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**RULEMAKING OVERSIGHT  
&  
REPEAL  
SUBCOMMITTEE  
MEETING**

**Wednesday, February 20, 2013  
11:30 a.m. – 12:30 p.m.**

**306 House Office Building**

**MEETING PACKET**

Will Weatherford  
Speaker

John Tobia  
Chair

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

### Rulemaking Oversight & Repeal Subcommittee

**Start Date and Time:** Wednesday, February 20, 2013 11:30 am

**End Date and Time:** Wednesday, February 20, 2013 12:30 pm

**Location:** 306 HOB

**Duration:** 1.00 hrs

**Consideration of the following bill(s):**

HB 7001 Repeal of Education Provisions by K-12 Subcommittee, Adkins

**Other Business:**

Discussion of additional unused rulemaking provisions and unwarranted rulemaking mandates.

**NOTICE FINALIZED on 02/13/2013 14:37 by Hunter.Robert**



**FLORIDA HOUSE OF REPRESENTATIVES**  
**Rules & Calendar Committee**  
**Rulemaking Oversight & Repeal Subcommittee**

**Will Weatherford**  
*Speaker*

**John Tobia**  
*Chair*

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**AGENDA**


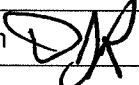
**Thursday, February 20, 2013**  
**11:30 a.m. – 12:30 p.m.**  
**Room 306 House Office Building**

- **Opening Remarks by Chair Tobia**
- **Roll Call by Sonja Powell, CAA**
- **Announcements**
- **Consideration of the following bill(s):**
  - **HB 7001--Repeal of Education Provisions by K-12 Subcommittee, Adkins**
- **Discussion of additional unused rulemaking provisions and unwarranted rulemaking mandates.**
- **Closing Remarks**
- **Meeting Adjourned**



## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 7001 Repeal of Education Provisions  
**SPONSOR(S):** K-12 Subcommittee, Adkins  
**TIED BILLS:**                   **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: K-12 Subcommittee	13 Y, 0 N	Beagle	Ahearn
1) Rulemaking Oversight & Repeal Subcommittee		Miller 	Rubottom 
2) Education Appropriations Subcommittee			
3) Education Committee			

### SUMMARY ANALYSIS

This bill is a coordinated effort to reduce regulation of public educational institutions by the Governor, Legislature, district school superintendents, and other education stakeholders. In the 2012 interim, the K-12 Subcommittee was directed to identify unnecessary, obsolete, or unfunded K-20 Education Code requirements for repeal. Staff consulted the Office of the Governor, Department of Education (DOE), and other education stakeholders to identify potential repeals. Similarly, in October 2012, the Governor selected seven district school superintendents to formulate recommendations for eliminating unnecessary or outdated statutes and State Board of Education rules. DOE disseminated a statewide survey soliciting recommendations from the remaining 60 superintendents. The statutes proposed for repeal by this bill are the product of these combined efforts. Accordingly, the bill repeals:

- Inactive or underutilized programs, including the Alternative Credit for High School Courses Pilot Project, High School to Business Career Enhancement Program, Incentives for Urban or Socially and Economically Disadvantaged Area Internships, Centers of Technology Innovation, Dropout Reentry and Mentor Project, Sunshine Workforce Solutions Grants, Florida Minority Medical Education Program, Transition to Teaching Program, School Infrastructure Thrift (SIT) Program, A Business-Community (ABC) School Program, and Effort Index Grants.
- Provisions that are unnecessary or duplicate other law, including state board review of school district compliance with the Family and School Partnership for Student Achievement Act, certain requirements regarding school-to-work transition and postsecondary and workforce readiness, school district reporting of suspensions and expulsions, provisions requiring alignment of public high school athletic programs with those offered by public postsecondary institutions, certain public postsecondary institution safety policies, and Commissioner of Education authority to grant exceptions to recommendations in educational plant surveys.
- Provisions that are not being implemented or contain outdated or expired statutory authority, including reporting of K-12 Foreign Language Curriculum plans, a DOE parent-response center, Florida School for the Deaf and the Blind authority to create a direct-support organization, high school diploma designations related to high school major areas of interest, high school graduation requirements for students who entered 9<sup>th</sup> grade before the 2007-08 school year, certain substance abuse training programs, the Florida Teachers Lead Program electronic management system pilot project, provisions relating to reduction of energy consumption by public postsecondary institutions, and exceptions to Special Facilities Construction Account millage contribution requirements granted to three school districts.
- Burdensome, incorrect, or unnecessary reporting requirements relating to K-12 public school recycling efforts, school board family involvement rules, school wellness and physical education policies, and paperwork reduction.

The bill does not have a fiscal impact on state or local governments.

The bill takes effect upon becoming law.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Background**

This bill is a coordinated effort to reduce regulation of public educational institutions by the Governor, Legislature, district school superintendents, and other education stakeholders. In the 2012 interim, the K-12 Subcommittee was directed to identify unnecessary, obsolete, or unfunded K-20 Education Code requirements for repeal. Staff consulted the Office of the Governor, Department of Education (DOE), and other education stakeholders to identify potential repeals. Similarly, in October 2012, the Governor selected seven district school superintendents to formulate recommendations for eliminating unnecessary or outdated statutes and State Board of Education rules. DOE disseminated a statewide survey soliciting recommendations from the remaining 60 superintendents. The statutes proposed for repeal by this bill are the product of these combined efforts.<sup>1</sup>

##### **Recycling**

Legislation enacted in 2010 required, among others, each state agency, local government, and “K-12 public school, public institution of higher learning, community college, and state university” to annually report all recycled materials to the appropriate county. The Department of Environmental Protection was directed to designate a reporting format, but has not done so. Thus, reporting by public sector entities has not yet commenced.<sup>2</sup>

The bill eliminates the recycling reporting requirement for K-12 public schools, as requested by school district superintendents.<sup>3</sup>

##### **K-12 Foreign Language Curriculum Plan Submittal**

Legislation enacted in 2002 required each district school board to develop a K-12 foreign language curriculum plan to be submitted to the Commissioner of Education by June 30, 2004. K-12 foreign language curriculum plans were submitted to the commissioner in 2004 and subsequently implemented by school districts.<sup>4</sup>

The bill repeals s. 1001.435, F.S., relating to K-12 Foreign Language Curriculum, as the purpose of this statute has been accomplished.

##### **Family and School Partnership for Student Achievement Act**

First enacted in 2003, the Family and School Partnership for Student Achievement Act established several requirements designed to strengthen collaboration among parents and school personnel.<sup>5</sup> Among other things, the Act requires DOE to establish a parent-response center; annual submission of family involvement rules by school boards to DOE; and annual State Board of Education review of

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<sup>1</sup> Press Release, Florida Department of Education, *Superintendents Recommend Ways to Reduce Red Tape, Regulations* (Nov. 5, 2012), [http://www.fl DOE.org/news/2012/2012\\_11\\_05-2.asp](http://www.fl DOE.org/news/2012/2012_11_05-2.asp) (last visited Jan. 8, 2013). The superintendents of Bay County, Broward County, Charlotte County, Highlands County, Orange County, St. Johns County, and Volusia County school districts participated on the governor’s panel. *Id.*

<sup>2</sup> Section 3, ch. 2010-143, L.O.F., *codified at* s. 403.7032(3), F.S.; Email, House Agriculture and Natural Resource Subcommittee, Policy Chief (Nov. 26, 2012).

<sup>3</sup> Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012).

<sup>4</sup> Section 1061, ch. 2002-387, L.O.F., *codified at* s. 1001.435, F.S.; Email, Florida Department of Education, Legislative Affairs Director (Dec. 12, 2011).

