CHAPTER 2025-6

Senate Bill No. 42

An act relating to the Florida Statutes; amending ss. 17.69, 30.61, 39.5035, 39.822, 39.8296, 50.051, 119.071, 121.051, 121.71, 154.506, 159.8053, 159.811, 175.032, 177.073, 193.703, 196.011, 196.1978, 215.55871, 280.051, 282.709, 284.51, 286.0113, 288.102, 288.987, 316.0083, 319.30, 320.08058, 322.27, 322.76, 330.41, 337.195, 341.302, 365.172, 373.250, 393.12, 394.468, 395.901, 397.68141, 403.031, 403.086, 403.121, 408.051, 409.909, 409.988, 420.606, 420.6241, 456.0145, 456.4501, 459.0075, 465.022, 466.016, 466.028, 466.0281, 493.6127, 516.15, 516.38, 517.131, 550.0351, 553.8991, 581.189, 605.0115, 607.0149, 624.27, 624.307, 624.413, 624.4213, 624.424, 624.470, 626.878, 627.410, 629.121, 648.25, 655.0591, 683.06, 709.2209, 715.105, 717.101, 717.1201, 718.111, 719.108, 720.303, 720.3033, 720.3075, 738.505, 812.141, 828.30, 921.0022, 938.10, 985.433, 1001.372, 1001.47, 1001.706, 1002.33, 1002.394, 1002.395, 1004.44, 1004.647, 1004.6499, 1004.64991, 1004.76, 1006.07, 1006.28, 1008.34, 1009.23, 1009.895, 1011.804, 1012.22, and 1012.55, F.S; reenacting and amending s. 394.467, F.S.; reenacting ss. 569.31, 895.02(8), 1003.485, and 1012.315, F.S.; and repealing s. 331.370, F.S.; deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; and improving the clarity of the statutes and facilitating their correct interpretation; providing an effective date.

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

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

17.69 Federal Tax Liaison.—

(3) The Federal Tax Liaison may:

(b) Direct taxpayers to the proper division or office within the Internal Revenue Service in order to facilitate timely resolution <u>of</u> ~~to~~ taxpayer issues.

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

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

30.61 Establishment of civilian oversight boards.—

(2) The board must be composed of at least three and up to seven members appointed by the sheriff, one of whom ~~which~~ shall be a retired law enforcement officer.

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

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

39.5035 Deceased parents; special procedures.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a Statewide Guardian ad Litem Office within the Justice Administrative Commission. The Justice Administrative Commission shall provide administrative support and service to the office to the extent requested by the executive director within the available resources of the commission. The Statewide Guardian ad Litem Office is not subject to control, supervision, or direction by the Justice Administrative Commission in the performance of its duties, but the employees of the office are governed by the classification plan and salary and benefits plan approved by the Justice Administrative Commission.

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

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

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

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

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

5. The office shall review the various methods of funding guardian ad litem offices, maximize the use of those funding sources to the extent possible, and review the kinds of services being provided by circuit guardian ad litem offices.

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

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

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

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

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

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

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

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

Reviser's note.—Amended to improve structure.

Section 6. Section 50.051, Florida Statutes, is amended to read:

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

NAME OF COUNTY

STATE OF FLORIDA

COUNTY OF .....~~:~~

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

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

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

…(Signature of Notary Public)…

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

…(Notary Public)…

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

Section 7. Paragraph (e) of subsection (3) of section 119.071, Florida Statutes, is amended to read:

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

(3) SECURITY AND FIRESAFETY.—

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

b. Geographical maps indicating the actual or proposed locations of 911, E911, or public safety radio communication system infrastructure, including towers, antennas ~~antennae~~, equipment or facilities used to provide 911, E911, or public safety radio services, or other 911, E911, or public safety radio communication structures or facilities owned and operated by an agency are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2. This exemption applies to building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats,

which depict the structural elements of 911, E911, or public safety radio communication system infrastructure or other 911, E911, or public safety radio communication structures or facilities owned and operated by an agency, and geographical maps indicating actual or proposed locations of 911, E911, or public safety radio communication system infrastructure or other 911, E911, or public safety radio communication structures or facilities owned and operated by an agency, before, on, or after the effective date of this act.

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

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

b. To a licensed architect, engineer, or contractor who is performing work on or related to the 911, E911, or public safety radio communication system infrastructure, including towers, antennas ~~antennae~~, equipment or facilities used to provide 911, E911, or public safety radio communication services, or other 911, E911, or public safety radio communication structures or facilities owned and operated by an agency; or

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

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

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

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

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

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

121.051 Participation in the system.—

(2) OPTIONAL PARTICIPATION.—

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

corporation, may elect, if eligible, to become a member of this system at any time between April 15, 1971, and June 1, 1971, inclusive, by notifying his or her employer in writing of the desire to transfer membership from the existing system to this system. Any officer or employee who was a member of an existing system on December 1, 1970, and who did not elect to become a member of this system shall continue to be covered under the existing system subject to the provisions of s. 121.045. A person who has retired under any state retirement system shall not be eligible to transfer to the Florida Retirement System created by this chapter subsequent to such retirement. ~~Any officer or employee who, prior to July 1, 1947, filed a written rejection of membership in a state retirement system and who continues employment without participating in the Florida Retirement System may withdraw the rejection in writing and, if otherwise eligible, participate in the Florida Retirement System and purchase prior service in accordance with this chapter.~~ Any former member of an existing system who was permitted to transfer to the Florida Retirement System while employed by the University Athletic Association, Inc., a nonprofit association connected with the University of Florida, during this or subsequent transfer periods, contrary to the provisions of this paragraph, is hereby confirmed as a member of the Florida Retirement System, the provisions of this paragraph to the contrary notwithstanding. Any officer or employee of the University Athletic Association, Inc., employed prior to July 1, 1979, who was a member of the Florida Retirement System and who chose in writing on a University Athletic Association Plan Participation Election form, between July 1, 1979, and March 31, 1980, inclusively, to terminate his or her participation in the Florida Retirement System shall hereby have such termination of participation confirmed and declared irrevocable retroactive to the date Florida Retirement System retirement contributions ceased to be reported for such officer or employee. The following specific conditions shall apply to any such officer or employee whose participation was so terminated: The officer or employee shall retain all creditable service earned in the Florida Retirement System through the month that retirement contributions ceased to be reported and no creditable service shall be earned after such month; the officer or employee shall not be eligible for disability retirement or death in line of duty benefits if such occurred after the date that participation terminated; and, the officer or employee may participate in the Florida Retirement System in the future only if employed by a participating employer in a regularly established position.

2. Any member transferring from the existing system under chapter 238 shall retain rights to survivor benefits under that chapter through November 30, 1975, or until fully insured for disability benefits under social security, whichever is the earliest date, and thereafter no such rights shall exist.

3. Any officer or employee who is a member of an existing system on April 15, 1972, and who was eligible to transfer to this system under the provisions of subparagraph 1., but who elected to remain in the existing system, may elect, if eligible under the Social Security Act, 42 U.S.C. s.

418(d)(6)(F), to become a member of this system at any time between April 15, 1972, and June 30, 1972, inclusive, by notifying his or her employer in writing of the desire to transfer membership from an existing system to this system. Such transfer shall be subject to the following conditions:

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

b. Social security coverage incidental to such elective membership in the Florida Retirement System shall be effective November 30, 1970, and all amounts required from a member for retroactive social security coverage shall, at the time such election is made, be deducted from the individual account of the member, and the difference between the amount remaining in the individual account of such member and the total amount which such member would have contributed had he or she become a member of the Florida Retirement System on November 30, 1970, shall be paid into the system trust fund and added to the member's individual account prior to July 1, 1975, or by his or her date of retirement, if earlier. Interest at the rate of 8 percent per annum, compounded annually until paid, shall be charged on any balance remaining unpaid on said date.

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

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

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

4. Any officer or employee who was a member of an existing system on December 1, 1970, and who is still a member of an existing system, except any officer or employee of any nonprofit professional association or corporation, may elect, if eligible, to become a member of this system at any time between September 1, 1974, and November 30, 1974, inclusive, by notifying his or her employer in writing of the desire to transfer membership from the existing system to this system. This decision to transfer or not to transfer shall become irrevocable on November 30, 1974. All members electing to transfer during the transfer period shall become members of the Florida Retirement System on January 1, 1975, and shall be subject to the provisions of the Florida Retirement System on and after that date. Any officer or employee who was a member of an existing system on December 1, 1970, and who does not elect to become a member of this system shall continue to be covered under the existing system, subject to the provisions of s. 121.045. Any member transferring from the Teachers' Retirement System of Florida under chapter 238 to the Florida Retirement System on January 1, 1975, shall retain rights to survivor benefits under chapter 238 from January 1, 1975, through December 31, 1979, or until fully insured for disability benefits under the Social Security Act, whichever is the earliest date, and thereafter no such rights shall exist.

5.a. Any officer or employee who was a member of an existing system on December 1, 1970, and who is still a member of an existing system, except any officer or employee of any nonprofit professional association or corporation, may elect, if eligible, to become a member of this system at any time between January 2, 1982, and May 31, 1982, inclusive, by notifying his or her employer in writing of the desire to transfer membership from the existing system to this system. This decision to transfer or not to transfer shall become irrevocable on May 31, 1982. All members electing to transfer during the transfer period shall become members of the Florida Retirement System on July 1, 1982, and shall be subject to the provisions of the Florida Retirement System on and after that date. Any officer or employee who was a member of an existing system on December 1, 1970, and who does not elect to become a member of this system shall continue to be covered under the existing system, subject to the provisions of s. 121.045. Any member transferring from the Teachers' Retirement System under chapter 238 to the Florida Retirement System on January 1, 1979, shall retain rights to survivor benefits under chapter 238 from January 1, 1979, through December 31, 1983, or until fully insured for disability benefits under the federal Social Security Act, whichever is the earliest date, and thereafter no such rights shall exist. Any such member transferring to the Florida Retirement System on July 1, 1982, shall retain rights to survivor benefits under chapter 238 from July 1, 1982, through June 30, 1987, or until fully insured for disability benefits under the federal Social Security Act, whichever is the earliest date, and thereafter no such rights shall exist.

b. Any deficit, as determined by the state actuary, accruing to the Survivors' Benefit Trust Fund of the Teachers' Retirement System and resulting from the passage of chapter 78-308, Laws of Florida, and chapter

80-242, Laws of Florida, shall become an obligation of the Florida Retirement System Trust Fund.

6. Any active member of an existing system who was not employed in a covered position during a time when transfer to the Florida Retirement System was allowed as described in rule 22B-1.004(2)(a), Florida Administrative Code, or as provided in paragraph (1)(c) of this section, may elect, if eligible, to become a member of this system at any time between January 1, 1991, and May 29, 1991, inclusive, by notifying his or her employer in writing of the desire to transfer membership from the existing system to this system. The decision to transfer or not to transfer shall become irrevocable on May 29, 1991. Failure to notify the employer shall result in compulsory membership in the existing system. All members electing to transfer during the transfer period shall become members of the Florida Retirement System on July 1, 1991, and shall be subject to the provisions of the Florida Retirement System on and after that date. Any member so transferring from the existing system under chapter 238 to the Florida Retirement System on July 1, 1991, shall retain rights to survivor benefits under that chapter from July 1, 1991, through June 30, 1996, or until fully insured for benefits under the federal Social Security Act, whichever is the earliest date, and thereafter no such rights shall exist.

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

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

121.71 Uniform rates; process; calculations; levy.—

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

Membership Class	Percentage of Gross Compensation, Effective July 1, 2024
Regular Class	4.84%
Special Risk Class	12.07%
Special Risk Administrative Support Class	26.22%

Membership Class	Percentage of Gross Compensation, Effective July 1, 2024
Elected Officers' Class— Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	50.21%
Elected Officers' Class— Justices, Judges	28.49%
Elected Officers' Class— County Elected Officers	44.23%
Senior Management Service Class	23.90%
DROP	10.64%

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

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

154.506 Primary care for children and families challenge grant awards.

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

(3) Grant awards shall be based on a county's population size, or each individual county's size in a group of counties, and other factors, in an amount as determined by the department. ~~However, for fiscal year 1997-1998, no fewer than four grants shall be awarded.~~

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

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

159.8053 Issuance reports; final certification of allocation.—

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

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

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

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

159.811 Fees; trust fund.—

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

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

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

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

(2) "Average final compensation" for:

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

(b) A volunteer firefighter means the average salary of the 5 best years of the last 10 best contributing years before change in status to a permanent

full-time firefighter or retirement as a volunteer firefighter or the career average of a volunteer firefighter, ~~since July 1, 1953,~~ whichever is greater.

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

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

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

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

(b) "Final plat" means the final tracing, map, or site plan presented by the subdivider to a governing body for final approval, and, upon approval by the appropriate governing body, ~~is~~ submitted to the clerk of the circuit court for recording.

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

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

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

(7)

(b)1. If a reduction is improperly granted due to a clerical mistake or omission by the property appraiser, the person who improperly received the reduction may not be assessed a penalty or interest. Back taxes shall apply only as follows:

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

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

2. The property appraiser shall serve upon an owner <u>who</u> ~~that~~ owes back taxes under sub-subparagraph 1.b. a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and such property must be identified in the notice of

tax lien. The property appraiser must include with such notice information explaining why the owner is not entitled to the limitation, the years for which unpaid taxes are due, and the manner in which unpaid taxes have been calculated. Before such lien may be filed, the owner must be given 30 days within which to pay the taxes, penalties, and interest. Such lien is subject to s. 196.161(3).

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

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

196.011 Annual application required for exemption.—

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

(b) The form to apply for an exemption under s. 196.031, s. 196.081, s. 196.091, s. 196.101, s. 196.102, s. 196.173, or s. 196.202 must include a space for the applicant to list the social security number of the applicant and of the applicant's spouse, if any. If an applicant files a timely and otherwise complete application, and omits the required social security numbers, the application is incomplete. In that event, the property appraiser shall contact the applicant, who may refile a complete application by April 1. Failure to file a complete application by that date constitutes a waiver of the exemption privilege for that year, except as provided in subsection (8) ~~(7)~~ or subsection (9).

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

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

196.1978 Affordable housing property exemption.—

(4)

(b) The multifamily project must:

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

2. Contain more than 70 units that are used to provide affordable housing to natural persons or families meeting the extremely-low-income, very-low-income, or low-income limits specified in s. 420.0004.

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

The property is no longer eligible for this exemption if the property no longer serves extremely-low-income, very-low-income, <u>or</u> low-income persons pursuant to the recorded agreement.

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

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

215.55871 My Safe Florida Condominium Pilot Program.—There is established within the Department of Financial Services the My Safe Florida Condominium Pilot Program to be implemented pursuant to appropriations. The department shall provide fiscal accountability, contract management, and strategic leadership for the pilot program, consistent with this section. This section does not create an entitlement for associations or unit owners or obligate the state in any way to fund the inspection or retrofitting of condominiums in the state. Implementation of this pilot program is subject to annual legislative appropriations. It is the intent of the Legislature that the My Safe Florida Condominium Pilot Program provide licensed inspectors to perform inspections for and grants to eligible associations as funding allows.

