Account." The
4529 Special Facility Construction Account shall be used to provide
4530 necessary construction funds to school districts which have
4531 urgent construction needs but which lack sufficient resources at
4532 present, and cannot reasonably anticipate sufficient resources
4533 within the period of the next 3 years, for these purposes from
4534 currently authorized sources of capital outlay revenue. A school
4535 district requesting funding from the Special Facility
4536 Construction Account shall submit one specific construction
4537 project, not to exceed one complete educational plant, to the
4538 Special Facility Construction Committee. A district may not
4539 receive funding for more than one approved project in any 3-year
4540 period or while any portion of the district's participation
4541 requirement is outstanding. The first year of the 3-year period
4542 shall be the first year a district receives an appropriation.
4543 ~~During the 2019-2020 school year, a school district that~~
4544 ~~sustained hurricane damage in the 2018-2019 school year may~~
4545 ~~request funding from the Special Facility Construction Account~~
4546 ~~for a new project before the completion of the district's~~
4547 ~~participation requirement for an outstanding project.~~ The
4548 department shall encourage a construction program that reduces
4549 the average size of schools in the district. The request must
4550 meet the following criteria to be considered by the committee:

4551 1. The project must be deemed a critical need and must be
4552 recommended for funding by the Special Facility Construction
4553 Committee. Before developing construction plans for the proposed
4554 facility, the district school board must request a
4555 preapplication review by the Special Facility Construction
4556 Committee or a project review subcommittee convened by the chair
4557 of the committee to include two representatives of the
4558 department and two staff members from school districts not
4559 eligible to participate in the program. A school district may
4560 request a preapplication review at any time; however, if the
4561 district school board seeks inclusion in the department's next
4562 annual capital outlay legislative budget request, the
4563 preapplication review request must be made before February 1.
4564 Within 90 days after receiving the preapplication review
4565 request, the committee or subcommittee must meet in the school
4566 district to review the project proposal and existing facilities.
4567 To determine whether the proposed project is a critical need,
4568 the committee or subcommittee shall consider, at a minimum, the
4569 capacity of all existing facilities within the district as
4570 determined by the Florida Inventory of School Houses; the
4571 district's pattern of student growth; the district's existing
4572 and projected capital outlay full-time equivalent student
4573 enrollment as determined by the demographic, revenue, and
4574 education estimating conferences established in s. 216.136; the
4575 district's existing satisfactory student stations; the use of

4576 all existing district property and facilities; grade level
4577 configurations; and any other information that may affect the
4578 need for the proposed project.

4579 2. The construction project must be recommended in the
4580 most recent survey or survey amendment cooperatively prepared by
4581 the district and the department, and approved by the department
4582 under the rules of the State Board of Education. If a district
4583 employs a consultant in the preparation of a survey or survey
4584 amendment, the consultant may not be employed by or receive
4585 compensation from a third party that designs or constructs a
4586 project recommended by the survey.

4587 3. The construction project must appear on the district's
4588 approved project priority list under the rules of the State
4589 Board of Education.

4590 4. The district must have selected and had approved a site
4591 for the construction project in compliance with s. 1013.36 and
4592 the rules of the State Board of Education.

4593 5. The district shall have developed a district school
4594 board adopted list of facilities that do not exceed the norm for
4595 net square feet occupancy requirements under the State
4596 Requirements for Educational Facilities, using all possible
4597 programmatic combinations for multiple use of space to obtain
4598 maximum daily use of all spaces within the facility under
4599 consideration.

4600 6. Upon construction, the total cost per student station,

HB 7029

2024

4601 including change orders, must not exceed the cost per student
4602 station as provided in subsection (6) unless approved by the
4603 Special Facility Construction Committee. At the discretion of
4604 the committee, costs that exceed the cost per student station
4605 for special facilities may include legal and administrative
4606 fees, the cost of site improvements or related offsite
4607 improvements, the cost of complying with public shelter and
4608 hurricane hardening requirements, cost overruns created by a
4609 disaster as defined in s. 252.34(2), costs of security
4610 enhancements approved by the school safety specialist, and
4611 unforeseeable circumstances beyond the district's control.

4612 7. There shall be an agreement signed by the district
4613 school board stating that it will advertise for bids within 30
4614 days of receipt of its encumbrance authorization from the
4615 department.

4616 8. For construction projects for which Special Facilities
4617 Construction Account funding is sought before the 2019-2020
4618 fiscal year, the district shall, at the time of the request and
4619 for a continuing period necessary to meet the district's
4620 participation requirement, levy the maximum millage against its
4621 nonexempt assessed property value as allowed in s. 1011.71(2) or
4622 shall raise an equivalent amount of revenue from the school
4623 capital outlay surtax authorized under s. 212.055(6). Beginning
4624 with construction projects for which Special Facilities
4625 Construction Account funding is sought in the 2019-2020 fiscal

HB 7029

2024

4626 | year, the district shall, for a minimum of 3 years before
4627 | submitting the request and for a continuing period necessary to
4628 | meet its participation requirement, levy the maximum millage
4629 | against the district's nonexempt assessed property value as
4630 | authorized under s. 1011.71(2) or shall raise an equivalent
4631 | amount of revenue from the school capital outlay surtax
4632 | authorized under s. 212.055(6). Any district with a new or
4633 | active project, funded under the provisions of this subsection,
4634 | shall be required to budget no more than the value of 1 mill per
4635 | year to the project until the district's participation
4636 | requirement relating to the local discretionary capital
4637 | improvement millage or the equivalent amount of revenue from the
4638 | school capital outlay surtax is satisfied.

4639 | 9. If a contract has not been signed 90 days after the
4640 | advertising of bids, the funding for the specific project shall
4641 | revert to the Special Facility New Construction Account to be
4642 | reallocated to other projects on the list. However, an
4643 | additional 90 days may be granted by the commissioner.

4644 | 10. The department shall certify the inability of the
4645 | district to fund the survey-recommended project over a
4646 | continuous 3-year period using projected capital outlay revenue
4647 | derived from s. 9(d), Art. XII of the State Constitution, as
4648 | amended, paragraph (3)(a) of this section, and s. 1011.71(2).

4649 | 11. The district shall have on file with the department an
4650 | adopted resolution acknowledging its commitment to satisfy its

4651 participation requirement, which is equivalent to all
4652 unencumbered and future revenue acquired from s. 9(d), Art. XII
4653 of the State Constitution, as amended, paragraph (3)(a) of this
4654 section, and s. 1011.71(2), in the year of the initial
4655 appropriation and for the 2 years immediately following the
4656 initial appropriation.

4657 12. Phase I plans must be approved by the district school
4658 board as being in compliance with the building and life safety
4659 codes before June 1 of the year the application is made.

4660 Reviser's note.—Amended to delete obsolete language.

4661 Section 94. This act shall take effect on the 60th day
4662 after adjournment sine die of the session of the Legislature in
4663 which enacted.