<sup>5</sup> Section 2, ch. 2003-118, L.O.F., *codified at* s. 1002.23, F.S.

school district's compliance with the Act.<sup>6</sup> The parent-response center does not exist, as DOE uses other means to assist parents and the public. DOE simply acknowledges receipt of school board family involvement rules, but does nothing further.<sup>7</sup> State board review of school board compliance with the Act duplicates another law which provides the Commissioner of Education authority to investigate school board noncompliance with state law and the state board authority to withhold funds for such noncompliance.<sup>8</sup>

The bill repeals subsections (4), (6), and (9) of s. 1002.23, F.S., relating to the parent-response center, school board reporting of parent involvement rules, and state board review of compliance with the Act, respectively. DOE and district school superintendents concur with these repeals.<sup>9</sup>

### **Florida School for the Deaf and the Blind Direct-Support Organization**

Legislation enacted in 2004 authorized the Florida School for the Deaf and the Blind (FSDB) board to establish a direct support organization (DSO). The DSO may receive, hold, invest, and administer property and make expenditures to or for the benefit of FSDB or the board.<sup>10</sup>

The bill repeals s. 1002.361, F.S., relating to a DSO for FSDB, as no DSO exists and FSDB has no future intent to create one. FSDB concurs with repeal of this statute.<sup>11</sup>

### **Alternative Credit for High School Courses Pilot Project**

Legislation enacted in 2008 established the Alternative Credit for High School Courses Pilot Project to enable high school students enrolled in industry certification courses to simultaneously earn credit in Algebra, Geometry, or Biology without having to enroll in a separate course.<sup>12</sup> In order to earn such credit, students were required to pass an end-of-course (EOC) assessment. The legislation required the Commissioner of Education to select up to three school districts to participate in the pilot project, beginning in the 2008-09 school year, and authorized DOE to approve eligible courses and EOC assessments.<sup>13</sup> Only one high school participated in the pilot project and no eligible students sought credit through the pilot program.<sup>14</sup>

The bill repeals s. 1002.375, F.S., relating to the Alternative Credit for High School Courses Pilot Project, which is no longer in existence, and has been made unnecessary by the Legislature's enactment of the Credit Acceleration Program (CAP) in 2010. Similar to the pilot project, CAP enables students to earn credit in courses tested by a statewide standardized EOC assessment without enrolling in the course. DOE and district school superintendents concur with repeal of this statute.<sup>15</sup>

### **Standard High School Diploma Designations**

Legislation enacted in 2006 required high school students to select a major area of interest comprised of four credits in a career, academic, or fine or performing arts content area, in order to earn a standard

<sup>6</sup> Section 1002.23(4), (6), and (9), F.S.

<sup>7</sup> Email, Florida Department of Education, Legislative Affairs Director (Aug. 20, 2012).

<sup>8</sup> See s. 1008.32, F.S.

<sup>9</sup> Email, Florida Department of Education, Legislative Affairs Director (Aug. 20, 2012); Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012).

<sup>10</sup> Section 6, ch. 2004-331, L.O.F., *codified at* s. 1002.361, F.S.

<sup>11</sup> Telephone Interview, Florida School for the Deaf and the Blind, President (Oct. 17, 2012).

<sup>12</sup> Section 1, ch. 2008-174, L.O.F., *codified at* s. 1002.375, F.S.

<sup>13</sup> Section 1002.375(1), (2), and (4), F.S. The law authorizes use of a statewide standardized EOC assessment or EOC assessment developed by the Florida Virtual School for assessing student mastery of Algebra, Geometry, or Biology. Section 1002.375(4), F.S.

<sup>14</sup> Florida Department of Education, *Legislative Bill Analysis for HB 4185* (2011).

<sup>15</sup> Florida Department of Education, *Legislative Report on Alternative Credit for High School Courses Pilot*, (2010)(on file with the subcommittee); Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012); see s. 5, ch. 2010-22, L.O.F., *codified at* s. 1003.4295(3), F.S.

high school diploma.<sup>16</sup> Legislation enacted in 2008 created a standard high school diploma designation signifying the student's completion of a major.<sup>17</sup> Legislation enacted in 2010 repealed the major area of interest graduation requirement, but did not eliminate the diploma designation.<sup>18</sup>

The bill repeals s. 1003.4285(1), F.S., relating to the major area of interest diploma designation, which is now obsolete due to the repeal of the corresponding graduation requirement.

### **General Requirements for High School Graduation**

Since 2006, Florida law has specified two sets of high school graduation requirements. Section 1003.43, F.S., was enacted in 1978 and applies to students who entered 9<sup>th</sup> grade before the 2007-08 school year, whereas s. 1003.428, F.S., applies to students entering the 9<sup>th</sup> grade in the 2007-08 school year and thereafter. Six school years have passed since entering 9<sup>th</sup> graders have been subject to s. 1003.43, F.S.<sup>19</sup>

The bill repeals s. 1003.43, F.S., relating to the General Requirements for High School Graduation for students entering 9<sup>th</sup> grade before the 2007-08 school year. Despite repeal, these requirements will remain applicable to any students still enrolled in Florida public schools who were subject to them at the time they entered 9<sup>th</sup> grade.<sup>20</sup> DOE and district school superintendents concur with repeal of this statute.<sup>21</sup>

### **School Wellness and Physical Education Policies**

Legislation enacted in 2006 required each school district to provide the most recent version of its school wellness and physical education policy on its website. DOE was required to post on its website links to these policies.<sup>22</sup>

School wellness policies are required by federal law governing child nutrition programs. Legislation enacted in 2011 transferred oversight of federal child nutrition programs from DOE to the Department of Agriculture and Consumer Services (DACS). Accordingly, DACS, not DOE, posts school wellness policies on its website. However, the law was never changed reflect this.<sup>23</sup>

The DOE website includes a page devoted entirely to physical education. The webpage includes online links to school district physical education policies and numerous additional resources. Posting of physical education policies is the only resource that is statutorily required.<sup>24</sup>

The bill repeals s. 1003.453(2), F.S., relating to online posting of school wellness and physical education policies, thereby removing the outdated requirement that DOE post links to school wellness

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<sup>16</sup> Section 23, ch. 2006-74, L.O.F., *codified at* s. 1003.428(2)(b)1., F.S.

<sup>17</sup> Section 8, ch. 2008-235, L.O.F., *codified at* s. 1003.4285(1), F.S.

<sup>18</sup> Section 3, ch. 2010-22, L.O.F.

<sup>19</sup> Chapter 78-424, L.O.F., *initially codified at* s. 232.246, F.S., *redesignated in* 2002 as s. 1003.43, F.S., and s. 23, ch. 2006-74, L.O.F., *codified as* s. 1003.428, F.S.

<sup>20</sup> *Memorial Hospital-West Volusia, Inc. v. News-Journal Corp.*, 784 So. 2d 438 (Fla. 2001) The general rule is that in the absence of clear legislative intent to the contrary, a law affecting substantive rights, liabilities and duties is presumed to apply prospectively. *Id.*

<sup>21</sup> Email, Florida Department of Education, Deputy General Counsel (Aug. 29, 2012); Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012).

<sup>22</sup> Section 18, ch. 2006-301, L.O.F., *codified at* s. 1003.453(2), F.S.

<sup>23</sup> *See* Healthy, Hunger Free Kids Act of 2010, Pub. L. No.111-296, 124 Stat. 3183; s. 8, 2011-217, L.O.F.; Florida Department of Agriculture and Consumer Services, *Wellness*, <http://www.freshforfloridakids.com/Sponsors/Programs/Wellness.aspx> (last visited Jan. 7, 2013)(*see* Florida Links to Local Wellness Policies).

<sup>24</sup> *See*, Florida Department of Education, *Physical Education*, [http://www.fldoe.org/BII/CSHP/Education/Physical\\_Ed/default.asp](http://www.fldoe.org/BII/CSHP/Education/Physical_Ed/default.asp) (last visited Jan. 7, 2013)(*see* Links to Florida School District's Physical Education Policies); *see* ss. 1003.453 and 1003.455, F.S.



policies on its website. DOE and district school superintendents requested repeal of this outdated and unnecessary reporting requirement.<sup>25</sup>

### **High School to Business Career Enhancement Program**

Legislation enacted in 2007 established the High School to Business Career Enhancement Program, which authorizes school boards to adopt policies for providing high school students internships with local employers.<sup>26</sup> Among other things, participating students must earn at least a 2.0 GPA, internships must be between 8 and 20 consecutive weeks in duration, and participants are limited to 20 work hours weekly and one internship annually.<sup>27</sup> No school districts have participated in this program in recent years.<sup>28</sup>

The bill repeals s. 1003.496, F.S., relating to the High School to Business Career Enhancement Program, as the program is not currently being implemented by school districts.