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

(c) An association awarded a grant must complete the entire mitigation project in order to receive the final grant award and must agree to make the property available for a final inspection once the mitigation project is finished to ensure the mitigation improvements are completed in a manner ~~matter~~ consistent with the intent of the pilot program and meet or exceed the applicable Florida Building Code requirements. Construction must be completed and the association must submit a request to the department for a final inspection, or request an extension of time, within 1 year after receiving grant approval. If the association fails to comply with this paragraph, the application is deemed abandoned and the grant money reverts back to the department.

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

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

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

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

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

(3) Has failed to maintain required collateral.

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

(5) Has failed to pay any administrative penalty.

(6) Has failed to furnish the Chief Financial Officer with prompt and accurate information, or failed to allow inspection and verification of any information, dealing with public deposits or dealing with the exact status of its tangible equity capital, or other financial information that the Chief Financial Officer determines necessary to verify compliance with this chapter or any rule adopted pursuant to this chapter.

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

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

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

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

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

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

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

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

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

Reviser's note.—Amended to improve clarity.

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

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

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

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

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

3. The department may rent, lease, or sublease ground space on lands acquired by the department for the construction of privately owned or publicly owned towers. The department may, as a part of such rental, lease, or sublease agreement, require space on such towers for antennas ~~antennae~~ as necessary for the construction and operation of the state agency law enforcement radio system or any other state need.

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

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

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

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

284.51 Electroencephalogram combined transcranial magnetic stimulation treatment pilot program.—

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

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

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

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

286.0113 General exemptions from public meetings.—

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

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

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

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

288.102 Supply Chain Innovation Grant Program.—

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

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

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

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

288.987 Florida Defense Support.—

(2)

(b) The direct-support organization is organized and operated to request, receive, hold, invest, and administer property and to manage and make expenditures related to its mission and for joint planning with host communities to accommodate military missions and prevent base encroachment, provide advocacy on the state's behalf with federal civilian and military officials, promote ~~promotion of~~ the state to military and related contractors and employers, and support ~~of~~ economic and product research and development activities of the defense industry.

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

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

316.0083 Mark Wandall Traffic Safety Program; administration; report.

(4)

(b) Each county or municipality that operates a traffic infraction detector shall submit a report by October 1, ~~2012, and~~ annually ~~thereafter~~, to the

department which details the results of using the traffic infraction detector and the procedures for enforcement for the preceding state fiscal year. The information submitted by the counties and municipalities must include:

1. The number of notices of violation issued, the number that were contested, the number that were upheld, the number that were dismissed, the number that were issued as uniform traffic citations, the number that were paid, and the number in each of the preceding categories for which the notice of violation was issued for a right-hand turn violation.

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

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

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

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

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

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

319.30 Definitions; dismantling, destruction, change of identity of motor vehicle, vessel, or mobile home; salvage.—

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

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

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

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

320.08058 Specialty license plates.—

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

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

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

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

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

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

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

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

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

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

4. Passing a stopped school bus:

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

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

c. Points may not be imposed for a violation of passing a stopped school bus as provided in s. 316.172(1)(a) or (b) when enforced by a school bus infraction detection system pursuant to s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b) when enforced by a school bus infraction detection

system pursuant to s. 316.173 may not be used for purposes of setting motor vehicle insurance rates.

5. Unlawful speed:

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

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

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

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

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

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

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

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

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

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

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

Section 29. Subsection (6) of section 322.76, Florida Statutes, is amended to read:

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

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

(a) Number of driver license reinstatements.

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

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

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

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

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

(g) Any other information the clerk deems necessary.

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

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

330.41 Unmanned Aircraft Systems Act.—

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

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

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

2. A chemical or rubber manufacturing or storage facility.

3. A water intake structure, water treatment facility, wastewater treatment plant, or pump station.

4. A mining facility.

5. A natural gas or compressed gas compressor station, storage facility, or natural gas or compressed gas pipeline.

6. A liquid natural gas or propane gas terminal or storage facility.

7. Any portion of an aboveground oil or gas pipeline.

8. A refinery.

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

10. A wireless communications facility, including the tower, antennas ~~antennae~~, support structures, and all associated ground-based equipment.

11. A seaport as listed in s. 311.09(1), which need not be completely enclosed by a fence or other physical barrier and need not be marked with a sign or signs indicating that entry is forbidden.

12. An inland port or other facility or group of facilities serving as a point of intermodal transfer of freight in a specific area physically separated from a seaport.

13. An airport as defined in s. 330.27.

14. A spaceport territory as defined in s. 331.303(19).

15. A military installation as defined in 10 U.S.C. s. 2801(c)(4) and an armory as defined in s. 250.01.

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

17. A state correctional institution as defined in s. 944.02 or a contractor-operated correctional facility authorized under chapter 957.

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

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

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

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

Section 31. Section 331.370, Florida Statutes, is repealed.

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

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

337.195 Limits on liability.—

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

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

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

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

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

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

1. Work closely with all affected communities along an impacted freight rail corridor to identify and address anticipated impacts associated with an increase in freight rail traffic due to implementation of passenger rail.

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

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

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

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

365.172 Emergency communications.—

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

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

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

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

(ii) "Wireless communications facility" means any equipment or facility used to provide service and may include, but is not limited to, antennas ~~antennae~~, towers, equipment enclosures, cabling, antenna brackets, and other such equipment. Placing a wireless communications facility on an existing structure does not cause the existing structure to become a wireless communications facility.

(13) FACILITATING EMERGENCY COMMUNICATIONS SERVICE IMPLEMENTATION.—To balance the public need for reliable emergency communications services through reliable wireless systems and the public interest served by governmental zoning and land development regulations and notwithstanding any other law or local ordinance to the contrary, the following standards shall apply to a local government's actions, as a regulatory body, in the regulation of the placement, construction, or modification of a wireless communications facility. This subsection may not, however, be construed to waive or alter the provisions of s. 286.011 or s. 286.0115. For the purposes of this subsection only, "local government" shall mean any municipality or county and any agency of a municipality or county only. The term "local government" does not, however, include any airport, as defined by s. 330.27(2), even if it is owned or controlled by or through a municipality, county, or agency of a municipality or county. Further, notwithstanding anything in this section to the contrary, this subsection does not apply to or control a local government's actions as a property or structure owner in the use of any property or structure owned by such entity for the placement, construction, or modification of wireless communications facilities. In the use of property or structures owned by the local government, however, a local government may not use its regulatory authority so as to avoid compliance with, or in a manner that does not advance, the provisions of this subsection.

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

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

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

(II) The colocation does not increase the ground space area, commonly known as the compound, approved in the site plan for equipment enclosures and ancillary facilities; and

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

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

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

(II) The colocation does not increase the ground space area, otherwise known as the compound, if any, approved in the site plan for equipment enclosures and ancillary facilities;

(III) The colocation consists of antennas ~~antennae~~, equipment enclosures, and ancillary facilities that are of a design and configuration consistent with any applicable structural or aesthetic design requirements and any requirements for location on the structure, but not prohibitions or restrictions on the placement of additional colocations on the existing structure or procedural requirements, other than those authorized by this section, of the local government's land development regulations in effect at the time of the colocation application; and

(IV) The colocation consists of antennas ~~antennae~~, equipment enclosures, and ancillary facilities that are of a design and configuration consistent with all applicable restrictions or conditions, if any, that do not conflict with sub-sub-subparagraph (III) and were applied to the initial antennas ~~antennae~~ placed on the structure and to its accompanying equipment enclosures and ancillary facilities and, if applicable, applied to the structure supporting the antennas ~~antennae~~.

c. Regulations, restrictions, conditions, or permits of the local government, acting in its regulatory capacity, that limit the number of colocations

or require review processes inconsistent with this subsection do not apply to colocations addressed in this subparagraph.

d. If only a portion of the colocation does not meet the requirements of this subparagraph, such as an increase in the height of the proposed antennas ~~antennae~~ over the existing structure height or a proposal to expand the ground space approved in the site plan for the equipment enclosure, where all other portions of the colocation meet the requirements of this subparagraph, that portion of the colocation only may be reviewed under the local government's regulations applicable to an initial placement of that portion of the facility, including, but not limited to, its land development regulations, and within the review timeframes of subparagraph (d)2., and the rest of the colocation shall be reviewed in accordance with this subparagraph. A colocation proposal under this subparagraph that increases the ground space area, otherwise known as the compound, approved in the original site plan for equipment enclosures and ancillary facilities by no more than a cumulative amount of 400 square feet or 50 percent of the original compound size, whichever is greater, shall, however, require no more than administrative review for compliance with the local government's regulations, including, but not limited to, land development regulations review, and building permit review, with no public hearing review. This sub-subparagraph does not preclude a public hearing for any appeal of the decision on the colocation application.

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

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

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

5. An existing tower, including a nonconforming tower, may be structurally modified in order to permit colocation or may be replaced through no more than administrative review and building permit review, and is not subject to public hearing review, if the overall height of the tower is not increased and, if a replacement, the replacement tower is a monopole tower or, if the existing tower is a camouflaged tower, the replacement tower is a like-camouflaged tower. This subparagraph may not preclude a public hearing for any appeal of the decision on the application.

(b)1. A local government's land development and construction regulations for wireless communications facilities and the local government's review of an application for the placement, construction, or modification of a wireless communications facility shall only address land development or zoning issues. In such local government regulations or review, the local government may not require information on or evaluate a wireless provider's business decisions about its service, customer demand for its service, or quality of its service to or from a particular area or site, unless the wireless provider voluntarily offers this information to the local government. In such local government regulations or review, a local government may not require information on or evaluate the wireless provider's designed service unless the information or materials are directly related to an identified land development or zoning issue or unless the wireless provider voluntarily offers the information. Information or materials directly related to an identified land development or zoning issue may include, but are not limited to, evidence that no existing structure can reasonably be used for the antennas ~~antennae~~ placement instead of the construction of a new tower, that residential areas cannot be served from outside the residential area, as addressed in subparagraph 3., or that the proposed height of a new tower or initial antennas ~~antennae~~ placement or a proposed height increase of a modified tower, replacement tower, or colocation is necessary to provide the provider's designed service. Nothing in this paragraph shall limit the local government from reviewing any applicable land development or zoning issue addressed in its adopted regulations that does not conflict with this section, including, but not limited to, aesthetics, landscaping, land use-based location priorities, structural design, and setbacks.

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

3. A local government may exclude the placement of wireless communications facilities in a residential area or residential zoning district but only in a manner that does not constitute an actual or effective prohibition of the provider's service in that residential area or zoning district. If a wireless provider demonstrates to the satisfaction of the local government that the provider cannot reasonably provide its service to the residential area or zone from outside the residential area or zone, the municipality or county and provider shall cooperate to determine an appropriate location for a wireless communications facility of an appropriate design within the residential area or zone. The local government may require that the wireless provider reimburse the reasonable costs incurred by the local government for this cooperative determination. An application for such cooperative determination may not be considered an application under paragraph (d).

4. A local government may impose a reasonable fee on applications to place, construct, or modify a wireless communications facility only if a similar fee is imposed on applicants seeking other similar types of zoning, land use, or building permit review. A local government may impose fees for

the review of applications for wireless communications facilities by consultants or experts who conduct code compliance review for the local government but any fee is limited to specifically identified reasonable expenses incurred in the review. A local government may impose reasonable surety requirements to ensure the removal of wireless communications facilities that are no longer being used.

5. A local government may impose design requirements, such as requirements for designing towers to support colocation or aesthetic requirements, except as otherwise limited in this section, but may not impose or require information on compliance with building code type standards for the construction or modification of wireless communications facilities beyond those adopted by the local government under chapter 553 and that apply to all similar types of construction.

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

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

373.250 Reuse of reclaimed water.—

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

(a) If an applicant proposes a water supply development or water resource development project using reclaimed water, that meets the advanced waste treatment standards for total nitrogen and total phosphorus ~~phosphorous~~ as defined in s. 403.086(4)(a), as part of an application for consumptive use, the applicant is eligible for a permit duration of up to 30 years if there is sufficient data to provide reasonable assurance that the conditions for permit issuance will be met for the duration of the permit. Rules developed pursuant to this paragraph must include, at a minimum:

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

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

This paragraph does not limit the existing authority of a water management district to issue a shorter duration permit to protect from harm the water

resources or ecology of the area, or to otherwise ensure compliance with the conditions for permit issuance.

(b) Authorization for a consumptive use permittee to seek a permit extension of up to 10 years if the permittee proposes a water supply development or water resource development project using reclaimed water, that meets the advanced waste treatment standards for total nitrogen and total phosphorus ~~phosphorous~~ as defined in s. 403.086(4)(a), during the term of its permit which results in the reduction of groundwater or surface water withdrawals or is completed to benefit a waterbody with a minimum flow or minimum water level with a recovery or prevention strategy. Rules associated with this paragraph must include, at a minimum:

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

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

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

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

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

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

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

393.12 Capacity; appointment of guardian advocate.—

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

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

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

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

394.467 Involuntary inpatient placement and involuntary outpatient services.—

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

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

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

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

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

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

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

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

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

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

2. The person is unlikely to survive safely in the community without supervision, based on a clinical determination.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(d) Any opinion authorized in this subsection may be conducted through a face-to-face or in-person examination, or by electronic means. Recommendations for involuntary services must be entered on a petition for involuntary services, which shall be made a part of the patient's clinical record. The filing of the petition authorizes the facility to retain the patient pending transfer to a treatment facility or completion of a hearing.

(4) PETITION FOR INVOLUNTARY SERVICES.—

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

1. The administrator of a receiving facility;

2. The administrator of a treatment facility; or

3. A service provider who is treating the person being petitioned.

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

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

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

a. Whether the petitioner is recommending inpatient placement, outpatient services, or both.

b. The length of time recommended for each type of involuntary services.

c. The reasons for the recommendation.

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

3. When recommending an order to involuntary outpatient services, the petitioner shall prepare a written proposed services plan in consultation with the patient or the patient's guardian advocate, if appointed, for the court's consideration for inclusion in the involuntary outpatient services order that addresses the nature and extent of the mental illness and any co-occurring substance use disorder that necessitate involuntary outpatient services. The services plan must specify the likely needed level of care, including the use of medication, and anticipated discharge criteria for terminating involuntary outpatient services. The services in the plan must be deemed clinically appropriate by a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker who consults with, or is employed or contracted by, the service provider. If the services in the proposed services plan are not available, the petitioner may not file the petition. The petitioner must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested service. The service provider who accepts the patient for involuntary outpatient services is responsible for the development of a comprehensive treatment plan.

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

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

(5) APPOINTMENT OF COUNSEL.—Within 1 court working day after the filing of a petition for involuntary services, the court shall appoint the

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

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

(7) HEARING ON INVOLUNTARY SERVICES.—

(a)1. The court shall hold a hearing on the involuntary services petition within 5 court working days after the filing of the petition, unless a continuance is granted.

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

3. A hearing on involuntary services must be as convenient to the patient as is consistent with orderly procedure, and shall be conducted in physical settings not likely to be injurious to the patient's condition. If the court finds that the patient's attendance at the hearing is not consistent with the best interests of the patient, or the patient knowingly, intelligently, and voluntarily waives his or her right to be present, and if the patient's counsel does not object, the court may waive the attendance of the patient from all or any portion of the hearing. The state attorney for the circuit in which the patient is located shall represent the state, rather than the petitioner, as the real party in interest in the proceeding. The facility or service provider shall make the patient's clinical records available to the state attorney and the patient's attorney so that the state can evaluate and prepare its case. However, these records shall remain confidential, and the state attorney may not use any record obtained under this part for criminal investigation or

prosecution purposes, or for any purpose other than the patient's civil commitment under this chapter.

