

Council Substitute for House Bill No. 409

An act relating to educator professional liability insurance; creating s. 231.800, F.S.; providing legislative intent; requiring educator professional liability insurance coverage for all full-time instructional personnel; providing for specific appropriations in the General Appropriations Act; extending educator professional liability insurance coverage at cost to all part-time instructional personnel and administrative personnel; requiring competitive procurement of any insurance carrier that provides state-funded liability coverage; providing for the reversion of certain funds; providing an effective date.

WHEREAS, Article IX, section 1, of the State Constitution states that "The education of children is a fundamental value of the people of the State of Florida," and

WHEREAS, effective teachers directing orderly classrooms provide the key to the best public education the State of Florida can offer, NOW, THEREFORE,

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

Section 1. Section 231.800, Florida Statutes, is created to read:

231.800 Florida educators professional liability insurance protection.—

(1) The Legislature intends that all the teachers in this state be protected from liability for monetary damages and the cost of defense of actions resulting from claims made against them arising out of occurrences in the course of activities in their professional capacity.

(2)(a) Beginning July 1, 2001, educator professional liability coverage for all instructional personnel, as defined by s. 228.041(9), who are full-time personnel, as defined by the district school board policy, shall be provided by specific appropriations under the General Appropriations Act.

(b) Beginning July 1, 2001, educator professional liability coverage shall be extended at cost to all instructional personnel, as defined by s. 228.041(9), who are part-time personnel, as defined by the district school board policy, and choose to participate in the state-provided program.

(c) Beginning July 1, 2001, educator professional liability coverage shall be extended at cost to all administrative personnel, as defined by s. 228.041(10), who choose to participate in the state-provided program.

(3) In implementing line item 138A of the 2001-2002 General Appropriations Act, the Department of Education shall administer the educator liability program. The insurance carrier providing any portion of educator professional liability coverage under the program which is procured with state funds must be selected by a competitive process. The amount of the appropriation for purchase of liability insurance remaining after liability insurance is provided shall revert to General Revenue unallocated.

Section 2. This act shall take effect July 1, 2001.

Approved by the Governor May 16, 2001.

Filed in Office Secretary of State May 16, 2001.