### **Substance Abuse Training Programs**

Legislation enacted in 1993 authorized state universities and Florida College System (FCS) institutions to develop courses designed to train public school teachers, counselors, physicians, law enforcement personnel, and other professionals in recognizing symptoms of substance abuse impairment.<sup>29</sup> These programs are inactive and unfunded.<sup>30</sup>

The bill repeals s. 1004.05, F.S., which created the Substance Abuse Training Programs. DOE and the Board of Governors of the State University System (BOG) concur with the repeal of this statute.<sup>31</sup>

### **Incentives for Urban or Socially and Economically Disadvantaged Area Internships**

Legislation enacted in 1994 established the Incentives for Urban or Socially and Economically Disadvantaged Area Internships program to give university students the opportunity to study the social, economic, educational, and political life of inner cities and economically disadvantaged areas of the state.<sup>32</sup> This program is not currently being implemented and has not received funding since FY 1999-2000.<sup>33</sup>

The bill repeals s. 1004.62, F.S., relating to Incentives for Urban or Socially and Economically Disadvantaged Area Internships. BOG concurs with the repeal of this inactive program.<sup>34</sup>

### **Centers of Technology Innovation**

Legislation enacted in 1994 authorized individual FCS institutions, consortia of multiple FCS institutions, or consortia of FCS institutions and other educational institutions to establish centers of technology innovation.<sup>35</sup> These centers were authorized to perform various functions, including

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<sup>25</sup> Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012).

<sup>26</sup> Section 1, ch. 2007-122, L.O.F., *codified at* s. 1003.496, F.S.

<sup>27</sup> Section 1003.496(2), F.S.

<sup>28</sup> Email, Florida Department of Education, Legislative Affairs Director (Nov. 4, 2011).

<sup>29</sup> Section 12, ch. 93-39, L.O.F., *initially codified at* s. 240.70, F.S., *redesignated in* 2002 as s. 1004.05, F.S.

<sup>30</sup> Telephone conversation with Budget Analyst, Florida House of Representatives, Higher Education Appropriations Subcommittee (Oct. 11, 2011).

<sup>31</sup> Email, Board of Governors, State University System of Florida, Legislative Affairs Director (Oct. 11, 2011); Email, Florida Department of Education, Legislative Affairs Director (Nov. 4, 2011).

<sup>32</sup> Section 38, ch. 94-230, L.O.F., *initially codified at* s. 240.701, F.S., *redesignated in* 2002 as s. 1004.62

<sup>33</sup> Email, Board of Governors, State University System of Florida, Director of Academic and Student Affairs (Dec. 21, 2011); Email, Florida House of Representatives, Higher Education Appropriations Subcommittee (Nov. 4, 2011).

<sup>34</sup> Email, Board of Governors, State University System of Florida, Director of Academic and Student Affairs (Dec. 21, 2011)

<sup>35</sup> Section 39, ch. 94-230, L.O.F., *initially codified at* s. 240.3335, F.S., *redesignated in* 2002 as s. 1004.77, F.S.

curriculum and faculty development; research, testing, and technology transfer; instructional materials development; and the formation of partnerships with technology industries seeking to update or expand existing technology.<sup>36</sup> According to DOE, no such centers exist.<sup>37</sup>

The bill repeals s. 1004.77, F.S., relating to Centers of Technology Innovation, as the program is inactive. DOE concurs with repeal of this statute.<sup>38</sup>

### **Provision of Information to Students and Parents Regarding School-to-Work Transition**

Legislation enacted in 1994 required, among other things, each K-12 public school to document actions taken to prepare students for the workforce. Each public high school was required to assess each student's preparation for employment before graduation and provide the student and the student's parent with the results of the assessment.<sup>39</sup>

Subsequent legislation has increased the state's focus on workforce preparation. Among other things, each school district, in collaboration with the local workforce board and public postsecondary institutions serving the district, must develop a 3-year strategic plan for identifying high-demand career fields and creating career academies in those fields; recruiting students to enroll in career academies; providing personalized student advisement with parent participation; supporting education planning; and coordinating middle school and high school career education programs.<sup>40</sup> Additionally, middle school students must complete a career and education planning course which results in completion of an academic and career plan for the student.<sup>41</sup>

The bill repeals s. 1006.02, F.S., relating to Provision of Information to Students and Parents Regarding School-to-Work Transition, as these requirements have been supplanted by other provisions governing workforce preparation and education planning.

### **Dropout Reentry and Mentor Project**

Legislation enacted in 1990 created the Dropout Reentry and Mentoring Project, a pilot project to be implemented by the Florida Agricultural and Mechanical University National Alumni Association in Tallahassee, Jacksonville, Daytona Beach, and Miami.<sup>42</sup> The project assisted 15 African American students in each of these four locations who had dropped out of high school for reasons unrelated to academic difficulty. Participants received mentoring; academic evaluation for, and enrollment in, a regular high school, General Educational Development (GED) program, career center, or alternative school; and instruction regarding test-taking, study, goal setting, conflict management, and time management skills.<sup>43</sup> This project is no longer operational<sup>44</sup> and has received no funding in over 10 years.<sup>45</sup>

The bill repeals s. 1006.035, F.S., which created the Dropout Reentry and Mentor Project. The Florida Agricultural and Mechanical University and district school superintendents concur with repeal of this statute.<sup>46</sup>

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<sup>36</sup> Section 1004.77(2), F.S.

<sup>37</sup> Letter from Agency Clerk, Florida Department of Education, to Attorney, Joint Administrative Procedures Committee (Nov. 17, 2011).

<sup>38</sup> *Id.*

<sup>39</sup> Section 5, ch. 94-319, L.O.F., *initially codified at s. 229.595, F.S., redesignated in 2002 as s. 1006.02, F.S.*

<sup>40</sup> Section 1003.491(3), F.S.; *see e.g.* s. 1, ch. 2007-216 and s. 13, ch. 2012-191, L.O.F.

<sup>41</sup> Section 1003.4156(1)(a)5., F.S.; s. 21, ch. 2006-74, L.O.F.

<sup>42</sup> Section 11, ch. 90-365, L.O.F., *initially codified at s. 228.503, F.S., redesignated in 2002 as s. 1006.035, F.S.*

<sup>43</sup> Section 1006.035(2), (5), and (7), F.S.

<sup>44</sup> Email, Florida Agricultural and Mechanical University, Governmental Relations Director (Oct. 12, 2011).

<sup>45</sup> Email, Florida House of Representatives, Higher Education Appropriations Subcommittee (Sept. 9, 2011).

<sup>46</sup> Email, Florida Agricultural and Mechanical University, Governmental Relations Director (Oct. 12, 2011); Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012).