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

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

(8) ORDERS OF THE COURT.—

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

2. The order must specify the nature and extent of the patient's mental illness and the reasons the appropriate involuntary services criteria are satisfied.

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

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

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

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

(c) If at any time before the conclusion of a hearing on involuntary services, it appears to the court that the patient instead meets the criteria for involuntary admission or treatment pursuant to s. 397.675, then the court may order the person to be admitted for involuntary assessment pursuant to s. 397.6757. Thereafter, all proceedings are governed by chapter 397.

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

(e) In cases resulting in an order for involuntary outpatient services, the court shall retain jurisdiction over the case and the parties for entry of further orders as circumstances may require, including, but not limited to, monitoring compliance with treatment or ordering inpatient treatment to stabilize a person who decompensates while under court-ordered outpatient treatment and meets the commitment criteria of this section.

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

(10) NONCOMPLIANCE WITH INVOLUNTARY OUTPATIENT SERVICES.—

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

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

(11) PROCEDURE FOR CONTINUED INVOLUNTARY SERVICES.—

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

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

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

3. If a patient in inpatient placement continues to meet the criteria for involuntary services and is being treated at a treatment facility, the administrator must, before expiration of the period the treatment facility is authorized to retain the patient, file a petition requesting authorization for continued involuntary services. The administrator may petition for inpatient or outpatient services. Hearings on petitions for continued involuntary services of an individual placed at any treatment facility are administrative hearings and must be conducted in accordance with s. 120.57(1), except that any order entered by the judge is final and subject to

judicial review in accordance with s. 120.68. Orders concerning patients committed after successfully pleading not guilty by reason of insanity are governed by s. 916.15.

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

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

(c) The petition must be accompanied by a statement from the patient's physician, psychiatrist, psychiatric nurse, or clinical psychologist justifying the request, a brief description of the patient's treatment during the time he or she was receiving involuntary services, and an individualized plan of continued treatment developed in consultation with the patient or the patient's guardian advocate, if applicable. If the petition is for involuntary outpatient services, it must comply with the requirements of subparagraph (4)(d)3. When the petition has been filed, the clerk of the court shall provide copies of the petition and the individualized plan of continued services to the department, the patient, the patient's guardian advocate, the state attorney, and the patient's private counsel or the public defender.

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

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

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

(g) The court may appoint a magistrate to preside at the hearing. The procedures for obtaining an order pursuant to this paragraph must meet the requirements of subsection (7).

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

(i) If a patient's attendance at the hearing is voluntarily waived, the judge must determine that the patient knowingly, intelligently, and voluntarily waived his or her right to be present, before waiving the presence of the patient from all or a portion of the hearing. Alternatively, if at the hearing the judge finds that attendance at the hearing is not consistent with the best interests of the patient, the judge may waive the presence of the patient from all or any portion of the hearing, unless the

patient, through counsel, objects to the waiver of presence. The testimony in the hearing must be under oath, and the proceedings must be recorded.

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

(k) If the patient has been ordered to undergo involuntary services and has previously been found incompetent to consent to treatment, the court shall consider testimony and evidence regarding the patient's competence. If the patient's competency to consent to treatment is restored, the discharge of the guardian advocate is governed by s. 394.4598. If the patient has been ordered to undergo involuntary inpatient placement only and the patient's competency to consent to treatment is restored, the administrative law judge may issue a recommended order, to the court that found the patient incompetent to consent to treatment, that the patient's competence be restored and that any guardian advocate previously appointed be discharged.

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

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

(12) RETURN TO FACILITY.—If a patient has been ordered to undergo involuntary inpatient placement at a receiving or treatment facility under this part and leaves the facility without the administrator's authorization, the administrator may authorize a search for the patient and his or her return to the facility. The administrator may request the assistance of a law enforcement agency in this regard.

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

Reviser's note.—Reenacted to conform to the fact that s. 11, ch. 2024-245, Laws of Florida, purported to amend s. 394.467 but did not publish paragraphs (7)(f) and (g), which were intended to be stricken. Similar material now appears in paragraph (11)(k). Paragraph (1)(a)

is amended to conform to the fact that s. 394.4655(1) defines "involuntary outpatient placement" as "involuntary outpatient services as defined in s. 394.467," and s. 394.467(1)(c) specifically defines "involuntary outpatient services." Paragraph (8)(b) is amended to confirm an editorial deletion to correct a drafting error. Paragraph (11)(d) is amended to confirm an editorial substitution to conform to context.

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

394.468 Admission and discharge procedures.—

(2) Discharge planning and procedures for any patient's release from a receiving facility or treatment facility must include and document the patient's needs, and actions to address such needs, for, at a minimum:

(a) Follow-up behavioral health appointments;

(b) Information on how to obtain prescribed medications; ~~and~~

(c) Information pertaining to:

1. Available living arrangements.~~;~~

2. Transportation; and

(d) Referral to:

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

2. Recovery support opportunities under s. 394.4573(2)(l), including, but not limited to, connection to a peer specialist.

Reviser's note.—Amended to conform to statutes formatting.

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

395.901 Definitions; legislative findings and intent.—

(2) LEGISLATIVE FINDINGS AND INTENT.—

(a) The Legislature finds that there is a critical shortage of behavioral health professionals and recognizes the urgent need to expand the existing behavioral health workforce, prepare for an aging workforce, incentivize entry into behavioral health professions, and train a modernized workforce in innovative and integrated care.

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

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

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

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

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

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

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

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

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

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

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

(1)

(c)1. Notwithstanding this chapter or chapter 373, sewage disposal facilities may not dispose any wastes into the following waters without providing advanced waste treatment, as defined in subsection (4), as approved by the department or a more stringent treatment standard if the department determines the more stringent standard is necessary to achieve the total maximum daily load or applicable water quality criteria:

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

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

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

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

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

or level and where such reclaimed water will be at or below the advanced waste treatment standards described above prior to entering groundwater or surface water.

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

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

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

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

(a) For a drinking water contamination violation, the department shall assess a penalty of $3,000 for a Maximum Contaminant ~~Containment~~ Level (MCL) violation; plus $1,500 if the violation is for a primary inorganic, organic, or radiological Maximum Contaminant Level or it is a fecal coliform bacteria violation; plus $1,500 if the violation occurs at a community water system; and plus $1,500 if any Maximum Contaminant Level is exceeded by more than 100 percent. For failure to obtain a clearance letter before placing a drinking water system into service when the system would not have been eligible for clearance, the department shall assess a penalty of $4,500.

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

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

408.051 Florida Electronic Health Records Exchange Act.—

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

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

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

409.909 Statewide Medicaid Residency Program.—

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

(d) The committee shall convene its first meeting by July 1, 2024, and shall meet as often as necessary to conduct its business, but at least twice annually, at the call of the chair. The committee may conduct its meetings through ~~though~~ teleconference or other electronic means. A majority of the members of the committee constitutes a quorum, and a meeting may not be held with less than a quorum present. The affirmative vote of a majority of the members of the committee present is necessary for any official action by the committee.

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

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

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

(1) DUTIES.—A lead agency:

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

2. Shall directly provide no more than 35 percent of all child welfare services provided unless it can demonstrate a need within the lead agency's geographic service area where there is a lack of qualified providers available to perform necessary services. The approval period for an exemption to exceed the 35 percent threshold is limited to 2 years. To receive approval, the lead agency must create and submit to the department through the lead agency's local community alliance a detailed report of all efforts to recruit a qualified provider to perform the necessary services in that geographic service area. The local community alliance in the geographic service area in which the lead agency is seeking to exceed the threshold shall review the lead agency's justification for need and recommend to the department whether the department should approve or deny the lead agency's request for an exemption from the services threshold. If there is not a community alliance operating in the geographic service area in which the lead agency is seeking to exceed the threshold, such review and recommendation shall be

made by representatives of local stakeholders, including at least one representative from each of the following:

a. The department.

b. The county government.

c. The school district.

d. The county United Way.

e. The county sheriff's office.

f. The circuit court corresponding to the county.

g. The county children's board, if one exists.

The lead agency may request a renewal of the exemption allowing the lead agency to directly provide child welfare services by following the process outlined in this subparagraph. The approval period for an exemption renewal is limited to 2 years. If, after the expiration of the exemption, the department determines the lead agency is not making a good faith effort to recruit a qualified provider, the department may deny the renewal request and require reprocurement.

3. Shall, upon the department approving any exemption that allows a lead agency to directly provide more than 40 percent of all child welfare services provided, be required by the department to undergo an operational audit by the Auditor General to examine the lead agency's procurement of and financial arrangements for providing such services. ~~Upon approving any exemption that allows a lead agency to directly provide more than 40 percent of all child welfare services provided, the department shall require the lead agency to undergo an operational audit by the Auditor General to examine the lead agency's procurement of and financial arrangements for providing such services.~~ The audit shall, at a minimum, examine the costs incurred and any payments made by the lead agency to itself for services directly provided by the lead agency compared to any procurement solicitations by the lead agency, and assess the adequacy of the efforts to obtain services from subcontractors and the resulting cost and cost-effectiveness of the services provided directly by the lead agency. The Auditor General shall conduct such audits upon notification by the department.

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

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

420.606 Training and technical assistance program.—

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

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

1. The training component of the program shall be designed to build the housing development capacity of community-based organizations and local governments as a permanent resource for the benefit of communities in this state.

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

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

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

Reviser's note.—Amended to eliminate redundancy.

Section 48. Paragraph (b) of subsection (4) of section 420.6241, Florida Statutes, is amended to read:

420.6241 Persons with lived experience.—

(4) BACKGROUND SCREENING.—

(b) The background screening conducted under this subsection must ensure that the qualified applicant has not been arrested for and is not awaiting final disposition of, has not been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, or has not been adjudicated delinquent and the record has been sealed or expunged for, any

offense prohibited under any of the following state laws or similar laws of another jurisdiction:

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

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

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

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

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

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

7. Section 782.04, relating to murder.

8. Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or a disabled adult, aggravated manslaughter of a child, or aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic.

9. Section 782.071, relating to vehicular homicide.

10. Section 782.09, relating to killing of an unborn child by injury to the mother.

11. Chapter 784, relating to assault, battery, and culpable negligence, if the offense is a felony.

12. Section 787.01, relating to kidnapping.

13. Section 787.02, relating to false imprisonment.

14. Section 787.025, relating to luring or enticing a child.

15. Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.

16. Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.

17. Section 790.115(1), relating to exhibiting firearms or weapons within 1,000 feet of a school.

18. Section 790.115(2)(b), relating to possessing an electric weapon or device, a destructive device, or any other weapon on school property.

19. Section 794.011, relating to sexual battery.

20. Former s. 794.041, relating to prohibited acts of persons in familial or custodial authority.

21. Section 794.05, relating to unlawful sexual activity with certain minors.

22. Section 794.08, relating to female genital mutilation.

23. Section 796.07, relating to procuring another to commit prostitution, except for those offenses expunged pursuant to s. 943.0583.

24. Section 798.02, relating to lewd and lascivious behavior.

25. Chapter 800, relating to lewdness and indecent exposure.

26. Section 806.01, relating to arson.

27. Section 810.02, relating to burglary, if the offense is a felony of the first degree.

28. Section 810.14, relating to voyeurism, if the offense is a felony.

29. Section 810.145, relating to digital ~~video~~ voyeurism, if the offense is a felony.

30. Section 812.13, relating to robbery.

31. Section 812.131, relating to robbery by sudden snatching.

32. Section 812.133, relating to carjacking.

33. Section 812.135, relating to home-invasion robbery.

34. Section 817.034, relating to communications fraud, if the offense is a felony of the first degree.

35. Section 817.234, relating to false and fraudulent insurance claims, if the offense is a felony of the first or second degree.

36. Section 817.50, relating to fraudulently obtaining goods or services from a health care provider and false reports of a communicable disease.

37. Section 817.505, relating to patient brokering.

38. Section 817.568, relating to fraudulent use of personal identification, if the offense is a felony of the first or second degree.

39. Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or a disabled adult.

40. Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or a disabled person.

41. Section 825.103, relating to exploitation of an elderly person or a disabled adult, if the offense is a felony.

42. Section 826.04, relating to incest.

43. Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

44. Section 827.04, relating to contributing to the delinquency or dependency of a child.

45. Former s. 827.05, relating to negligent treatment of children.

46. Section 827.071, relating to sexual performance by a child.

47. Section 831.30, relating to fraud in obtaining medicinal drugs.

48. Section 831.31, relating to the sale, manufacture, delivery, or possession with intent to sell, manufacture, or deliver any counterfeit controlled substance, if the offense is a felony.

49. Section 843.01, relating to resisting arrest with violence.

50. Section 843.025, relating to depriving a law enforcement, correctional, or correctional probation officer of the means of protection or communication.

51. Section 843.12, relating to aiding in an escape.

52. Section 843.13, relating to aiding in the escape of juvenile inmates of correctional institutions.

53. Chapter 847, relating to obscenity.

54. Section 874.05, relating to encouraging or recruiting another to join a criminal gang.

55. Chapter 893, relating to drug abuse prevention and control, if the offense is a felony of the second degree or greater severity.

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

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

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

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

60. Section 944.40, relating to escape.

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

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

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

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

Reviser's note.—Amended to conform to the amendment of s. 810.145 by s. 1, ch. 2024-132, Laws of Florida, which redesignated the offense of "video voyeurism" as "digital voyeurism."

Section 49. Paragraph (c) of subsection (2) of section 456.0145, Florida Statutes, is amended to read:

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

(2) LICENSURE BY ENDORSEMENT.—

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

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

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

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

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

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

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

456.4501 Interstate Medical Licensure Compact.—The Interstate Medical Licensure Compact is hereby enacted into law and entered into by this state with all other jurisdictions legally joining therein in the form substantially as follows:

SECTION 7

COORDINATED INFORMATION SYSTEM

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

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

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

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

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

(6) All information provided to the Interstate Commission or distributed by member boards shall be confidential, filed under seal, and used only for investigatory or disciplinary matters.

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

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

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

459.0075 Limited licenses.—

(2) GRADUATE ASSISTANT PHYSICIANS.—A graduate assistant physician is a medical school graduate who meets the requirements of this subsection and has obtained a limited license from the board for the purpose of practicing temporarily under the direct supervision of a physician

who has a full, active, and unencumbered license issued under this chapter, pending the graduate's entrance into a residency under the National Resident Match Program.

(c) A graduate assistant physician limited licensee may apply for a one-time renewal of his or her limited <u>license</u> ~~licensed~~ by submitting a board-approved application, documentation of actual practice under the required protocol during the initial limited licensure period, and documentation of applications he or she has submitted for accredited graduate medical education training programs. The one-time renewal terminates after 1 year. A graduate assistant physician who has received a limited license under this subsection is not eligible to apply for another limited license, regardless of whether he or she received a one-time renewal under this paragraph.

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

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

465.022 Pharmacies; general requirements; fees.—

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

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

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

466.016 License to be displayed.—

(3) Any partnership, corporation, or other business entity that advertises dental services shall designate with the board a dentist of record and provide each patient with the name, contact telephone number, after-hours contact information for emergencies, and, upon the patient's request, license information of the dentist <u>of</u> record. The designated dentist shall have a full, active, and unencumbered license under this chapter or a registration pursuant to s. 456.47.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

516.15 Duties of licensee.—Every licensee shall:

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

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

A credit education program or seminar offered under this subsection must be offered at no cost to the borrower. A licensee may not require a borrower to participate in a credit education program or seminar as a condition of receiving a loan.

