

CHAPTER 2010-101

Committee Substitute for Senate Bill No. 1178

An act relating to cost-benefit, return-on-investment, and dynamic scoring techniques; creating s. 216.138, F.S.; authorizing the President of the Senate or the Speaker of the House of Representatives to request special impact sessions of consensus estimating conferences to evaluate proposed legislation based on specified techniques; providing for the information used in the evaluations to be available to the public unless otherwise exempt from disclosure; requiring the Office of Economic and Demographic Research to develop protocols and procedures to be used by the consensus estimating conferences when evaluating proposed legislation; establishing minimum requirements; requiring submission of a report; requiring the use of the protocols and procedures until the approval is affirmatively revoked; amending s. 216.133, F.S.; conforming a cross-reference to changes made by the act; providing an effective date.

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

Section 1. Section 216.138, Florida Statutes, is created to read:

216.138 Authority to request additional analysis of legislation.—The President of the Senate or the Speaker of the House of Representatives may request special impact sessions of consensus estimating conferences to evaluate proposed legislation based on tools and models not generally employed by the conferences, including cost-benefit, return-on-investment, or dynamic scoring techniques, when suitable and appropriate for the legislation being evaluated. Unless exempt from s. 119.07(1), information used to develop the analyses shall be available to the public.

Section 2. The Office of Economic and Demographic Research, acting in consultation with the principals of the consensus estimating conferences and after receiving public input, shall develop protocols and procedures necessary to implement the provisions of s. 216.138, Florida Statutes. At a minimum, the protocols and procedures to be used for evaluating specific proposed legislation shall include cost-benefit, return-on-investment, and dynamic scoring techniques, and may include additional, appropriate economic techniques. Additionally, the protocols and procedures must address the format for reporting results and provide proposed linkages to the appropriations and revenue forecasting processes, including any statutory changes that may be needed. The linkages must be consistent with the constitutional requirement for a balanced budget. The office shall submit a report of its findings and recommendations to the President of the Senate and the Speaker of the House of Representatives by December 1, 2010. Subject to approval by the President of the Senate and the Speaker of the House of Representatives following the submission of the report, the protocols and procedures shall be used to the extent feasible for the analysis of specific proposed legislation by consensus estimating conferences as

provided in s. 216.138, Florida Statutes, unless and until such approval is subsequently affirmatively revoked.

Section 3. Section 216.133, Florida Statutes, is amended to read:

216.133 Definitions; ss. ~~216.133-216.138~~ ~~216.133-216.137~~.—As used in ss. ~~216.133-216.138~~ ~~216.133-216.137~~:

(1) “Consensus estimating conference” includes the Economic Estimating Conference, the Demographic Estimating Conference, the Revenue Estimating Conference, the Education Estimating Conference, the Criminal Justice Estimating Conference, the Occupational Forecasting Conference, the Early Learning Programs Estimating Conference, the Self-Insurance Estimating Conference, the Florida Retirement System Actuarial Assumption Conference, and the Social Services Estimating Conference.

(2) “Official information” means the data, forecasts, estimates, analyses, studies, and other information which the principals of a consensus estimating conference unanimously adopt for purposes of the state planning and budgeting system.

(3) “Consensus” means the unanimous consent of all of the principals of a consensus estimating conference.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor May 26, 2010.

Filed in Office Secretary of State May 26, 2010.