## **Sunshine Workforce Solutions Grant Program**

Legislation enacted in 2002 created the Sunshine Workforce Solutions Grant Program, to provide school districts with grants for establishing nursing-themed middle school and high school career education programs.<sup>47</sup> The program was never implemented or funded.<sup>48</sup>

The bill repeals s. 1006.051, F.S., which created the Sunshine Workforce Solutions Grant Program. DOE and district school superintendents concur with repeal of this statute.<sup>49</sup>

## **Duties of School Principal relating to Student Discipline and School Safety**

Section 1006.09(1)(d), F.S., requires each school principal (or designee) to include an analysis of suspensions and expulsions in the annual report of school progress. Subsection (6) of s. 1006.09, F.S., requires each school principal to report data concerning school safety and discipline to DOE.<sup>50</sup> The discipline data reported to DOE includes information regarding suspensions and expulsions. Thus, it appears these two provisions are redundant.<sup>51</sup>

The bill repeals s. 1006.09(1)(d), F.S., relating to Duties of School Principal relating to Student Discipline and School Safety, as the information reported under this paragraph duplicates that reported under s. 1006.09(6), F.S. DOE and district school superintendents concur with repeal of this statute.<sup>52</sup>

## **Sponsorship of Athletic Activities Similar to those for which Scholarships are Offered**

Two substantively identical statutes enacted in 1986 required public high schools, FCS institutions, and state universities to align their sports offerings to enable opportunities for students to play sports for which collegiate scholarships are offered.<sup>53</sup> The law was specifically enacted in order to induce public schools to transition from slow pitch softball to fast pitch softball.<sup>54</sup>

The bill repeals ss. 1006.17 and 1006.70, F.S., relating to Sponsorship of Athletic Activities Similar to those for which Scholarships Offered. Fast-pitch softball is the version of softball currently sponsored by the Florida High School Athletic Association (FHSAA), the Florida College System Athletic Association (FCSAA), and the National Collegiate Athletic Association.<sup>55</sup> FHSAA and FCSAA concur with these repeals.<sup>56</sup>

## **Safety Issues in Courses Offered by Public Postsecondary Educational Institutions**

Legislation enacted in 2002 required the State Board of Education and BOG to adopt policies for protecting the health and safety of students, instructional personnel, and visitors who participate in

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<sup>47</sup> Section 4, ch. 2002-230, L.O.F., *codified at* s. 1006.051, F.S.

<sup>48</sup> Email, Florida House of Representatives, PreK-12 Appropriations Subcommittee (Sept. 6, 2011).

<sup>49</sup> Email, Florida Department of Education, Legislative Affairs Director (Dec. 12, 2011); Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012).

<sup>50</sup> Section 279, ch. 2002-387, L.O.F., *codified at* s. 1006.09(1)(d) and (6), F.S.

<sup>51</sup> Email, Florida Department of Education, Legislative Affairs Director, (Nov. 29, 2012).

<sup>52</sup> Email, Florida Department of Education, Legislative Affairs Director, (November 29, 2012); Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012).

<sup>53</sup> Section 4, ch. 86-172, L.O.F., *initially codified at* s. 232.426, F.S., *redesignated in* 2002 as ss. 1006.17 and 1006.70, F.S.

<sup>54</sup> Staff of the Florida House of Representatives, *Legislative Bill Analysis for CS/HB 90* (1986).

<sup>55</sup> Florida High School Athletic Association, *Sports and Programs*, <http://www.fhsaa.org/sports> (last visited Jan. 8, 2013); Florida College System Activities Association, *Athletics*, <http://www.thefcsaa.com/> (last visited Jan. 8, 2013); National Collegiate Athletic Association, *Championships List*, <http://www.ncaa.org/wps/wcm/connect/public/ncaa/championships/championships+list> (last visited Jan. 8, 2013).

<sup>56</sup> Florida Department of Education, *Legislative Bill Analysis for HB 4041* (2012).

courses offered by FCS institutions or state universities, respectively.<sup>57</sup> According to DOE, these safety policies are already required by federal law and accrediting bodies and included in affiliation contracts with hospitals and law enforcement agencies.<sup>58</sup>

The bill repeals s. 1006.65, F.S., relating to Safety Issues in Courses Offered by Public Postsecondary Institutions. DOE concurs with repeal of this statute.<sup>59</sup>

### **Readiness for Postsecondary Education and the Workplace**

Legislation enacted in 1997 required that entering 9<sup>th</sup> graders and their parents develop a four to five year academic and career plan while the student is in middle school, based upon the student's postsecondary and career goals.<sup>60</sup> Legislation enacted subsequently required middle school students to complete a career and education planning course which results in completion of an academic and career plan for the student.<sup>61</sup>

The bill repeals s. 1007.21, F.S., relating to Readiness for Postsecondary Education and the Workplace, as this provision is duplicative. DOE and district school superintendents concur with repeal of this statute.<sup>62</sup>

### **Paperwork Reduction**

Legislation enacted in 2010 required the Commissioner of Education to annually monitor and review paperwork, data collection, and reporting requirements and report recommendations for eliminating or consolidating such requirements to school districts.<sup>63</sup> Although this provision is intended to reduce paperwork, it actually creates more paperwork for DOE and school districts.

The bill repeals s. 1008.31(3)(d) and (e), F.S., relating to Paperwork Reduction. DOE and school district superintendents concur with repeal of these provisions.<sup>64</sup>

### **Florida Minority Medical Education Program**

Legislation enacted in 1991 established a scholarship program for minority students pursuing medical education at the University of Florida, the University of South Florida, Florida State University, and the University of Miami, or Southeastern University Health Sciences, for the purpose of addressing the primary health care needs of underserved groups.<sup>65</sup> According to DOE, the program has not been funded in 15 years.<sup>66</sup>

The bill repeals s. 1009.68, F.S., relating to the Florida Minority Medical Education Program. DOE concurs with repeal of this statute.<sup>67</sup>

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<sup>57</sup> Section 335, ch. 2002-387, L.O.F., *codified at* s. 1006.65, F.S.

<sup>58</sup> Letter from Agency Clerk, Florida Department of Education, to Attorney, Joint Administrative Procedures Committee (Nov. 17, 2011); *see e.g.*, 20 U.S.C. s. 1092(f)(requiring disclosure of campus security policies and crime statistics by postsecondary institutions participating federal financial aid programs).

<sup>59</sup> Letter from Agency Clerk, Florida Department of Education, to Attorney, Joint Administrative Procedures Committee (Nov. 17, 2011).

<sup>60</sup> Section 1, ch. 97-21, L.O.F., *initially codified at* s. 232.2451, F.S., *redesignated in* 2002 as s. 1007.21, F.S.

<sup>61</sup> Section 1003.4156(1)(a)5., F.S.; s. 21, ch. 2006-74, L.O.F.

<sup>62</sup> Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012).

<sup>63</sup> Section 199, ch. 2010-102, L.O.F., *codified at* s. 1008.31(3)(d)-(e), F.S.

<sup>64</sup> Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012).

<sup>65</sup> Section 1, ch. 91-203, L.O.F., *initially codified at* s. 240.4987, F.S., *redesignated in* 2002 as s. 1009.68, F.S.

<sup>66</sup> Email, Florida Department of Education, Legislative Affairs Director (Jan. 4, 2012).

<sup>67</sup> *Id.*

## **Transition to Teaching Program**

Legislation enacted in 2001 created the Transition to Teaching Program to award grants for establishing programs to facilitate the transition of midcareer professionals into the teaching profession. An individual participating in programs created under the grant was eligible for financial assistance, upon condition that he or she commit to teach in a Florida school district for at least three years. The award of grants was contingent upon legislative funding.<sup>68</sup> DOE was awarded federal Transition to Teaching grants in 2003 and 2007. However, these grants expired in October 2011.<sup>69</sup>

The bill repeals s. 1012.58, F.S. creating the Transition to Teaching Program, which is inactive and no longer funded. DOE concurs with repeal of this statute.<sup>70</sup>

## **The Florida Teachers Lead Program**

The Florida Teachers Lead program provides a classroom materials and supplies stipend to each public school classroom teacher.<sup>71</sup> Legislation enacted in 2009, authorized DOE to establish a pilot program to study the feasibility of creating a centralized electronic system for managing Florida Teachers Lead Program disbursements. The program was authorized only for FY 2009-10. School district participation was voluntary and DOE was not required to implement the program if school district participation was insufficient to measure the viability of an electronic management system. According to DOE, no school districts agreed to participate and the program was never implemented.<sup>72</sup>

The bill repeals s. 1012.71(6), F.S., relating to the Florida Teachers Lead Program centralized electronic management system pilot program, as authority for the program has expired.