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

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

516.38 Annual reports by licensees.—

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

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

1. Up to and including $5,000.

2. From $5,001 ~~Five thousand and one dollars~~ to $10,000.

3. From $10,001 ~~Ten thousand and one dollars~~ to $15,000.

4. From $15,001 ~~Fifteen thousand and one dollars~~ to $20,000.

5. From $20,001 ~~Twenty thousand and one dollars~~ to $25,000.

Reviser's note.—Amended to confirm editorial insertions, and editorial substitutions of dollar amounts to figures, to conform to style elsewhere in the section.

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

517.131 Securities Guaranty Fund.—

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

(b) The name of the person ordered to pay restitution.

Reviser's note.—Amended to improve clarity.

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

550.0351 Charity days.—

(6)

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

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

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

553.8991 Resiliency and Safe Structures Act.—

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

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

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

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

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

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

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

(4) "Nicotine dispensing device" means any product that employs an electronic, chemical, or mechanical means to produce vapor or aerosol from a nicotine product, including, but not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or other similar device or product, any replacement cartridge for such device, and any other container of nicotine in a solution or other form intended to be used with or within an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or other similar device or product. For purposes of this definition, each individual stock keeping unit is considered a separate nicotine dispensing device.

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

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

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

(c) Product that contains incidental nicotine.

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

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

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

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

(10) "Self-service merchandising" means the open display of nicotine products, whether packaged or otherwise, for direct retail customer access and handling before purchase without the intervention or assistance of the

dealer or the dealer's owner, employee, or agent. An open display of such products and devices includes the use of an open display unit.

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

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

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

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

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

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

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

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

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

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

605.0115 Resignation of registered agent.—

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

resignation, the name of the respective limited liability company and the date dissolution became effective for the respective limited liability company.

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

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

607.0149 Notice requirements.—

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

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

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

624.27 Direct health care agreements; exemption from code.—

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

(b) "Health care provider" means a health care provider licensed under chapter 458, chapter 459, chapter 460, chapter 461, chapter 464, ~~or~~ chapter 466, chapter 490, or chapter 491, or a health care group practice, who provides health care services to patients.

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

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

624.307 General powers; duties.—

(10)

(c) Each insurer issued a certificate of authority or made an eligible surplus lines insurer shall file with the department an e-mail address to which requests for response to consumer complaints shall be directed pursuant to paragraph (b). Such insurer shall also designate a contact person for escalated complaint issues and shall provide the name, e-mail address, and telephone number of such person. A licensee of the department, including an agency or a firm, may elect to designate ~~designated~~ an e-mail address to which requests for response to consumer complaints shall be directed pursuant to paragraph (b). If a licensee, including an agency or a firm, elects not to designate an e-mail address, the department shall direct requests for response to consumer complaints to the e-mail address of record

for the licensee in the department's licensing system. An insurer or a licensee, including an agency or a firm, may change the designated contact information at any time by submitting the new information to the department using the method designated by rule by the department.

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

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

624.413 Application for certificate of authority.—

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

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

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

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

624.4213 Trade secret documents.—

(1) If any person who is required to submit documents or other information to the office or department pursuant to the insurance code or by rule or order of the office, department, or commission claims that such submission contains a trade secret, such person may file with the office or department a notice of trade secret as provided in this section. Failure to do so constitutes a waiver of any claim by such person that the document or information is a trade secret.

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

1. …(I consider/My company considers)… ~~[I consider/My company considers]~~ this information a trade secret that has value and provides an

advantage or an opportunity to obtain an advantage over those who do not know or use it.

2. …(I have/My company has)… ~~[I have/My company has]~~ taken measures to prevent the disclosure of the information to anyone other than those who have been selected to have access for limited purposes, and …(I intend/my company intends)… ~~[I intend/my company intends]~~ to continue to take such measures.

3. The information is not, and has not been, reasonably obtainable without …(my/our)… ~~[my/our]~~ consent by other persons by use of legitimate means.

4. The information is not publicly available elsewhere.

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

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

624.424 Annual statement and other information.—

(8)

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

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

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

624.470 Annual reports.—

(1)

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

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

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

626.878 Rules; code of ethics.—

(3) An adjuster who has had his or her license ~~licensed~~ revoked or suspended may not participate in any part of an insurance claim or in the insurance claims adjusting process, including estimating, completing, filing, negotiating, appraising, mediating, umpiring, or effecting settlement of a claim for loss or damage covered under an insurance contract. A person who provides these services while the person's license is revoked or suspended acts as an unlicensed adjuster.

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

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

627.410 Filing, approval of forms.—

(6)

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

1. Select and ultimate premium schedules.

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

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

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

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

629.121 Attorney's bond.—

(1) Concurrently with the filing of the permit application ~~declaration~~ provided for in s. 629.081, the attorney of a domestic reciprocal insurer shall file with the office a bond in favor of this state for the benefit of all persons damaged as a result of breach by the attorney of the conditions of his or her bond as set forth in subsection (2). The bond shall be executed by the attorney and by an authorized corporate surety and shall be subject to the approval of the office.

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

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

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

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

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

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

655.0591 Trade secret documents.—

(1) If any person who is required to submit documents or other information to the office pursuant to the financial institutions codes, or by rule or order of the office or commission, claims that such submission contains a trade secret, such person may file with the office a notice of trade secret when the information is submitted to the office as provided in this section. Failure to file such notice constitutes a waiver of any claim by such person that the document or information is a trade secret. The notice must provide the contact information of the person claiming ownership of the trade secret. The person claiming the trade secret is responsible for updating the contact information with the office.

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

1. …(I consider/my company considers)… ~~[…I consider/my company considers…]~~ this information a trade secret that has value and provides an advantage or an opportunity to obtain an advantage over those who do not know or use it.

2. …(I have/my company has)… ~~[…I have/my company has…]~~ taken measures to prevent the disclosure of the information to anyone other than those who have been selected to have access for limited purposes, and …(I intend/my company intends)… ~~[…I intend/my company intends…]~~ to continue to take such measures.

3. The information is not, and has not been, reasonably obtainable without …(my/our)… ~~[…my/our…]~~ consent by other persons by use of legitimate means.

4. The information is not publicly available elsewhere.

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

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

683.06 Pascua Florida Day.—

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

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

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

709.2209 Supported decisionmaking agreements.—

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

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

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

715.105 Form of notice concerning abandoned property to former tenant.

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

Notice of Right to Reclaim Abandoned Property

To: …(Name of former tenant)…

…(Address of former tenant)…

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

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

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

…(Insert here the statement required by subsection (2))…

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

…(Type or print name of landlord)…

…(Telephone number)…

…(Address)…

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

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

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

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

(11) "Domicile" means the state of incorporation for a corporation; the state of filing for a business association, other than a corporation, whose formation or organization requires a filing with a state; the state of organization for a business association, other than a corporation, whose formation or organization does not require a filing with a state; or the state of home office for a federally charted entity.

Reviser's note.—Subsection (4) is amended to confirm an editorial deletion to improve sentence structure. Subsection (11) is amended to confirm an editorial insertion to improve clarity.

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

717.1201 Custody by state; holder liability; reimbursement of holder paying claim; reclaiming for owner; payment of safe-deposit box or repository charges.—

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

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

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

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

718.111 The association.—

(12) OFFICIAL RECORDS.—

(c)1.a. The official records of the association are open to inspection by any association member and any person authorized by an association member as a representative of such member at all reasonable times. The right to inspect the records includes the right to make or obtain copies, at the reasonable expense, if any, of the member and of the person authorized by the association member as a representative of such member. A renter of a unit has a right to inspect and copy only the declaration of condominium, the association's bylaws and rules, and the inspection reports described in ss. 553.899 and 718.301(4)(p). The association may adopt reasonable rules regarding the frequency, time, location, notice, and manner of record inspections and copying but may not require a member to demonstrate any purpose or state any reason for the inspection. The failure of an association to provide the records within 10 working days after receipt of a written request creates a rebuttable presumption that the association willfully failed to comply with this paragraph. A unit owner who is denied access to official records is entitled to the actual damages or minimum damages for the association's willful failure to comply. Minimum damages are $50 per calendar day for up to 10 days, beginning on the 11th working day after receipt of the written request. The failure to permit inspection entitles any person prevailing in an enforcement action to recover reasonable attorney fees from the person in control of the records who, directly or

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

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

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

3. Any person who knowingly or intentionally defaces or destroys accounting records that are required by this chapter to be maintained during the period for which such records are required to be maintained, or who knowingly or intentionally fails to create or maintain accounting records that are required to be created or maintained, with the intent of causing harm to the association or one or more of its members, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083; is personally subject to a civil penalty pursuant to s. 718.501(1)(e) ~~718.501(1)(d)~~; and must be removed from office and a vacancy declared.

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

5. The association shall maintain an adequate number of copies of the declaration, articles of incorporation, bylaws, and rules, and all amendments to each of the foregoing, as well as the question and answer sheet as described in s. 718.504 and year-end financial information required under this section, on the condominium property to ensure their availability to unit owners and prospective purchasers, and may charge its actual costs for preparing and furnishing these documents to those requesting the documents. An association shall allow a member or his or her authorized representative to use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the official records in lieu of the

association's providing the member or his or her authorized representative with a copy of such records. The association may not charge a member or his or her authorized representative for the use of a portable device. Notwithstanding this paragraph, the following records are not accessible to unit owners:

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

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

c. Personnel records of association or management company employees, including, but not limited to, disciplinary, payroll, health, and insurance records. For purposes of this sub-subparagraph, the term "personnel records" does not include written employment agreements with an association employee or management company, or budgetary or financial records that indicate the compensation paid to an association employee.

d. Medical records of unit owners.

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

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

g. The software and operating system used by the association which allow the manipulation of data, even if the owner owns a copy of the same

software used by the association. The data is part of the official records of the association.

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

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

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

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

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

(4) The association has a lien on each cooperative parcel for any unpaid rents and assessments, plus interest, and any administrative late fees. If authorized by the cooperative documents, the lien also secures reasonable attorney fees incurred by the association incident to the collection of the rents and assessments or enforcement of such lien. The lien is effective from and after recording a claim of lien in the public records in the county in which the cooperative parcel is located which states the description of the cooperative parcel, the name of the unit owner, the amount due, and the due dates. Except as otherwise provided in this chapter, a lien may not be filed by the association against a cooperative parcel until 45 days after the date on which a notice of intent to file a lien has been delivered to the owner.

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

NOTICE OF CONTEST OF LIEN

TO: …(Name and address of association)…~~:~~

You are notified that the undersigned contests the claim of lien filed by you on ....., …(year)…, and recorded in Official Records Book ..... at Page ....., of the public records of ..... County, Florida, and that the time within which you may file suit to enforce your lien is limited to 90 days from the date of service of this notice. Executed this ..... day of ....., … (year)….
Signed: …(Owner or Attorney)…

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

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

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

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

(1) POWERS AND DUTIES.—An association that operates a community as defined in s. 720.301 must be operated by an association that is a Florida corporation. After October 1, 1995, the association must be incorporated and the initial governing documents must be recorded in the official records of the county in which the community is located. An association may operate more than one community. The officers and directors of an association are subject to s. 617.0830 and have a fiduciary relationship to the members who are served by the association. The powers and duties of an association include those set forth in this chapter and, except as expressly limited or restricted in this chapter, those set forth in the governing documents. After control of the association is obtained by members other than the developer, the association may institute, maintain, settle, or appeal actions or hearings in its name on behalf of all members concerning matters of common interest to the members, including, but not limited to, the common areas; roof or structural components of a building, or other improvements for which the association is responsible; mechanical, electrical, or plumbing elements serving an improvement or building for which the association is responsible; representations of the developer pertaining to any existing or proposed commonly used facility; and protest of ~~protesting~~ ad valorem taxes on commonly used facilities. The association may defend actions in eminent domain or bring inverse condemnation actions. Before commencing litigation against any party in the name of the association involving amounts in controversy in excess of $100,000, the association must obtain the affirmative approval of a majority of the voting interests at a meeting of the membership at which a quorum has been attained. This subsection does not limit any statutory or common-law right of any individual member or class of members to bring any action without participation by the association. A member does not have authority to act for the association by virtue of being a member. An association may have more than one class of members and may issue membership certificates. An association of 15 or fewer parcel

owners may enforce only the requirements of those deed restrictions established prior to the purchase of each parcel upon an affected parcel owner or owners.

Reviser's note.—Amended to improve clarity.

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

720.3033 Officers and directors.—

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

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

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

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

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

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

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

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

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

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

720.3075 Prohibited clauses in association documents.—

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

(d) A property owner or a tenant, a guest, or an invitee of the property owner from parking his or her personal vehicle, including a pickup truck, in

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

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

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

738.505 Reimbursement of principal from income.—

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

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

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

812.141 Offenses involving critical infrastructure; improper tampering; civil remedies; trespass on critical infrastructure; computer offenses involving critical infrastructure.—

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

(a) "Critical infrastructure" means:

1. Any linear asset; or

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

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

b. A chemical or rubber manufacturing or storage facility.

c. A mining facility.

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

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

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

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

h. A water intake structure, water treatment facility, wastewater treatment plant, pump station, or lift station.

i. A seaport listed in s. 311.09.

j. A railroad switching yard, trucking terminal, or other freight transportation facility.

k. An airport as defined in s. 330.27.

l. A spaceport territory as defined in s. 331.303.

m. A transmission facility used by a federally licensed radio or television station.

n. A military base or military facility conducting research and development of military weapons systems, subsystems, components, or parts.

o. A civilian defense industrial base conducting research and development of military weapons systems, subsystems, components, or parts.

p. A dam as defined in s. 373.403(1), or other water control structures such as locks, floodgates, or dikes that are designed to maintain or control the level of navigable waterways.

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

Section 89. Paragraph (b) of subsection (1) of section 828.30, Florida Statutes, is amended to read:

828.30 Rabies vaccination of dogs, cats, and ferrets.—

(1)

(b) Acting under the indirect supervision of a veterinarian, an employee, an agent, or a contractor of a county or municipal animal control authority or sheriff may vaccinate against rabies dogs, cats, and ferrets that are in the custody of an animal control authority or a sheriff and which ~~that~~ will be transferred, rescued, fostered, adopted, or reclaimed by the owner. The supervising veterinarian assumes responsibility for any person vaccinating

animals at his or her direction or under his or her direct or indirect supervision. As used in this paragraph, the term "indirect supervision" means that the supervising veterinarian is required to be available for consultation through telecommunications but is not required to be physically present during such consultation.

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

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

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

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

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

1. Section 104.155(2), relating to aiding or soliciting a noncitizen in voting.

2. Section 210.18, relating to evasion of payment of cigarette taxes.

3. Section 316.1935, relating to fleeing or attempting to elude a law enforcement officer and aggravated fleeing or eluding.

4. Chapter 379, relating to the illegal sale, purchase, collection, harvest, capture, or possession of wild animal life, freshwater aquatic life, or marine life, and related crimes.

5. Section 403.727(3)(b), relating to environmental control.

6. Section 409.920 or s. 409.9201, relating to Medicaid fraud.

7. Section 414.39, relating to public assistance fraud.

8. Section 440.105 or s. 440.106, relating to workers' compensation.

9. Section 443.071(4), relating to creation of a fictitious employer scheme to commit reemployment assistance fraud.

10. Section 465.0161, relating to distribution of medicinal drugs without a permit as an Internet pharmacy.

11. Section 499.0051, relating to crimes involving contraband, adulterated, or misbranded drugs.

12. Part IV of chapter 501, relating to telemarketing.

13. Chapter 517, relating to sale of securities and investor protection.

14. Section 550.235 or s. 550.3551, relating to dogracing and horseracing.

15. Chapter 550, relating to jai alai frontons.

16. Section 551.109, relating to slot machine gaming.

17. Chapter 552, relating to the manufacture, distribution, and use of explosives.

18. Chapter 560, relating to money transmitters, if the violation is punishable as a felony.

19. Chapter 562, relating to beverage law enforcement.

20. Section 624.401, relating to transacting insurance without a certificate of authority, s. 624.437(4)(c)1., relating to operating an unauthorized multiple-employer welfare arrangement, or s. 626.902(1)(b), relating to representing or aiding an unauthorized insurer.

21. Section 655.50, relating to reports of currency transactions, when such violation is punishable as a felony.

22. Chapter 687, relating to interest and usurious practices.

23. Section 721.08, s. 721.09, or s. 721.13, relating to real estate timeshare plans.

24. Section 775.13(5)(b), relating to registration of persons found to have committed any offense for the purpose of benefiting, promoting, or furthering the interests of a criminal gang.

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

26. Chapter 782, relating to homicide.

27. Chapter 784, relating to assault and battery.

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

29. Chapter 790, relating to weapons and firearms.

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

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

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

33. Chapter 810, relating to burglary and trespass.

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

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

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

37. Chapter 825, relating to abuse, neglect, or exploitation of an elderly person or disabled adult.

38. Section 827.071, relating to commercial sexual exploitation of children.

39. Section 828.122, relating to fighting or baiting animals.

40. Chapter 831, relating to forgery and counterfeiting.

41. Chapter 832, relating to issuance of worthless checks and drafts.

42. Section 836.05, relating to extortion.

43. Chapter 837, relating to perjury.

44. Chapter 838, relating to bribery and misuse of public office.

45. Chapter 843, relating to obstruction of justice.

46. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or s. 847.07, relating to obscene literature and profanity.

47. Chapter 849, relating to gambling, lottery, gambling or gaming devices, slot machines, or any of the provisions within that chapter.

48. Chapter 874, relating to criminal gangs.

49. Chapter 893, relating to drug abuse prevention and control.

50. Chapter 896, relating to offenses related to financial transactions.

51. Sections 914.22 and 914.23, relating to tampering with or harassing a witness, victim, or informant, and retaliation against a witness, victim, or informant.

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

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

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

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

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

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(e) LEVEL 5

Florida Statute	Felony Degree	Description
316.027(2)(a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
316.80(2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.

Florida Statute	Felony Degree	Description
379.365(2)(c)1.	3rd	Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or sale, conspiring or aiding in such barter, trade, or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates; making, altering, forging, counterfeiting, or reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.
379.367(4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
379.407(5)(b)3.	3rd	Possession of 100 or more undersized spiny lobsters.
381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
440.10(1)(g)	2nd	Failure to obtain workers' compensation coverage.
440.105(5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
440.381(2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
624.401(4)(b)2.	2nd	Transacting insurance without a certificate or authority; premium collected $20,000 or more but less than $100,000.
626.902(1)(c)	2nd	Representing an unauthorized insurer; repeat offender.
790.01(3)	3rd	Unlawful carrying of a concealed firearm.
790.162	2nd	Threat to throw or discharge destructive device.
790.163(1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.

Florida Statute	Felony Degree	Description
790.221(1)	2nd	Possession of short-barreled shotgun or machine gun.
790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
796.05(1)	2nd	Live on earnings of a prostitute; 1st offense.
800.04(6)(c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
800.04(7)(b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
806.111(1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
810.145(4) ~~810.145(4)(c)~~	3rd	Commercial digital voyeurism dissemination.
810.145(7)(a)	2nd	Digital voyeurism; 2nd or subsequent offense.
810.145(8)(a)	2nd	Digital voyeurism; certain minor victims.
812.014(2)(d)3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.
812.0145(2)(b)	2nd	Theft from person 65 years of age or older; $10,000 or more but less than $50,000.
812.015 (8)(a) & (c)-(e)	3rd	Retail theft; property stolen is valued at $750 or more and one or more specified acts.
812.015(8)(f)	3rd	Retail theft; multiple thefts within specified period.
812.015(8)(g)	3rd	Retail theft; committed with specified number of other persons.
812.019(1)	2nd	Stolen property; dealing in or trafficking in.
812.081(3)	2nd	Trafficking in trade secrets.
812.131(2)(b)	3rd	Robbery by sudden snatching.
812.16(2)	3rd	Owning, operating, or conducting a chop shop.
817.034(4)(a)2.	2nd	Communications fraud, value $20,000 to $50,000.

Florida Statute	Felony Degree	Description
817.234(11)(b)	2nd	Insurance fraud; property value $20,000 or more but less than $100,000.
817.2341(1), (2)(a) & (3)(a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
817.568(2)(b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, $5,000 or more or use of personal identification information of 10 or more persons.
817.611(2)(a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
817.625(2)(b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
825.1025(4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
836.14(4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.
839.13(2)(b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
843.01(1)	3rd	Resist officer with violence to person; resist arrest with violence.
847.0135(5)(b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
874.05(1)(b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

Florida Statute	Felony Degree	Description
874.05(2)(a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
893.13(1)(a)1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs).
893.13(1)(c)2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
893.13(1)(d)1.	1st	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of university.
893.13(1)(e)2.	2nd	Sell, manufacture, or deliver cannabis or other drug prohibited under s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c) 8., (2)(c)9., (2)(c)10., (3), or (4) within 1,000 feet of property used for religious services or a specified business site.
893.13(1)(f)1.	1st	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of public housing facility.
893.13(4)(b)	2nd	Use or hire of minor; deliver to minor other controlled substance.
893.1351(1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.

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

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

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

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

~~Statewide Guardian Ad Litem~~ and $100 to the Department of Revenue for deposit into the Department of Children and Families' Grants and Donations Trust Fund for disbursement to the Florida Network of Children's Advocacy Centers, Inc., for the purpose of funding children's advocacy centers that are members of the network. The clerk shall retain $1 from each sum collected as a service charge.

Reviser's note.—Amended to confirm an editorial substitution to conform to the correct name of the office.

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

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

(7) If the court determines that the child should be adjudicated as having committed a delinquent act and should be committed to the department, such determination shall be in writing or on the record of the hearing. The determination shall include a specific finding of the reasons for the decision to adjudicate and to commit the child to the department, including any determination that the child was a member of a criminal gang.

(d) Any child adjudicated by the court and committed to the department under a restrictiveness level described in s. 985.03(44)(a)-(c) ~~985.03(44)(a)-(d)~~ for any offense or attempted offense involving a firearm must be placed on conditional release, as defined in s. 985.03, for a period of 1 year following his or her release from a commitment program. Such term of conditional release shall include electronic monitoring of the child by the department for the initial 6 months following his or her release and at times and under terms and conditions set by the department.

Reviser's note.—Amended to correct a cross-reference. Section 9, ch. 2024-133, Laws of Florida, deleted s. 985.03(44)(a) and redesignated paragraphs (b)-(d) as paragraphs (a)-(c).

Section 94. Paragraph (c) of subsection (2) of section 1001.372, Florida Statutes, is amended to read:

1001.372 District school board meetings.—

(2) PLACE OF MEETINGS.—

(c) For the purpose of this section, due public notice shall consist of, at least 2 days prior to the meeting: continuous publication on a publicly accessible website as provided in s. 50.0311 or the official district school board website; ~~by~~ publication in a newspaper of general circulation in the county, or in each county where there is no newspaper of general circulation in the county, an announcement over at least one radio station whose signal is generally received in the county, a reasonable number of times daily

during the 48 hours immediately preceding the date of such meeting; or ~~by~~ posting a notice at the courthouse door if no newspaper is published in the county.

Reviser's note.—Amended to confirm editorial deletions to conform to context.

Section 95. Subsection (3) of section 1001.47, Florida Statutes, is amended to read:

1001.47 District school superintendent; salary.—

(3) The adjusted base salaries of elected district school superintendents shall be increased annually as provided for in s. 145.19. ~~Any salary previously paid to elected superintendents, including the salary calculated for fiscal years 2002-2003 and 2003-2004, which was consistent with chapter 145 and s. 230.303, Florida Statutes (2001), is hereby ratified and validated.~~

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

Section 96. Subsection (9) of section 1001.706, Florida Statutes, is amended to read:

1001.706 Powers and duties of the Board of Governors.—

(9) COOPERATION WITH OTHER BOARDS.—The Board of Governors shall implement a plan for working on a regular basis with the State Board of Education, the Commission for Independent Education, the Office of Reimagining Education and Career Help ~~Florida Talent Development Council~~, the Articulation Coordinating Committee, the university boards of trustees, representatives of the Florida College System institution boards of trustees, representatives of the private colleges and universities, and representatives of the district school boards to achieve a seamless education system.

Reviser's note.—Amended to conform to the fact that s. 1004.015, which created the Florida Talent Development Council, was repealed by s. 9, ch. 2024-125, Laws of Florida. The duties of the former Florida Talent Development Council now fall under the purview of the Office of Reimagining Education and Career Help per the revision of its duties by s. 1, ch. 2024-125.

Section 97. Paragraph (b) of subsection (17) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(17) FUNDING.—Students enrolled in a charter school, regardless of the sponsorship, shall be funded based upon the applicable program pursuant to s. 1011.62(1)(c), the same as students enrolled in other public schools in a

school district. Funding for a charter lab school shall be as provided in s. 1002.32.

(b)1. Funding for students enrolled in a charter school sponsored by a school district shall be the sum of the school district's operating funds from the Florida Education Finance Program as defined in s. 1011.61(5) and the General Appropriations Act, including gross state and local funds, and funds from the school district's current operating discretionary millage levy; divided by total funded weighted full-time equivalent students in the school district; and multiplied by the weighted full-time equivalent students for the charter school. Charter schools whose students or programs meet the eligibility criteria in law are entitled to their proportionate share of categorical program funds included in the total funds available in the Florida Education Finance Program by the Legislature, including the student transportation allocation and the educational enrichment allocation. Total funding for each charter school shall be recalculated during the year to reflect the revised calculations under the Florida Education Finance Program by the state and the actual weighted full-time equivalent students reported by the charter school during the full-time equivalent student survey periods designated by the Commissioner of Education. For charter schools operated by a not-for-profit or municipal entity, any unrestricted current and capital assets identified in the charter school's annual financial audit may be used for other charter schools operated by the not-for-profit or municipal entity within the school district. For charter schools operated by a not-for-profit entity, any unrestricted current or capital assets identified in the charter school's annual audit may be used for other charter schools operated by the not-for-profit entity which are located outside of the originating charter school's school district, but within the state, through an unforgivable loan that must be repaid within 5 years to the originating charter school by the receiving charter school. Unrestricted current assets shall be used in accordance with s. 1011.62, and any unrestricted capital assets shall be used in accordance with s. 1013.62(2).

2.a. Funding for students enrolled in a charter school sponsored by a state university or Florida College System institution pursuant to paragraph (5)(a) shall be provided in the Florida Education Finance Program as defined in s. 1011.61(5) and as specified in the General Appropriations Act. The calculation to determine the amount of state funds includes the sum of the basic amount for current operations established in s. 1011.62(1)(s), the discretionary millage compression supplement established in s. 1011.62(5), and the state-funded discretionary contribution established in s. 1011.62(6). Charter schools whose students or programs meet the eligibility criteria in law are entitled to their proportionate share of categorical program funds included in the total funds available in the Florida Education Finance Program. The Florida College System institution or state university sponsoring the charter school shall be the fiscal agent for these funds, and all rules of the institution governing the budgeting and expenditure of state funds shall apply to these funds unless otherwise provided by law or rule of the State Board of Education.

(I) The nonvoted required local millage established pursuant to s. 1011.71(1) that would otherwise be required for the charter schools shall be allocated from state funds.

(II) An equivalent amount of funds for the operating discretionary millage authorized pursuant to s. 1011.71(1) shall be allocated to each charter school through a state-funded discretionary contribution established pursuant to s. 1011.62(6).

(III) The comparable wage factor as provided in s. 1011.62(2) shall be established as 1.000.

b. Total funding for each charter school shall be recalculated during the year to reflect the revised calculations under the Florida Education Finance Program by the state and the actual weighted full-time equivalent students reported by the charter school during the full-time equivalent student survey periods designated by the Commissioner of Education.

c. The Department of Education shall develop a tool that each state university or Florida College System institution sponsoring a charter school shall use for purposes of calculating the funding amount for each eligible charter school student. The total amount obtained from the calculation must be appropriated from state funds in the General Appropriations Act to the charter school.

d. Capital outlay funding for a charter school sponsored by a state university or Florida College System institution pursuant to paragraph (5)(a) is determined as follows: multiply the maximum allowable nonvoted discretionary millage under s. 1011.71(2) by 96 percent of the current year's taxable value for school purposes for the district in which the charter school is located; divide the result by the total full-time equivalent student membership; and multiply the result by the full-time equivalent student membership of the charter school. The amount obtained shall be the discretionary capital improvement funds and shall be appropriated from state funds in the General Appropriations Act.

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

Section 98. Paragraph (c) of subsection (6), paragraph (b) of subsection (9), and paragraph (b) of subsection (10) of section 1002.394, Florida Statutes, are amended to read:

1002.394 The Family Empowerment Scholarship Program.—

(6) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a Family Empowerment Scholarship while he or she is:

(c) Receiving any other educational scholarship pursuant to this chapter. However, an eligible public school student receiving a scholarship under s.

1002.411 may receive a stipend ~~scholarship~~ for transportation pursuant to s. 1002.31(7) ~~subparagraph (4)(a)2.~~;

(9) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—To be eligible to participate in the Family Empowerment Scholarship Program, a private school may be sectarian or nonsectarian and must:

(b) Provide to the organization all documentation required for a student's participation, including confirmation of the student's admission to the private school, the private school's and student's fee schedules, and any other information required by the organization to process scholarship payment under subparagraph (12)(a)3. ~~(12)(a)4.~~ Such information must be provided by the deadlines established by the organization and in accordance with the requirements of this section. A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet the deadline.

If a private school fails to meet the requirements of this subsection or s. 1002.421, the commissioner may determine that the private school is ineligible to participate in the scholarship program.

(10) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM PARTICIPATION.—

(b) A parent who applies for a scholarship under paragraph (3)(b) is exercising his or her parental option to determine the appropriate placement or the services that best meet the needs of his or her child and must:

1. Apply to an eligible nonprofit scholarship-funding organization to participate in the program by a date set by the organization. The request must be communicated directly to the organization in a manner that creates a written or electronic record of the request and the date of receipt of the request.

2.a. Beginning with new applications for the 2025-2026 school year and thereafter, notify the organization by December 15 that the scholarship is being accepted or declined.

b. Beginning with renewal applications for the 2025-2026 school year and thereafter, notify the organization by May 31 that the scholarship is being renewed or declined.