## **Florida College System Institution and University Energy Consumption**

Legislation enacted in 2010 required each FCS institution and state university to strive to reduce campus-wide energy consumption by 10 percent and submit a report to the Governor, Speaker of the House of Representatives, and President of the Senate by January 1, 2011, describing how this goal was met or providing a plan for meeting the goal in the future.<sup>73</sup> While this statute requires each FCS institution and state university to formulate a plan to reduce energy consumption by 10 percent, it does not require that they actually meet this goal. Furthermore, the report submission deadline of January 1, 2011, has passed.<sup>74</sup>

The bill repeals s. 1013.231, F.S., relating to reduction in energy consumption by FCS institutions and universities, as the purpose of this statute has been served.

## **Exception to Recommendations in Educational Plant Survey**

Legislation enacted in 1977 authorized school districts to request exceptions to recommendations made in an educational plant survey based upon potential cost savings or other educational benefits. These exceptions must be approved by the Commissioner of Education.<sup>75</sup> A separate provision of law similarly authorizes the commissioner to waive survey requirements upon school district request.<sup>76</sup>

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<sup>68</sup> Sections 1 and 2, ch. 2001-219, L.O.F., *initially codified at s. 229.604, F.S., redesignated in 2002 as s. 1012.58, F.S.*

<sup>69</sup> Email, Florida Department of Education, Legislative Affairs Director (Oct. 27, 2011).

<sup>70</sup> Email, Florida Department of Education, Legislative Affairs Director (Dec. 12, 2011).

<sup>71</sup> Section 1012.71, F.S.

<sup>72</sup> Section 37, ch. 2009-59, L.O.F., *codified at s. 1012.71(6), F.S.*

<sup>73</sup> Section 30, ch. 2010-155, L.O.F., *codified at s. 1013.321, F.S.*

<sup>74</sup> *See s. 1013.231, F.S.*

<sup>75</sup> Section 9, ch. 77-458, L.O.F., *initially codified at s. 235.155, F.S., redesignated in 2002 as s. 1013.32, F.S.*

<sup>76</sup> Section 1013.03(10), F.S.

The bill repeals s. 1013.32, F.S., relating to exceptions to recommendations in educational plant surveys. DOE concurs with repeal of this statute.<sup>77</sup>

### **School Infrastructure Thrift Program**

Legislation enacted in 1997 established the School Infrastructure Thrift (SIT) program, which was designed to reward school districts that achieved construction cost savings.<sup>78</sup> Among other things, the legislation required DOE to identify for elimination obsolete, excessively restrictive, and unnecessary education facilities regulations and practices.<sup>79</sup> School districts that achieved reduced costs per student station specified in statute were eligible to apply for SIT program awards.<sup>80</sup> The SIT program has not been funded since FY 2004-05, when funding was awarded to the Orange and Osceola County school districts.<sup>81</sup> A related program, the SMART Schools Clearinghouse, was repealed in 2010.<sup>82</sup>

The bill repeals ss. 1013.42 and 1013.72, F.S., relating to the SIT program. DOE concurs with these repeals.<sup>83</sup>

### **A Business-Community School Program**

The A Business-Community (ABC) School Program encourages the formation of business and education partnership schools which operate in facilities owned or operated by a local business.<sup>84</sup> ABC schools may serve students in kindergarten through 3<sup>rd</sup> grade. Children of employees of the business must be given first preference for enrollment.<sup>85</sup> School districts are not required to establish an ABC school, nor do they need statutory authority to do so.

The bill repeals ss. 1013.502 and 1013.721, F.S., relating to the ABC School Program. School district superintendents concur with these repeals.<sup>86</sup>

### **Exceptions to Special Facilities Construction Account requirements**

The Special Facility Construction Account (SFCA) provides funding to school districts with urgent construction needs that cannot be met by existing resources or resources anticipated in the next three year period.<sup>87</sup> Among other things, school districts receiving SFCA funding must levy the maximum authorized discretionary millage for capital outlay (1.5 mills), or its equivalent from the school capital outlay surtax.<sup>88</sup> Legislation enacted in 2009 reduced this millage contribution for the school districts of Wakulla county (1 mill for FY 2009-10 and .5 mill for FY 2010-11), Liberty county (1 mill for FYs 2009-10 to 2011-12), and Calhoun county (1.125 mills for FYs 2009-10 to 2012-13).<sup>89</sup> This provision will be obsolete as of June 30, 2013, when Calhoun County's exception expires. Wakulla County's exception expired June 30, 2011, and Liberty County's exception expired June 30, 2012.<sup>90</sup>

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<sup>77</sup> Email, Office of the Governor, Education Policy and Budget Analyst (Dec. 17, 2012).

<sup>78</sup> Section 22 ch. 97-153, L.O.F., *initially codified at s. 235.2155, F.S., redesignated in 2002 as s. 1013.42, F.S.*; Section 23, ch. 97-153, L.O.F., *initially codified at s. 235.216, F.S., redesignated in 2002 as s. 1013.72, F.S.*

<sup>79</sup> Section 1013.42(2), F.S.

<sup>80</sup> Section 1013.72(2), F.S.

<sup>81</sup> Email, Florida Department of Education, Legislative Affairs Director (Dec. 18, 2012).

<sup>82</sup> Chapter 2010-70, L.O.F.

<sup>83</sup> Email, Office of the Governor, Education Policy and Budget Analyst (Dec. 17, 2012).

<sup>84</sup> Section 21, ch. 2003-391, L.O.F., *initially codified at s. 1013.501, F.S., redesignated in 2006 as s. 1013.721, F.S.* Initially known as the Florida Business and Education in School Together (Florida BEST) Program, the name of the program was changed to the ABC Schools Program in 2006. *Id.*

<sup>85</sup> Section 1013.721(2) and (5)(a), F.S.

<sup>86</sup> Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012).

<sup>87</sup> Section 1013.64(2)(a), F.S.

<sup>88</sup> Section 1013.64(2)(a)8., F.S.; *see s. 1011.71(2), F.S.*

<sup>89</sup> Section 40, ch. 2009-59, L.O.F., *codified at s. 1013.64(7), F.S.*

<sup>90</sup> Email, Office of the Governor, Education Policy and Budget Analyst (Dec. 17, 2012).

The bill repeals s. 1013.64(7), F.S., relating to exceptions to SFCA millage contribution requirements, as the last exception expires June 30, rendering the provision obsolete. DOE concurs with repeal of this provision.<sup>91</sup>

### **Effort Index Grants**

Legislation enacted in 1997 provided grants to school districts which met a specified level of local effort funding, but still had a need for new student stations or core facilities to meet student demand.<sup>92</sup> The legislation provided a one-time appropriation of \$300 million for the grants, the last of which was disbursed in 2008.<sup>93</sup> A related program, the SMART Schools Clearinghouse, was repealed in 2010.<sup>94</sup>

The bill repeals s. 1013.73, F.S., relating to Effort Index Grants, which are no longer funded. DOE concurs with the repeal of this statute.<sup>95</sup>

#### **B. SECTION DIRECTORY:**

**Section 1.** Amends s. 403.7032 (3), F.S., relating to Recycling; removes K-12 public schools from recycling reporting requirement.

**Section 2.** Repeals s. 1001.435, F.S., relating to K-12 Foreign Language Curriculum plans.

**Section 3.** Repeals s. 1002.23(4), (6), and (9), F.S., relating to Family and School Partnership for Student Achievement Act.

**Section 4.** Repeals s. 1002.361, F.S., relating to the Florida School for the Deaf and the Blind Direct Support Organization.

**Section 5.** Repeals s. 1002.375, F.S., relating to the Alternative Credit for High School Courses Pilot Project.

**Section 6.** Repeals s. 1003.4285 (1), F.S., relating to Standard High School Diploma Designations.

**Section 7.** Repeals s. 1003.43, F.S., relating to General Requirements for High School Graduation (for students entering 9<sup>th</sup> grade before the 2007-08 school year).