3. Sign an agreement with the organization and annually submit a sworn compliance statement to the organization to satisfy or maintain program eligibility, including eligibility to receive and spend program payments by:

a. Affirming that the student is enrolled in a program that meets regular school attendance requirements as provided in s. 1003.01(16)(b), (c), or (d).

b. Affirming that the program funds are used only for authorized purposes serving the student's educational needs, as described in paragraph (4)(b); that any prepaid college plan or college savings plan funds contributed pursuant to subparagraph (4)(b)6. will not be transferred to another beneficiary while the plan contains funds contributed pursuant to this section; and that they will not receive a payment, refund, or rebate of any funds provided under this section.

c. Affirming that the parent is responsible for all eligible expenses in excess of the amount of the scholarship and for the education of his or her student by, as applicable:

(I) Requiring the student to take an assessment in accordance with paragraph (9)(c);

(II) Providing an annual evaluation in accordance with s. 1002.41(1)(f); or

(III) Requiring the child to take any preassessments and postassessments selected by the provider if the child is 4 years of age and is enrolled in a program provided by an eligible Voluntary Prekindergarten Education Program provider. A student with disabilities for whom the physician or psychologist who issued the diagnosis or the IEP team determines that a preassessment and postassessment is not appropriate is exempt from this requirement. A participating provider shall report a student's scores to the parent.

d. Affirming that the student remains in good standing with the provider or school if those options are selected by the parent.

e. Enrolling his or her child in a program from a Voluntary Prekindergarten Education Program provider authorized under s. 1002.55, a school readiness provider authorized under s. 1002.88, a prekindergarten program offered by an eligible private school, or an eligible private school if selected by the parent.

f. Comply with the scholarship application and renewal processes and requirements established by the organization. A student whose participation in the program is not renewed may continue to spend scholarship funds that are in his or her account from prior years unless the account must be closed pursuant to subparagraph (5)(b)3. Notwithstanding any changes to the student's IEP, a student who was previously eligible for participation in the program shall remain eligible to apply for renewal. However, for a high-risk child to continue to participate in the program in the school year after he or she reaches 6 years of age, the child's application for renewal of program participation must contain documentation that the child has a disability defined in paragraph (2)(e) other than high-risk status.

g. Procuring the services necessary to educate the student. If such services include enrollment in an eligible private school, the parent must

meet with the private school's principal or the principal's designee to review the school's academic programs and policies, specialized services, code of student conduct, and attendance policies before his or her student is enrolled. The parent must also approve each payment to the eligible private school before the scholarship funds may be deposited by funds transfer pursuant to subparagraph (12)(a)3. ~~(12)(a)4.~~ The parent may not designate any entity or individual associated with the eligible private school as the parent's attorney in fact to approve a funds transfer. When the student receives a scholarship, the district school board is not obligated to provide the student with a free appropriate public education. For purposes of s. 1003.57 and the Individuals with Disabilities in Education Act, a participating student has only those rights that apply to all other unilaterally parentally placed students, except that, when requested by the parent, school district personnel must develop an IEP or matrix level of services.

Reviser's note.—Paragraph (6)(c) is amended to facilitate correct interpretation and to correct a cross-reference. Section 6, ch. 2024-230, Laws of Florida, deleted subparagraph (4)(a)2., relating to program funds used for transportation to a Florida public school in which a student is enrolled and that is different from the school to which the student was assigned or to a lab school as defined in s. 1002.32; similar material relating to stipends for transportation can be found at s. 1002.31(7), created by s. 2, ch. 2024-230. Paragraphs (9)(b) and (10)(b) are amended to conform to the redesignation of subparagraph (12)(a)4. as subparagraph (12)(a)3. by s. 6, ch. 2024-230.

Section 99. Paragraph (b) of subsection (2), paragraph (c) of subsection (4), paragraph (l) of subsection (6), and paragraph (b) of subsection (7) of section 1002.395, Florida Statutes, are amended to read:

1002.395 Florida Tax Credit Scholarship Program.—

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

(b) "Choice navigator" means an individual who meets the requirements of sub-subparagraph (6)(d)4.g. ~~(6)(d)2.h.~~ and who provides consultations, at a mutually agreed upon location, on the selection of, application for, and enrollment in educational options addressing the academic needs of a student; curriculum selection; and advice on career and postsecondary education opportunities. However, nothing in this section authorizes a choice navigator to oversee or exercise control over the curricula or academic programs of a personalized education program.

(4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a scholarship while he or she is:

(c) Receiving any other educational scholarship pursuant to this chapter. However, an eligible public school student receiving a scholarship under s.

1002.411 may receive a stipend ~~scholarship~~ for transportation pursuant to s. 1002.31(7) ~~subparagraph (6)(d)4.~~;

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

(l)1. May use eligible contributions received pursuant to this section and ss. 212.099, 212.1831, and 212.1832 during the state fiscal year in which such contributions are collected for administrative expenses if the organization has operated as an eligible nonprofit scholarship-funding organization for at least the preceding 3 fiscal years and did not have any findings of material weakness or material noncompliance in its most recent audit under paragraph (o) or is in good standing in each state in which it administers a scholarship program and the audited financial statements for the preceding 3 fiscal years are free of material misstatements and going concern issues. Administrative expenses from eligible contributions may not exceed 3 percent of the total amount of all scholarships and stipends funded by an eligible scholarship-funding organization under this chapter. Such administrative expenses must be reasonable and necessary for the organization's management and distribution of scholarships funded under this chapter. Administrative expenses may include developing or contracting with ride-share programs or facilitating carpool strategies for recipients of a transportation stipend ~~scholarship~~ under s. 1002.31(7) ~~1002.394~~. No funds authorized under this subparagraph shall be used for lobbying or political activity or expenses related to lobbying or political activity. Up to one-third of the funds authorized for administrative expenses under this subparagraph may be used for expenses related to the recruitment of contributions from taxpayers. An eligible nonprofit scholarship-funding organization may not charge an application fee.

2. Must expend for annual or partial-year scholarships 100 percent of any eligible contributions from the prior fiscal year.

3. Must expend for annual or partial-year scholarships an amount equal to or greater than 75 percent of all net eligible contributions, as defined in subsection (2), remaining after administrative expenses during the state fiscal year in which such eligible contributions are collected. No more than 25 percent of such net eligible contributions may be carried forward to the following state fiscal year. All amounts carried forward, for audit purposes, must be specifically identified for particular students, by student name and the name of the school to which the student is admitted, subject to the requirements of ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, and the applicable rules and regulations issued pursuant thereto. Any amounts carried forward shall be expended for annual or partial-year scholarships in the following state fiscal year. Eligible contributions remaining on June 30 of each year that are in excess of the 25 percent that may be carried forward shall be used to provide scholarships to eligible students or transferred to other eligible nonprofit scholarship-funding organizations to provide scholarships for eligible students. All transferred funds must be deposited by

each eligible nonprofit scholarship-funding organization receiving such funds into its scholarship account. All transferred amounts received by any eligible nonprofit scholarship-funding organization must be separately disclosed in the annual financial audit required under paragraph (o).

4. Must, before granting a scholarship for an academic year, document each scholarship student's eligibility for that academic year. A scholarship-funding organization may not grant multiyear scholarships in one approval process.

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

(7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM PARTICIPATION.—

(b) A parent whose student will not be enrolled full time in a public or private school must:

1. Apply to an eligible nonprofit scholarship-funding organization to participate in the program as a personalized education student by a date set by the organization. The request must be communicated directly to the organization in a manner that creates a written or electronic record of the request and the date of receipt of the request. Beginning with new and renewal applications for the 2025-2026 school year and thereafter, a parent must notify the organization by May 31 that the scholarship is being accepted, renewed, or declined.

2. Sign an agreement with the organization and annually submit a sworn compliance statement to the organization to satisfy or maintain program eligibility, including eligibility to receive and spend program payments, by:

a. Affirming that the program funds are used only for authorized purposes serving the student's educational needs, as described in paragraph (6)(d), and that they will not receive a payment, refund, or rebate of any funds provided under this section.

b. Affirming that the parent is responsible for all eligible expenses in excess of the amount of the scholarship and for the education of his or her student.

c. Submitting a student learning plan to the organization and revising the plan at least annually before program renewal.

d. Requiring his or her student to take a nationally norm-referenced test identified by the Department of Education, or a statewide assessment under s. 1008.22, and provide assessment results to the organization before the student's program renewal.

e. Complying with the scholarship application and renewal processes and requirements established by the organization. A student whose participation in the program is not renewed may continue to spend scholarship funds that are in his or her account from prior years unless the account must be closed pursuant to s. 1002.394(5)(a)2.

f. Procuring the services necessary to educate the student. When the student receives a scholarship, the district school board is not obligated to provide the student with a free appropriate public education.

For purposes of this paragraph, full-time enrollment does not include enrollment at a private school that addresses regular and direct contact with teachers through the student learning plan in accordance with s. 1002.421(1)(i).

An eligible nonprofit scholarship-funding organization may not further regulate, exercise control over, or require documentation beyond the requirements of this subsection unless the regulation, control, or documentation is necessary for participation in the program.

Reviser's note.—Paragraph (2)(b) is amended to confirm an editorial substitution to conform to the redesignation of subparagraph (6)(d)2. as subparagraph (6)(d)4. by s. 4, ch. 2024-163, Laws of Florida, and the redesignation of sub-subparagraph h. of that subparagraph as sub-subparagraph g. by s. 7, ch. 2024-230, Laws of Florida. Paragraphs (4)(c) and (6)(l) are amended to facilitate correct interpretation and to correct cross-references. Section 6, ch. 2024-230, deleted s. 1002.394(4)(a)2., and s. 7, ch. 2024-230, deleted s. 1002.395(6)(d)2.b., both relating to program funds used for transportation to a Florida public school in which a student is enrolled and that is different from the school to which the student was assigned or to a lab school as defined in s. 1002.32; similar material relating to stipends for transportation can be found at s. 1002.31(7), created by s. 2, ch. 2024-230. Paragraph (7)(b) is amended to confirm an editorial insertion to improve clarity.

Section 100. Section 1003.485, Florida Statutes, is reenacted to read:

1003.485 The New Worlds Reading Initiative.—

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

(a) "Administrator" means the University of Florida Lastinger Center for Learning.

(b) "Annual tax credit amount" means, for any state fiscal year, the sum of the amount of tax credits approved under paragraph (5)(b), including tax credits to be taken under s. 211.0252, s. 212.1833, s. 220.1876, s. 561.1212, or s. 624.51056, which are approved for taxpayers whose taxable years begin on or after January 1 of the calendar year preceding the start of the applicable state fiscal year.

(c) "Department" means the Department of Education.

(d) "Division" means the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation.

(e) "Eligible contribution" means a monetary contribution from a taxpayer, subject to the restrictions provided in this section, to the administrator.

(f) "Initiative" means the New Worlds Reading Initiative.

(g) "Micro-credential" means evidence-based professional learning activities grounded in the science of reading which are competency-based, personalized, and on-demand. Educators must demonstrate their competence via evidence submitted and reviewed by trained evaluators.

(2) NEW WORLDS READING INITIATIVE; PURPOSE.—The purpose of the New Worlds Reading Initiative established under the department is to instill a love of reading by providing high-quality, free books to students in prekindergarten through grade 5 who are reading below grade level and to improve the literacy skills of students in prekindergarten through grade 12. The New Worlds Reading Initiative shall consist of:

(a) The program established under this section to provide high-quality, free books to students.

(b) The New Worlds Scholarship Program under s. 1002.411.

(c) The New Worlds Scholar program under s. 1008.365, which rewards high school students who instill a love of reading and improve the literacy skills of students in kindergarten through grade 3.

(d) The New Worlds micro-credential program established under this section which emphasizes strong core instruction and a tiered model of reading interventions for struggling readers.

(3) DEPARTMENT RESPONSIBILITIES.—The department shall:

(a) Publish information about the initiative and tax credits under subsection (5) on its website, including the process for a taxpayer to select the administrator as the recipient of funding through a tax credit.

(b) Annually report on its website the number of students participating in the initiative in each school district, information from the annual financial report under paragraph (4)(j), and the academic achievement and learning gains, as applicable, of participating students based on data provided by school districts as permitted under s. 1002.22. The department shall establish a date by which the administrator and each school district must annually provide the data necessary to complete the report.

(c) Provide the administrator with progress monitoring data for eligible prekindergarten through grade 12 students within 30 days after the close of each progress monitoring period.

(4) ADMINISTRATOR RESPONSIBILITIES.—The administrator shall:

(a) Develop, in consultation with the Just Read, Florida! Office under s. 1001.215, a selection of high-quality books encompassing diverse subjects and genres for each grade level to be mailed to students in the initiative.

(b) Distribute books at no cost to students as provided in paragraph (6)(c) either directly or through an agreement with a book distribution company.

(c) Assist local implementation of the initiative by providing marketing materials to school districts and any partnering nonprofit organizations to assist with public awareness campaigns and other activities designed to increase family engagement and instill a love of reading in students.

(d) Maintain a clearinghouse for information on national, state, and local nonprofit organizations that support efforts to improve literacy and provide books to children.

(e) Develop, for parents of students in the initiative, resources and training materials that engage families in reading and support the reading achievement of their students. The administrator shall periodically send to parents hyperlinks to these resources and materials, including video modules, via text message and e-mail.

(f) Provide professional learning and resources to teachers that correlate with the books provided through the initiative.

(g) Develop, in consultation with the Just Read, Florida! Office under s. 1001.215, an online repository of digital science of reading materials and science of reading instructional resources that is accessible to public school teachers, school leaders, parents, and educator preparation programs and associated faculty.

(h) Develop a micro-credential that requires teachers to demonstrate competency to:

1. Diagnose literacy difficulties and determine the appropriate range of literacy interventions based upon the age and literacy deficiency of the student;

2. Use evidence-based instructional and intervention practices grounded in the science of reading, including strategies identified by the Just Read, Florida! Office pursuant to s. 1001.215(7); and

3. Effectively use progress monitoring and intervention materials.

(i) Administer the early literacy micro-credential program established under this section, which must include components on content, student learning, pedagogy, and professional learning and must build on a strong foundation of scientifically researched and evidence-based reading instructional and intervention programs that incorporate explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and incorporate decodable or phonetic text instructional strategies, as identified by the Just Read, Florida! Office, pursuant to s. 1001.215(7).

1. At a minimum, the micro-credential curriculum must be designed specifically for instructional personnel in prekindergarten through grade 3 based upon the strategies and techniques identified in s. 1002.59 and address foundational literacy skills of students in grades 4 through 12.

2. The micro-credential must be competency based and designed for eligible instructional personnel to complete the credentialing process in no more than 60 hours, in an online format. The micro-credential may be delivered in an in-person format. Eligible instructional personnel may receive the micro-credential once competency is demonstrated even if it is before the completion of 60 hours.

3. The micro-credential must be available by December 31, 2022, at no cost, to instructional personnel as defined in s. 1012.01(2); prekindergarten instructors as specified in ss. 1002.55, 1002.61, and 1002.63; and child care personnel as defined in ss. 402.302(3) and 1002.88(1)(e).

(j) Annually submit to the department an annual financial report that includes, at a minimum, the amount of eligible contributions received by the administrator; the amount spent on each activity required by this subsection, including administrative expenses; the number of micro-credentials and reading endorsements earned; and the number of students and households served under each component of the initiative, by school district, including the means by which additional literacy support was provided to students.