**Section 8.** Repeals s. 1003.453(2), F.S., relating to School Wellness and Physical Education Policies.

**Section 9.** Repeals s. 1003.496, F.S., relating to the High School to Business Career Program.

**Section 10.** Repeals s. 1004.05, F.S., relating to Substance Abuse Training Programs.

**Section 11.** Repeals s. 1004.62, F.S., relating to Incentives for Urban or Socially and Economically Disadvantaged Area Internships.

**Section 12.** Repeals s. 1004.77, F.S., relating to Centers of Technology Innovation.

**Section 13.** Repeals s. 1006.02, F.S., relating to Provision of Information to Students and Parents Regarding School-to-work Transition.

**Section 14.** Repeals s. 1006.035, F.S., relating to the Dropout Reentry and Mentor Project.

**Section 15.** Repeals s. 1006.051, F.S., relating to Sunshine Workforce Solutions Grants.

**Section 16.** Repeals s. 1006.09(1)(d), F.S., relating to Duties of School Principal relating to Student Discipline and School Safety.

**Section 17.** Repeals s. 1006.17 and 1006.70, F.S., relating to Sponsorship of Athletic Activities Similar to those for which Scholarships Offered.

**Section 18.** Repeals s. 1006.65, F.S., relating to Safety Issues in Courses Offered by Public Postsecondary Educational Institutions.

**Section 19.** Repeals s. 1007.21, F.S., relating to Readiness for Postsecondary Education and the Workplace.

**Section 20.** Repeals s. 1008.31 (3)(d) and (e), F.S., relating to Florida's K-20 Education Performance Accountability System.

**Section 21.** Repeals s. 1009.68, F.S., relating to the Florida Minority Medical Education Program.

**Section 22.** Repeals s. 1012.58, F.S., relating to the Transition to Teaching Program.

<sup>91</sup> *Id.*

<sup>92</sup> Section 5, ch. 97-384, L.O.F., *initially codified at* s. 235.186, F.S., *redesignated in* 2002 as s. 1013.73, F.S.

<sup>93</sup> Email, Florida House of Representatives, Education Appropriations Subcommittee, Analyst (Dec. 17, 2012).

<sup>94</sup> Chapter 2010-70, L.O.F.

<sup>95</sup> Email, Office of the Governor, Education Policy and Budget Analyst (Dec. 17, 2012).

- Section 23.** Repeals s. 1012.71(6), F.S., relating to the Florida Teachers Lead Program.
- Section 24.** Repeals s. 1013.231, F.S., relating to Florida College System Institution and State University Energy Consumption.
- Section 25.** Repeals s. 1013.32, F.S., relating to Exceptions to Recommendations in Educational Plant Survey.
- Section 26.** Repeals ss. 1013.42 and 1013.72, F.S., relating to the School Infrastructure Thrift (SIT) Program.
- Section 27.** Repeals ss. 1013.502 and 1013.721, F.S., relating to the A Business-Community (ABC) School Program.
- Section 28.** Repeals s. 1013.64(7), F.S., relating to exceptions to Special Facilities Construction Account Millage contribution requirements.
- Section 29.** Repeals s. 1013.73, F.S., relating to Effort Index Grants.
- Section 30.** Amends s. 120.81, F.S., relating to Exceptions and special requirements; conforms provisions.
- Section 31.** Amends s. 250.115, F.S., relating to Department of Military Affairs direct-support organization; conforms provisions.
- Section 32.** Amends s. 409.1451, F.S., relating to Independent living transition services; conforms provisions.
- Section 33.** Amends s. 1001.11, F.S., relating to Commissioner of Education; conforms provisions.
- Section 34.** Amends s. 1002.20, F.S., relating to K-12 student and parent rights; conforms provisions.
- Section 35.** Amends s. 1002.33, F.S., relating to Charter schools; conforms provisions.
- Section 36.** Amends s. 1002.34, F.S., relating to Charter Technical Career Centers; conforms provisions.
- Section 37.** Amends s. 1002.45, F.S., relating to Virtual Instruction Programs; conforms provisions.
- Section 38.** Amends s. 1003.03, F.S., relating to Maximum Class Size; conforms provisions.
- Section 39.** Amends s. 1003.429, F.S., relating to Accelerated High School Graduation Options; conforms provisions.
- Section 40.** Amends s. 1003.438, F.S., relating to Special High School Graduation Requirements for Certain Exceptional Students; conforms provisions.
- Section 41.** Amends s. 1003.49, F.S., relating to Graduation and Promotion Requirements for Public Schools; conforms provisions.
- Section 42.** Amends s. 1004.70, F.S., relating to Florida College System Institution Direct-Support Organizations; conforms provisions.
- Section 43.** Amends s. 1004.71, F.S., relating to Statewide Florida College System Institution Direct-Support Organizations; conforms provisions.
- Section 44.** Amends s. 1006.025, F.S., relating to Guidance Services; conforms provisions.
- Section 45.** Amends s. 1006.15, F.S., relating to Student Standards for Participation in Interscholastic and Intrascholastic Extracurricular Activities; conforms provisions.
- Section 46.** Amends s. 1007.263, F.S., relating to Florida College System Institution Admissions; conforms provisions.
- Section 47.** Amends s. 1007.271, F.S., relating to Dual Enrollment Programs; conforms provisions.
- Section 48.** Amends s. 1008.22, F.S., relating to Student Assessment; conforms provisions.
- Section 49.** Amends s. 1008.23, F.S., relating to Confidentiality of Assessment Instruments; conforms provisions.
- Section 50.** Amends s. 1009.40, F.S., relating to Student Eligibility for State Financial Aid; conforms provisions.
- Section 51.** Amends s. 1009.531, F.S., relating to the Florida Bright Futures Scholarship Program; conforms provisions.
- Section 52.** Amends s. 1009.94, F.S., relating to the Student Financial Assistance Database; conforms provisions.
- Section 53.** Amends s. 1011.61, F.S., relating to Definitions of Full-Time Equivalent Student; conforms provisions.
- Section 54.** Amends s. 1013.35, F.S., relating to School District Educational Facilities Plans; conforms provisions.



- Section 55.** Amends s. 1013.356, F.S., relating to Local Funding for Educational Facilities Benefit Districts or Community Development Districts; conforms provisions.
- Section 56.** Amends s. 1013.41, F.S., relating to SMART schools; conforms provisions.
- Section 57.** Amends s. 1013.64, F.S., relating to Funds for Comprehensive Educational Plant Needs; conforms provisions.
- Section 58.** Amends s. 1013.69, F.S., relating to Bonding Requirements for Participation in the Classrooms First Program; conforms provisions.
- Section 59.** Amends s. 1013.738, F.S., relating to the High Growth Capital Outlay Assistance Grant Program; conforms provisions.
- Section 60.** Provides that the bill takes effect upon becoming law.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:  
None.
2. Expenditures:  
None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:  
None.
2. Expenditures:  
None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

None.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:  
Not Applicable. This bill does not appear to affect county or municipal governments.
2. Other:  
None.

### B. RULE-MAKING AUTHORITY:

By repealing ss. 1003.496, 1004.77, 1006.17, 1006.65, 1006.70, 1009.68, and 1013.42, F.S., the bill also repeals the rulemaking authority in these statutes previously identified as duplicative, redundant, or unused pursuant to s. 11.242(5)(j), F.S. In addition, the bill's repeal of ss. 1002.361, and 1006.051, F.S., also repeals unused rulemaking authority.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

None.