(k) Maintain separate accounts for operating funds and funds for the purchase and delivery of books.

(l) Expend eligible contributions received only for the purchase and delivery of books and to implement the requirements of this section, as well as for administrative expenses not to exceed 2 percent of total eligible contributions. Notwithstanding s. 1002.395(6)(l)3., the administrator may carry forward up to 25 percent of eligible contributions made before January 1 of each state fiscal year and 100 percent of eligible contributions made on or after January 1 of each state fiscal year to the following state fiscal year for purposes authorized by this subsection. Any eligible contributions in excess of the allowable carry forward not used to provide additional books throughout the year to eligible students shall revert to the state treasury.

(m) Upon receipt of a contribution, provide the taxpayer that made the contribution with a certificate of contribution. A certificate of contribution must include the taxpayer's name and, if available, its federal employer identification number; the amount contributed; the date of contribution; and the name of the administrator.

(5) NEW WORLDS READING INITIATIVE TAX CREDITS; APPLICATIONS, TRANSFERS, AND LIMITATIONS.—

(a) The tax credit cap amount is $10 million for the 2021-2022 state fiscal year, $30 million for the 2022-2023 state fiscal year, and $60 million in each state fiscal year thereafter.

(b) Beginning October 1, 2021, a taxpayer may submit an application to the Department of Revenue for a tax credit or credits to be taken under one or more of s. 211.0252, s. 212.1833, s. 220.1876, s. 561.1212, or s. 624.51056.

1. The taxpayer shall specify in the application each tax for which the taxpayer requests a credit and the applicable taxable year for a credit under s. 220.1876 or s. 624.51056 or the applicable state fiscal year for a credit under s. 211.0252, s. 212.1833, or s. 561.1212. For purposes of s. 220.1876, a taxpayer may apply for a credit to be used for a prior taxable year before the date the taxpayer is required to file a return for that year pursuant to s. 220.222. For purposes of s. 624.51056, a taxpayer may apply for a credit to be used for a prior taxable year before the date the taxpayer is required to file a return for that prior taxable year pursuant to ss. 624.509 and 624.5092. The Department of Revenue shall approve tax credits on a first-come, first-served basis and must obtain the division's approval before approving a tax credit under s. 561.1212.

2. Within 10 days after approving or denying an application, the Department of Revenue shall provide a copy of its approval or denial letter to the administrator.

(c) If a tax credit approved under paragraph (b) is not fully used within the specified state fiscal year for credits under s. 211.0252, s. 212.1833, or s. 561.1212 or against taxes due for the specified taxable year for credits under s. 220.1876 or s. 624.51056 because of insufficient tax liability on the part of the taxpayer, the unused amount must be carried forward for a period not to exceed 10 years. For purposes of s. 220.1876, a credit carried forward may be used in a subsequent year after applying the other credits and unused carryovers in the order provided in s. 220.02(8).

(d) A taxpayer may not convey, transfer, or assign an approved tax credit or a carryforward tax credit to another entity unless all of the assets of the taxpayer are conveyed, assigned, or transferred in the same transaction. However, a tax credit under s. 211.0252, s. 212.1833, s. 220.1876, s. 561.1212, or s. 624.51056 may be conveyed, transferred, or assigned between members of an affiliated group of corporations if the type of tax credit under s. 211.0252, s. 212.1833, s. 220.1876, s. 561.1212, or s. 624.51056 remains

the same. A taxpayer shall notify the Department of Revenue of its intent to convey, transfer, or assign a tax credit to another member within an affiliated group of corporations. The amount conveyed, transferred, or assigned is available to another member of the affiliated group of corporations upon approval by the Department of Revenue. The Department of Revenue shall obtain the division's approval before approving a conveyance, transfer, or assignment of a tax credit under s. 561.1212.

(e) Within any state fiscal year, a taxpayer may rescind all or part of a tax credit approved under paragraph (b). The amount rescinded shall become available for that state fiscal year to another eligible taxpayer approved by the Department of Revenue if the taxpayer receives notice from the Department of Revenue that the rescindment has been accepted by the Department of Revenue. The Department of Revenue must obtain the division's approval before accepting the rescindment of a tax credit under s. 561.1212. Any amount rescinded under this paragraph must become available to an eligible taxpayer on a first-come, first-served basis based on tax credit applications received after the date the rescindment is accepted by the Department of Revenue.

(f) Within 10 days after approving or denying the conveyance, transfer, or assignment of a tax credit under paragraph (d), or the rescindment of a tax credit under paragraph (e), the Department of Revenue shall provide a copy of its approval or denial letter to the administrator. The Department of Revenue shall also include the administrator on all letters or correspondence of acknowledgment for tax credits under s. 212.1833.

(g) For purposes of calculating the underpayment of estimated corporate income taxes under s. 220.34 and tax installment payments for taxes on insurance premiums or assessments under s. 624.5092, the final amount due is the amount after credits earned under s. 220.1876 or s. 624.51056 for contributions to the administrator are deducted.

1. For purposes of determining if a penalty or interest under s. 220.34(2)(d)1. will be imposed for underpayment of estimated corporate income tax, a taxpayer may, after earning a credit under s. 220.1876, reduce any estimated payment in that taxable year by the amount of the credit.

2. For purposes of determining if a penalty under s. 624.5092 will be imposed, an insurer, after earning a credit under s. 624.51056 for a taxable year, may reduce any installment payment for such taxable year of 27 percent of the amount of the net tax due as reported on the return for the preceding year under s. 624.5092(2)(b) by the amount of the credit.

(6) ELIGIBILITY; NOTIFICATION; SCHOOL DISTRICT OBLIGATIONS.—

(a) A student in prekindergarten through grade 5 must be provided books through the initiative if the student is not yet reading on grade level, has a substantial reading deficiency identified under s. 1008.25(5)(a), has a

substantial deficiency in early literacy skills based upon the results of the coordinated screening and progress monitoring under s. 1008.25(9), or scored below a Level 3 on the most recent statewide, standardized English Language Arts assessment under s. 1008.22.

(b) Each school district shall notify the parent of a student who meets the criteria under paragraph (a) that the student is eligible to receive books at no cost through the New Worlds Reading Initiative and provide the parent with the application form developed by the administrator, which must allow for the selection of specific book topics or genres for the student.

(c) Once an eligible student is identified, the school district shall coordinate with the administrator to initiate book delivery on a monthly basis during the school year, which must begin no later than October and continue through at least June.

(d) Upon enrollment and at the beginning of each school year, students must be provided options for specific book topics or genres in order to maximize student interest in reading.

(e) A student's eligibility for the initiative continues until promotion to grade 6 or until the student's parent opts out of the initiative.

(f) Each school district shall participate in the initiative by partnering with local nonprofit organizations, raising awareness of the initiative using marketing materials developed by the administrator, coordinating book delivery, and identifying students and notifying parents pursuant to this subsection.

(g) Each school district shall coordinate with each charter school it sponsors for purposes of identifying eligible students, notifying parents, coordinating book delivery, providing the opportunity to annually select book topics and genres, and raising awareness of the initiative as provided by this section.

(h) School districts and partnering nonprofit organizations shall raise awareness of the initiative, including information on eligibility and video training modules under paragraph (4)(e), through, at least, the following:

1. The student handbook and the read-at-home plan under s. 1008.25(5)(d).

2. A parent or curriculum night or separate initiative awareness event at each elementary school.

3. Partnering with the county library to host awareness events, which should coincide with other initiatives such as library card drives, family library nights, summer access events, and other family engagement programming.

(i) Each school district shall establish a data sharing agreement with the initiative's administrator which allows for a streamlined student verification and enrollment process.

(7) ADMINISTRATION; RULES.—

(a) The Department of Revenue, the division, and the Department of Education may develop a cooperative agreement to assist in the administration of this section, as needed.

(b) The Department of Revenue may adopt rules necessary to administer this section and ss. 211.0252, 212.1833, 220.1876, 561.1212, and 624.51056, including rules establishing application forms, procedures governing the approval of tax credits and carryforward tax credits under subsection (5), and procedures to be followed by taxpayers when claiming approved tax credits on their returns.

(c) The division may adopt rules necessary to administer its responsibilities under this section and s. 561.1212.

(d) The Department of Education may adopt rules necessary to administer this section.

(e) Notwithstanding any provision of s. 213.053 to the contrary, sharing information with the division related to this tax credit is considered the conduct of the Department of Revenue's official duties as contemplated in s. 213.053(8)(c), and the Department of Revenue and the division are specifically authorized to share information as needed to administer this section.

Reviser's note.—Section 4, ch. 2024-162, Laws of Florida, purported to amend s. 1003.485, but did not publish subsection (5). Absent affirmative evidence of legislative intent to repeal it, s. 1003.485 is reenacted to confirm that the omission was not intended.

Section 101. Paragraph (b) of subsection (6) of section 1004.44, Florida Statutes, is amended to read:

1004.44 Louis de la Parte Florida Mental Health Institute.—There is established the Louis de la Parte Florida Mental Health Institute within the University of South Florida.

(6)

(b) The center may:

1. Convene groups, including, but not limited to, behavioral health clinicians, professionals, and workers, and employers of such individuals; other health care providers; individuals with behavioral health conditions and their families; and business and industry leaders, policymakers, and educators, to assist the center in its work; and

2. Request from any board as defined in s. 456.001 any information held by the board regarding a behavioral health professional licensed in this state or holding a multistate license pursuant to a professional multistate licensure compact or information reported to the board by employers of such behavioral health professionals, other than personal identifying information. The boards must provide such information to the center upon request.

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

Section 102. Subsection (5) of section 1004.647, Florida Statutes, is amended to read:

1004.647 Florida Catastrophic Storm Risk Management Center.—The Florida Catastrophic Storm Risk Management Center is created at the Florida State University, College of Business, Department of Risk Management. The purpose of the center is to promote and disseminate research on issues related to catastrophic storm loss and to assist in identifying and developing education and research grant funding opportunities among higher education institutions in this state and the private sector. The purpose of the activities of the center is to support the state's ability to prepare for, respond to, and recover from catastrophic storms. The center shall:

(5) Organize and sponsor conferences, symposiums ~~symposia~~, and workshops to educate consumers and policymakers.

Reviser's note.—Amended to conform usage in the Florida Statutes to the preferred plural form of "symposium."

Section 103. Paragraph (g) of subsection (2) of section 1004.6499, Florida Statutes, is amended to read:

1004.6499 Florida Institute for Governance and Civics.—

(2) The goals of the institute are to:

(g) Create through scholarship, original research, publications, symposiums ~~symposia~~, testimonials, and other means a body of resources that can be accessed by students, scholars, and government officials to understand the innovations in public policy in this state over a rolling 30-year time period.

Reviser's note.—Amended to conform usage in the Florida Statutes to the preferred plural form of "symposium."

Section 104. Paragraphs (c) and (e) of subsection (2) of section 1004.64991, Florida Statutes, are amended to read:

1004.64991 The Adam Smith Center for Economic Freedom.—

(2) The goals of the center are to:

(c) Plan and host workshops, symposiums, and conferences to allow students, scholars, and guests to engage ~~exchange~~ in civil discussion of democracy and capitalism.

(e) Partner with the Institute for Freedom in the Americas to support its mission, which includes promoting economic and individual freedoms as a means for advancing human progress with an emphasis on Latin America ~~American~~ and the Caribbean.

Reviser's note.—Paragraph (2)(c) is amended to improve clarity. Paragraph (2)(e) is amended to confirm an editorial substitution to conform to context.

Section 105. Paragraph (a) of subsection (4) of section 1004.76, Florida Statutes, is amended to read:

1004.76 Florida Martin Luther King, Jr., Institute for Nonviolence.—

(4) The institute shall have the following powers and duties:

(a) To conduct training, provide symposiums ~~symposia~~, and develop continuing education and programs to promote skills in nonviolent conflict resolution for persons in government, private enterprise, community groups, and voluntary associations.

Reviser's note.—Amended to conform usage in the Florida Statutes to the preferred plural form of "symposium."

Section 106. Paragraphs (a) and (f) of subsection (6) of section 1006.07, Florida Statutes, are amended to read:

1006.07 District school board duties relating to student discipline and school safety.—The district school board shall provide for the proper accounting for all students, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students, including:

(6) SAFETY AND SECURITY BEST PRACTICES.—Each district school superintendent shall establish policies and procedures for the prevention of violence on school grounds, including the assessment of and intervention with individuals whose behavior poses a threat to the safety of the school community.

(a) *School safety specialist.*—Each district school superintendent shall designate a school safety specialist for the district. The school safety specialist must be a school administrator employed by the school district or a law enforcement officer employed by the sheriff's office located in the school district. Any school safety specialist designated from the sheriff's office must first be authorized and approved by the sheriff employing the law

enforcement officer. Any school safety specialist designated from the sheriff's office remains the employee of the office for purposes of compensation, insurance, workers' compensation, and other benefits authorized by law for a law enforcement officer employed by the sheriff's office. The sheriff and the school superintendent may determine by agreement the reimbursement for such costs, or may share the costs, associated with employment of the law enforcement officer as a school safety specialist. The school safety specialist must earn a certificate of completion of the school safety specialist training provided by the Office of Safe Schools within 1 year after appointment and is responsible for the supervision and oversight for all school safety and security personnel, policies, and procedures in the school district. The school safety specialist, or his or her designee, shall:

1. In conjunction with the district school superintendent, annually review school district policies and procedures for compliance with state law and rules, including the district's timely and accurate submission of school environmental safety incident reports to the department pursuant to s. 1001.212(8). At least quarterly, the school safety specialist must report to the district school superintendent and the district school board any noncompliance by the school district with laws or rules regarding school safety.

2. Provide the necessary training and resources to students and school district staff in matters relating to youth mental health awareness and assistance; emergency procedures, including active shooter training; and school safety and security.

3. Serve as the school district liaison with local public safety agencies and national, state, and community agencies and organizations in matters of school safety and security.

4. In collaboration with the appropriate public safety agencies, as that term is defined in s. 365.171, by October 1 of each year, conduct a school security risk assessment at each public school using the Florida Safe Schools Assessment Tool developed by the Office of Safe Schools pursuant to s. 1006.1493. Based on the assessment findings, the district's school safety specialist shall provide recommendations to the district school superintendent and the district school board which identify strategies and activities that the district school board should implement in order to address the findings and improve school safety and security. Each district school board must receive such findings and the school safety specialist's recommendations at a publicly noticed district school board meeting to provide the public an opportunity to hear the district school board members discuss and take action on the findings and recommendations. Each school safety specialist, through the district school superintendent, shall report such findings and school board action to the Office of Safe Schools within 30 days after the district school board meeting.

5. Conduct annual unannounced inspections, using the form adopted by the Office of Safe Schools pursuant to s. 1001.212(13) ~~1001.212(14)~~, of all

public schools, including charter schools, while school is in session and investigate reports of noncompliance with school safety requirements.

6. Report violations of paragraph (f) by administrative personnel and instructional personnel to the district school superintendent or charter school administrator, as applicable.

(f) *School safety requirements.*—By August 1, 2024, each school district and charter school governing board shall comply with the following school safety requirements:

1. All gates or other access points that restrict ingress to or egress from a school campus shall remain closed and locked when students are on campus. A gate or other campus access point may not be open or unlocked, regardless of whether it is during normal school hours, unless:

a. Attended or actively staffed by a person when students are on campus;

b. The use is in accordance with a shared use agreement pursuant to s. 1013.101; or

c. The school safety specialist, or his or her designee, has documented in the Florida Safe Schools Assessment Tool portal maintained by the Office of Safe Schools that the gate or other access point is not subject to this requirement based upon other safety measures at the school. The office may conduct a compliance visit pursuant to s. 1001.212(13) ~~1001.212(14)~~ to review if such determination is appropriate.