1                                   A bill to be entitled  
 2           An act relating to the repeal of education provisions;  
 3           amending s. 403.7032, F.S.; removing a requirement  
 4           that each K-12 public school annually report to the  
 5           county on recycled materials; repealing s. 1001.435,  
 6           F.S., relating to a K-12 foreign language curriculum  
 7           plan; repealing s. 1002.23(4), (6), and (9), F.S.,  
 8           relating to a parent-response center, submission of  
 9           family involvement and empowerment rules by district  
 10          school boards, and State Board of Education compliance  
 11          review and enforcement under the Family and School  
 12          Partnership for Student Achievement Act; repealing s.  
 13          1002.361, F.S., relating to a direct-support  
 14          organization for the Florida School for the Deaf and  
 15          the Blind; repealing s. 1002.375, F.S., relating to a  
 16          pilot project to award alternative credit for high  
 17          school courses; repealing s. 1003.4285(1), F.S.,  
 18          relating to a standard high school diploma designation  
 19          that indicates a student's major area of interest;  
 20          repealing s. 1003.43, F.S., relating to general  
 21          requirements for high school graduation; repealing s.  
 22          1003.453(2), F.S., relating to information on school  
 23          wellness and physical education policies posted on  
 24          Department of Education and school district websites;  
 25          repealing s. 1003.496, F.S., relating to the High  
 26          School to Business Career Enhancement Program;  
 27          repealing s. 1004.05, F.S., relating to substance  
 28          abuse training programs for specified public school

29 personnel; repealing s. 1004.62, F.S., relating to  
 30 incentives for state university student internships to  
 31 study urban or socially and economically disadvantaged  
 32 areas; repealing s. 1004.77, F.S., relating to centers  
 33 of technology innovation; repealing s. 1006.02, F.S.,  
 34 relating to provision of information to students and  
 35 parents regarding school-to-work transition; repealing  
 36 s. 1006.035, F.S., relating to a dropout reentry and  
 37 mentor project; repealing s. 1006.051, F.S., relating  
 38 to the Sunshine Workforce Solutions Grant Program;  
 39 repealing s. 1006.09(1)(d), F.S., relating to duties  
 40 of school principals with respect to annual reporting  
 41 and analysis of student suspensions and expulsions;  
 42 repealing ss. 1006.17 and 1006.70, F.S., relating to  
 43 sponsorship of athletic activities similar to those  
 44 for which scholarships are offered; repealing s.  
 45 1006.65, F.S., relating to safety issues in courses  
 46 offered by public postsecondary educational  
 47 institutions; repealing s. 1007.21, F.S., relating to  
 48 readiness for postsecondary education and the  
 49 workplace; repealing s. 1008.31(3)(d) and (e), F.S.,  
 50 relating to review and reporting duties of the  
 51 Commissioner of Education with respect to  
 52 consolidating paperwork under Florida's K-20 education  
 53 performance accountability system; repealing s.  
 54 1009.68, F.S., relating to the Florida Minority  
 55 Medical Education Program; repealing s. 1012.58, F.S.,  
 56 relating to the Transition to Teaching Program;

57 | repealing s. 1012.71(6), F.S., relating to a pilot  
 58 | program for establishing an electronic management  
 59 | system for the Florida Teachers Lead Program;  
 60 | repealing s. 1013.231, F.S., relating to Florida  
 61 | College System institution and state university energy  
 62 | consumption reduction; repealing s. 1013.32, F.S.,  
 63 | relating to exceptions to recommendations in  
 64 | educational plant surveys; repealing ss. 1013.42 and  
 65 | 1013.72, F.S., relating to the School Infrastructure  
 66 | Thrift (SIT) Program; repealing ss. 1013.502 and  
 67 | 1013.721, F.S., relating to A Business-Community (ABC)  
 68 | School Program; repealing s. 1013.64(7), F.S.,  
 69 | relating to exceptions from Special Facility  
 70 | Construction Account requirements; repealing s.  
 71 | 1013.73, F.S., relating to effort index grants for  
 72 | school district facilities; amending ss. 120.81,  
 73 | 250.115, 409.1451, 1001.11, 1002.20, 1002.33, 1002.34,  
 74 | 1002.45, 1003.03, 1003.429, 1003.438, 1003.49,  
 75 | 1004.70, 1004.71, 1006.025, 1006.15, 1007.263,  
 76 | 1007.271, 1008.22, 1008.23, 1009.40, 1009.531,  
 77 | 1009.94, 1011.61, 1013.35, 1013.356, 1013.41, 1013.64,  
 78 | 1013.69, and 1013.738, F.S.; conforming provisions;  
 79 | providing an effective date.

80 |

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

82 |

83 | Section 1. Subsection (3) of section 403.7032, Florida  
 84 | Statutes, is amended to read:

85 403.7032 Recycling.—

86 (3) Each state agency, ~~K-12 public school~~, public  
 87 institution of higher learning, community college, and state  
 88 university, including all buildings that are occupied by  
 89 municipal, county, or state employees and entities occupying  
 90 buildings managed by the Department of Management Services,  
 91 must, at a minimum, annually report all recycled materials to  
 92 the county using the department's designated reporting format.  
 93 Private businesses, other than certified recovered materials  
 94 dealers, that recycle paper, metals, glass, plastics, textiles,  
 95 rubber materials, and mulch, are encouraged to report the amount  
 96 of materials they recycle to the county annually beginning  
 97 January 1, 2011, using the department's designated reporting  
 98 format. Using the information provided, the department shall  
 99 recognize those private businesses that demonstrate outstanding  
 100 recycling efforts. Notwithstanding any other provision of state  
 101 or county law, private businesses, other than certified  
 102 recovered materials dealers, shall not be required to report  
 103 recycling rates. Cities with less than a population of 2,500 and  
 104 per capita taxable value less than \$48,000 and cities with a per  
 105 capita taxable value less than \$30,000 are exempt from the  
 106 reporting requirement specified in this subsection.

107 Section 2. Section 1001.435, Florida Statutes, is  
 108 repealed.

109 Section 3. Subsections (4), (6), and (9) of section  
 110 1002.23, Florida Statutes, are repealed.

111 Section 4. Section 1002.361, Florida Statutes, is  
 112 repealed.

- 113           Section 5. Section 1002.375, Florida Statutes, is  
 114 repealed.
- 115           Section 6. Subsection (1) of section 1003.4285, Florida  
 116 Statutes, is repealed.
- 117           Section 7. Section 1003.43, Florida Statutes, is repealed.
- 118           Section 8. Subsection (2) of section 1003.453, Florida  
 119 Statutes, is repealed.
- 120           Section 9. Section 1003.496, Florida Statutes, is  
 121 repealed.
- 122           Section 10. Section 1004.05, Florida Statutes, is  
 123 repealed.
- 124           Section 11. Section 1004.62, Florida Statutes, is  
 125 repealed.
- 126           Section 12. Section 1004.77, Florida Statutes, is  
 127 repealed.
- 128           Section 13. Section 1006.02, Florida Statutes, is  
 129 repealed.
- 130           Section 14. Section 1006.035, Florida Statutes, is  
 131 repealed.
- 132           Section 15. Section 1006.051, Florida Statutes, is  
 133 repealed.
- 134           Section 16. Paragraph (d) of subsection (1) of section  
 135 1006.09, Florida Statutes, is repealed.
- 136           Section 17. Sections 1006.17 and 1006.70, Florida  
 137 Statutes, are repealed.
- 138           Section 18. Section 1006.65, Florida Statutes, is  
 139 repealed.
- 140           Section 19. Section 1007.21, Florida Statutes, is

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141 repealed.

142 Section 20. Paragraphs (d) and (e) of subsection (3) of  
 143 section 1008.31, Florida Statutes, are repealed.

144 Section 21. Section 1009.68, Florida Statutes, is  
 145 repealed.

146 Section 22. Section 1012.58, Florida Statutes, is  
 147 repealed.

148 Section 23. Subsection (6) of section 1012.71, Florida  
 149 Statutes, is repealed.

150 Section 24. Section 1013.231, Florida Statutes, is  
 151 repealed.

152 Section 25. Section 1013.32, Florida Statutes, is  
 153 repealed.

154 Section 26. Sections 1013.42 and 1013.72, Florida  
 155 Statutes, are repealed.

156 Section 27. Sections 1013.502 and 1013.721, Florida  
 157 Statutes, are repealed.

158 Section 28. Subsection (7) of section 1013.64, Florida  
 159 Statutes, is repealed.

160 Section 29. Section 1013.73, Florida Statutes, is  
 161 repealed.

162 Section 30. Paragraph (c) of subsection (1) of section  
 163 120.81, Florida Statutes, is amended to read:

164 120.81 Exceptions and special requirements; general  
 165 areas.—

166 (1) EDUCATIONAL UNITS.—

167 (c) Notwithstanding s. 120.52(16), any tests, test scoring  
 168 criteria, or testing procedures relating to student assessment



169 | which are developed or administered by the Department of  
 170 | Education pursuant to s. 1003.428 ~~1003.43~~, s. 1003.429, s.  
 171 | 1003.438, s. 1008.22, or s. 1008.25, or any other statewide  
 172 | educational tests required by law, are not rules.