2. All school classrooms and other instructional spaces must be locked to prevent ingress when occupied by students, except between class periods when students are moving between classrooms or other instructional spaces. If a classroom or other instructional space door must be left unlocked or open for any reason other than between class periods when students are moving between classrooms or other instructional spaces, the door must be actively staffed by a person standing or seated at the door.

3. All campus access doors, gates, and other access points that allow ingress to or egress from a school building shall remain closed and locked at all times to prevent ingress, unless a person is actively entering or exiting the door, gate, or other access point or the school safety specialist, or his or her designee, has documented in the Florida Safe Schools Assessment Tool portal maintained by the Office of Safe Schools that the open and unlocked door, gate, or other access point is not subject to this requirement based upon other safety measures at the school. The office may conduct a compliance visit pursuant to s. 1001.212(13) ~~1001.212(14)~~ to review if such determination is appropriate. All campus access doors, gates, and other access points may be electronically or manually controlled by school personnel to allow access by authorized visitors, students, and school personnel.

4. All school classrooms and other instructional spaces must clearly and conspicuously mark the safest areas in each classroom or other instructional

space where students must shelter in place during an emergency. Students must be notified of these safe areas within the first 10 days of the school year. If it is not feasible to clearly and conspicuously mark the safest areas in a classroom or other instructional space, the school safety specialist, or his or her designee, must document such determination in the Florida Safe Schools Assessment Tool portal maintained by the Office of Safe Schools, identifying where affected students must shelter in place. The office shall assist the school safety specialist with compliance during the inspection required under s. 1001.212(13) ~~1001.212(14)~~.

Persons who are aware of a violation of this paragraph must report the violation to the school principal. The school principal must report the violation to the school safety specialist no later than the next business day after receiving such report. If the person who violated this paragraph is the school principal or charter school administrator, the report must be made directly to the district school superintendent or charter school governing board, as applicable.

Reviser's note.—Amended to correct a cross-reference. Section 5, ch. 2024-155, Laws of Florida, added subsection (14) to s. 1001.212, which was redesignated as subsection (13) to conform to the deletion of former subsection (11) by s. 20, ch. 2024-3, Laws of Florida.

Section 107. Paragraphs (d) and (e) of subsection (2) and paragraph (b) of subsection (4) of section 1006.28, Florida Statutes, are amended to read:

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

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

(d) *School library media services; establishment and maintenance.*—Establish and maintain a program of school library media services for all public schools in the district, including school library media centers, or school library media centers open to the public, and, in addition such traveling or circulating libraries as may be needed for the proper operation of the district school system. ~~Beginning January 1, 2023,~~ School librarians, media specialists, and other personnel involved in the selection of school district library materials must complete the training program developed pursuant to s. 1006.29(6) before reviewing and selecting age-appropriate materials and library resources. Upon written request, a school district shall provide access to any material or book specified in the request that is maintained in a district school system library and is available for review.

1. Each book made available to students through a school district library media center or included in a recommended or assigned school or grade-level

reading list must be selected by a school district employee who holds a valid educational media specialist certificate, regardless of whether the book is purchased, donated, or otherwise made available to students.

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

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

b. Require consultation of reputable, professionally recognized reviewing periodicals and school community stakeholders.

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

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

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

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

(e) *Public participation.*—Publish on its website, in a searchable format prescribed by the department, a list of all instructional materials, including those used to provide instruction required by s. 1003.42. Each district school board must:

1. Provide access to all materials, excluding teacher editions, in accordance with s. 1006.283(2)(b)8.a. before the district school board takes any official action on such materials. This process must include reasonable safeguards against the unauthorized use, reproduction, and distribution of instructional materials considered for adoption.

2. Select, approve, adopt, or purchase all materials as a separate line item on the agenda and provide a reasonable opportunity for public comment. The use of materials described in this paragraph may not be selected, approved, or adopted as part of a consent agenda.

3. Annually, <u>on</u> ~~beginning~~ June 30, ~~2023,~~ submit to the Commissioner of Education a report that identifies:

a. Each material for which the school district received an objection pursuant to subparagraph (a)2., including the grade level and course the material was used in, for the school year and the specific objections thereto.

b. Each material that was removed or discontinued.

c. Each material that was not removed or discontinued and the rationale for not removing or discontinuing the material.

The department shall publish and regularly update a list of materials that were removed or discontinued, sorted by grade level, as a result of an objection and disseminate the list to school districts for consideration in their selection procedures.

(4) SCHOOL PRINCIPAL.—The school principal has the following duties for the management and care of materials at the school:

(b) *Money collected for lost or damaged instructional materials; enforcement.*—The school principal may collect from each student or the student's parent the purchase price of any instructional material the student has lost, destroyed, or unnecessarily damaged and ~~to~~ report and transmit the money collected to the district school superintendent. A student who fails to pay such sum may be suspended from participation in extracurricular activities. A student may satisfy the debt through community service activities at the school site as determined by the school principal, pursuant to policies adopted by district school board rule.

Reviser's note.—Paragraphs (2)(d) and (e) are amended to delete obsolete language. Paragraph (4)(b) is amended to confirm an editorial deletion to conform to context.

Section 108. Paragraph (b) of subsection (3) and subsection (5) of section 1008.34, Florida Statutes, are amended to read:

1008.34 School grading system; school report cards; district grade.—

(3) DESIGNATION OF SCHOOL GRADES.—

(b)1. A school's grade shall be based on the following components, each worth 100 points:

a. The percentage of eligible students passing statewide, standardized assessments in English Language Arts under s. 1008.22(3).

b. The percentage of eligible students passing statewide, standardized assessments in mathematics under s. 1008.22(3).

c. The percentage of eligible students passing statewide, standardized assessments in science under s. 1008.22(3).

d. The percentage of eligible students passing statewide, standardized assessments in social studies under s. 1008.22(3).

e. The percentage of eligible students who make Learning Gains in English Language Arts as measured by statewide, standardized assessments administered under s. 1008.22(3).

f. The percentage of eligible students who make Learning Gains in mathematics as measured by statewide, standardized assessments administered under s. 1008.22(3).

g. The percentage of eligible students in the lowest 25 percent in English Language Arts, as identified by prior year performance on statewide, standardized assessments, who make Learning Gains as measured by statewide, standardized English Language Arts assessments administered under s. 1008.22(3).

h. The percentage of eligible students in the lowest 25 percent in mathematics, as identified by prior year performance on statewide, standardized assessments, who make Learning Gains as measured by statewide, standardized Mathematics assessments administered under s. 1008.22(3).

i. For schools comprised of middle grades 6 through 8 or grades 7 and 8, the percentage of eligible students passing high school level statewide, standardized end-of-course assessments or attaining national industry certifications identified in the CAPE Industry Certification Funding List pursuant to state board rule.

j. ~~Beginning in the 2023-2024 school year,~~ For schools comprised of grade levels that include grade 3, the percentage of eligible students who score an achievement level 3 or higher on the grade 3 statewide, standardized English Language Arts assessment administered under s. 1008.22(3).

In calculating Learning Gains for the components listed in sub-subparagraphs e.-h., the State Board of Education shall require that learning growth toward achievement levels 3, 4, and 5 is demonstrated by students who scored below each of those levels in the prior year. In calculating the components in sub-subparagraphs a.-d., the state board shall include the performance of English language learners only if they have been enrolled in a school in the United States for more than 2 years.

2. For a school comprised of grades 9, 10, 11, and 12, or grades 10, 11, and 12, the school's grade shall also be based on the following components, each worth 100 points:

a. The 4-year high school graduation rate of the school as defined by state board rule.

b. The percentage of students who were eligible to earn college and career credit through an assessment identified pursuant to s. 1007.27(2), College Board Advanced Placement examinations, International Baccalaureate examinations, dual enrollment courses, including career dual enrollment courses resulting in the completion of 300 or more clock hours

during high school which are approved by the state board as meeting the requirements of s. 1007.271, or Advanced International Certificate of Education examinations; who, at any time during high school, earned national industry certification identified in the CAPE Industry Certification Funding List, pursuant to rules adopted by the state board; or who earned an Armed Services Qualification Test score that falls within Category II or higher on the Armed Services Vocational Aptitude Battery and earned a minimum of two credits in Junior Reserve Officers' Training Corps courses from the same branch of the United States Armed Forces.

(5) DISTRICT GRADE.—~~Beginning with the 2014-2015 school year,~~ A school district's grade shall include a district-level calculation of the components under paragraph (3)(b). This calculation methodology captures each eligible student in the district who may have transferred among schools within the district or is enrolled in a school that does not receive a grade. The department shall develop a district report card that includes the district grade; the information required under s. 1008.345(3); measures of the district's progress in closing the achievement gap between higher-performing student subgroups and lower-performing student subgroups; measures of the district's progress in demonstrating Learning Gains of its highest-performing students; measures of the district's success in improving student attendance; the district's grade-level promotion of students scoring achievement levels 1 and 2 on statewide, standardized English Language Arts and Mathematics assessments; and measures of the district's performance in preparing students for the transition from elementary to middle school, middle to high school, and high school to postsecondary institutions and careers.

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

Section 109. Subsections (3) and (22) of section 1009.23, Florida Statutes, are amended to read:

1009.23 Florida College System institution student fees.—

(3)(a) ~~Effective July 1, 2014,~~ For advanced and professional, postsecondary vocational, developmental education, and educator preparation institute programs, the standard tuition shall be $71.98 per credit hour for residents and nonresidents, and the out-of-state fee shall be $215.94 per credit hour.

(b) ~~Effective July 1, 2014,~~ For baccalaureate degree programs, the following tuition and fee rates shall apply:

1. The tuition shall be $91.79 per credit hour for students who are residents for tuition purposes.

2. The sum of the tuition and the out-of-state fee per credit hour for students who are nonresidents for tuition purposes shall be no more than 85

percent of the sum of the tuition and the out-of-state fee at the state university nearest the Florida College System institution.

(22) Beginning with the 2024-2025 academic year, Miami Dade College, Polk State College, and Tallahassee State College ~~Tallahassee Community College~~ are authorized to charge an amount not to exceed $290 per credit hour for nonresident tuition and fees for distance learning. Such institutions may phase in this nonresident tuition rate by degree program.

Reviser's note.—Subsection (3) is amended to delete obsolete language. Subsection (22) is amended to confirm an editorial substitution to conform to the redesignation of name of the college by s. 1, ch. 2024-43, Laws of Florida.

Section 110. Paragraph (a) of subsection (4) of section 1009.895, Florida Statutes, is amended to read:

1009.895 Open Door Grant Program.—

(4) DISTRIBUTION OF FUNDS.—

(a) ~~For the 2023-2024 fiscal year, funding for eligible institutions must consist of a base amount provided for in the General Appropriations Act plus each institution's proportionate share of full-time equivalent students enrolled in career and technical education programs.~~ Beginning in fiscal year 2024-2025, the funds appropriated for the Open Door Grant Program must be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula must consider at least the prior year's distribution of funds and the number of eligible applicants who did not receive awards.

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

Section 111. Subsections (3) and (6) of section 1011.804, Florida Statutes, are amended to read:

1011.804 GATE Startup Grant Program.—

(3) The department may solicit proposals from institutions without programs that meet the requirements of s. 1004.933 ~~1004.933(2)~~. Such institutions must be located in or serve a rural area of opportunity as designated by the Governor.

(6) Grant funds may be used for planning activities and other expenses associated with the creation of the GATE Program, such as expenses related to program instruction, instructional equipment, supplies, instructional personnel, and student services. Grant funds may not be used for indirect costs. Grant recipients must submit an annual report in a format prescribed by the department. The department shall consolidate such annual reports and include the reports in the report required by s. 1004.933(6) ~~1004.933(5)~~.

Reviser's note.—Subsection (3) is amended to revise a cross-reference; s. 1004.933(2) creates the Graduation Alternative to Traditional Education (GATE) Program but does not provide specific requirements. Subsection (6) is amended to correct a cross-reference to conform to the location of reporting requirements in s. 1004.933(6); subsection (5) of that section relates to department responsibilities.

Section 112. Paragraph (h) of subsection (1) of section 1012.22, Florida Statutes, is amended to read:

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

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

(h) *Planning and training time for teachers.*—The district school board shall adopt rules to make provisions for teachers to have time for lunch, professional planning, and professional learning ~~time~~ when they will not be directly responsible for the children if some adult supervision is furnished for the students during such periods.

Reviser's note.—Amended to confirm an editorial deletion to eliminate redundancy.

Section 113. Section 1012.315, Florida Statutes, is reenacted to read:

1012.315 Screening standards.—A person is ineligible for educator certification or employment in any position that requires direct contact with students in a district school system, a charter school, or a private school that participates in a state scholarship program under chapter 1002 if the person:

(1) Is on the disqualification list maintained by the department under s. 1001.10(4)(b);

(2) Is registered as a sex offender as described in 42 U.S.C. s. 9858f(c)(1)(C);

(3) Is ineligible based on a security background investigation under s. 435.04(2). Beginning January 1, 2025, or a later date as determined by the Agency for Health Care Administration, the Agency for Health Care Administration shall determine the eligibility of employees in any position that requires direct contact with students in a district school system, a charter school, or a private school that participates in a state scholarship program under chapter 1002;

(4) Would be ineligible for an exemption under s. 435.07(4)(c); or

(5) Has been convicted or found guilty of, has had adjudication withheld for, or has pled guilty or nolo contendere to:

(a) Any criminal act committed in another state or under federal law which, if committed in this state, constitutes a disqualifying offense under s. 435.04(2).

(b) Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under s. 943.0435(1)(h)1.d.

Reviser's note.—Section 8, ch. 2024-132, Laws of Florida, amended paragraph (1)(y), but failed to incorporate the amendment to s. 1012.315 by s. 8, ch. 2023-220, Laws of Florida, effective July 1, 2024, which deleted former subsection (1), including paragraph (y). Section 1012.315 is reenacted to conform to the fact that the amendment by s. 8, ch. 2024-132, cannot be incorporated into the text of the section as amended by s. 8, ch. 2023-220.

Section 114. Paragraph (a) of subsection (2) of section 1012.55, Florida Statutes, is amended to read:

1012.55 Positions for which certificates required.—

(2)(a)1. Each person who is employed and renders service as an athletic coach in any public school in any district of this state shall:

a. Hold a valid temporary or professional certificate or an athletic coaching certificate. The athletic coaching certificate may be used for either part-time or full-time positions.

b. Hold and maintain a certification in cardiopulmonary resuscitation, first aid, and the use of an <u>automated</u> ~~automatic~~ external defibrillator. The certification must be consistent with national evidence-based emergency cardiovascular care guidelines.

2. The provisions of this subsection do not apply to any athletic coach who voluntarily renders service and who is not employed by any public school district of this state.

Reviser's note.—Amended to confirm an editorial substitution to conform to the correct name of the device.

Section 115. This act shall take effect on the 60th day after adjournment sine die of the session of the Legislature in which enacted.

Approved by the Governor April 10, 2025.

Filed in Office Secretary of State April 10, 2025.