173 |       Section 31. Subsection (5) of section 250.115, Florida  
 174 | Statutes, is amended to read:

175 |           250.115 Department of Military Affairs direct-support  
 176 | organization.—

177 |           (5) ACTIVITIES; RESTRICTIONS.—Any transaction or agreement  
 178 | between the direct-support organization organized pursuant to  
 179 | this section and another direct-support organization ~~or center~~  
 180 | ~~of technology innovation designated under s. 1004.77~~ must be  
 181 | approved by the Department of Military Affairs.

182 |       Section 32. Paragraph (b) of subsection (5) of section  
 183 | 409.1451, Florida Statutes, is amended to read:

184 |           409.1451 Independent living transition services.—

185 |           (5) SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER CARE.—  
 186 | Based on the availability of funds, the department shall provide  
 187 | or arrange for the following services to young adults formerly  
 188 | in foster care who meet the prescribed conditions and are  
 189 | determined eligible by the department. The department, or a  
 190 | community-based care lead agency when the agency is under  
 191 | contract with the department to provide the services described  
 192 | under this subsection, shall develop a plan to implement those  
 193 | services. A plan shall be developed for each community-based  
 194 | care service area in the state. Each plan that is developed by a  
 195 | community-based care lead agency shall be submitted to the  
 196 | department. Each plan shall include the number of young adults

197 to be served each month of the fiscal year and specify the  
 198 number of young adults who will reach 18 years of age who will  
 199 be eligible for the plan and the number of young adults who will  
 200 reach 23 years of age and will be ineligible for the plan or who  
 201 are otherwise ineligible during each month of the fiscal year;  
 202 staffing requirements and all related costs to administer the  
 203 services and program; expenditures to or on behalf of the  
 204 eligible recipients; costs of services provided to young adults  
 205 through an approved plan for housing, transportation, and  
 206 employment; reconciliation of these expenses and any additional  
 207 related costs with the funds allocated for these services; and  
 208 an explanation of and a plan to resolve any shortages or  
 209 surpluses in order to end the fiscal year with a balanced  
 210 budget. The categories of services available to assist a young  
 211 adult formerly in foster care to achieve independence are:

212 (b) Road-to-Independence Program.—

213 1. The Road-to-Independence Program is intended to help  
 214 eligible students who are former foster children in this state  
 215 to receive the educational and vocational training needed to  
 216 achieve independence. The amount of the award shall be based on  
 217 the living and educational needs of the young adult and may be  
 218 up to, but may not exceed, the amount of earnings that the  
 219 student would have been eligible to earn working a 40-hour-a-  
 220 week federal minimum wage job.

221 2. A young adult who has earned a standard high school  
 222 diploma or its equivalent as described in s. 1003.428, s.  
 223 1003.429, ~~1003.43~~ or s. 1003.435, has earned a special diploma  
 224 or special certificate of completion as described in s.

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225 1003.438, or has reached 18 years of age but is not yet 21 years  
 226 of age is eligible for the initial award, and a young adult  
 227 under 23 years of age is eligible for renewal awards, if he or  
 228 she:

229 a. Was a dependent child, under chapter 39, and was living  
 230 in licensed foster care or in subsidized independent living at  
 231 the time of his or her 18th birthday or is currently living in  
 232 licensed foster care or subsidized independent living, or, after  
 233 reaching the age of 16, was adopted from foster care or placed  
 234 with a court-approved dependency guardian and has spent a  
 235 minimum of 6 months in foster care immediately preceding such  
 236 placement or adoption;

237 b. Spent at least 6 months living in foster care before  
 238 reaching his or her 18th birthday;

239 c. Is a resident of this state as defined in s. 1009.40;  
 240 and

241 d. Meets one of the following qualifications:

242 (I) Has earned a standard high school diploma or its  
 243 equivalent as described in s. 1003.428, s. 1003.429, ~~1003.43~~ or  
 244 s. 1003.435, or has earned a special diploma or special  
 245 certificate of completion as described in s. 1003.438, and has  
 246 been admitted for full-time enrollment in an eligible  
 247 postsecondary education institution as defined in s. 1009.533;

248 (II) Is enrolled full time in an accredited high school;  
 249 or

250 (III) Is enrolled full time in an accredited adult  
 251 education program designed to provide the student with a high  
 252 school diploma or its equivalent.

253           3. A young adult applying for the Road-to-Independence  
 254 Program must apply for any other grants and scholarships for  
 255 which he or she may qualify. The department shall assist the  
 256 young adult in the application process and may use the federal  
 257 financial aid grant process to determine the funding needs of  
 258 the young adult.

259           4. An award shall be available to a young adult who is  
 260 considered a full-time student or its equivalent by the  
 261 educational institution in which he or she is enrolled, unless  
 262 that young adult has a recognized disability preventing full-  
 263 time attendance. The amount of the award, whether it is being  
 264 used by a young adult working toward completion of a high school  
 265 diploma or its equivalent or working toward completion of a  
 266 postsecondary education program, shall be determined based on an  
 267 assessment of the funding needs of the young adult. This  
 268 assessment must consider the young adult's living and  
 269 educational costs and other grants, scholarships, waivers,  
 270 earnings, and other income to be received by the young adult. An  
 271 award shall be available only to the extent that other grants  
 272 and scholarships are not sufficient to meet the living and  
 273 educational needs of the young adult, but an award may not be  
 274 less than \$25 in order to maintain Medicaid eligibility for the  
 275 young adult as provided in s. 409.903.

276           5. The amount of the award may be disregarded for purposes  
 277 of determining the eligibility for, or the amount of, any other  
 278 federal or federally supported assistance.

279           6.a. The department must advertise the criteria,  
 280 application procedures, and availability of the program to:

281 (I) Children and young adults in, leaving, or formerly in  
 282 foster care.

283 (II) Case managers.

284 (III) Guidance and family services counselors.

285 (IV) Principals or other relevant school administrators.

286 (V) Guardians ad litem.

287 (VI) Foster parents.

288 b. The department shall issue awards from the program for  
 289 each young adult who meets all the requirements of the program  
 290 to the extent funding is available.

291 c. An award shall be issued at the time the eligible  
 292 student reaches 18 years of age.

293 d. A young adult who is eligible for the Road-to-  
 294 Independence Program, transitional support services, or  
 295 aftercare services and who so desires shall be allowed to reside  
 296 with the licensed foster family or group care provider with whom  
 297 he or she was residing at the time of attaining his or her 18th  
 298 birthday or to reside in another licensed foster home or with a  
 299 group care provider arranged by the department.

300 e. If the award recipient transfers from one eligible  
 301 institution to another and continues to meet eligibility  
 302 requirements, the award must be transferred with the recipient.

303 f. Funds awarded to any eligible young adult under this  
 304 program are in addition to any other services or funds provided  
 305 to the young adult by the department through transitional  
 306 support services or aftercare services.

307 g. The department shall provide information concerning  
 308 young adults receiving funding through the Road-to-Independence

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309 Program to the Department of Education for inclusion in the  
 310 student financial assistance database, as provided in s.  
 311 1009.94.

312 h. Funds are intended to help eligible young adults who  
 313 are former foster children in this state to receive the  
 314 educational and vocational training needed to become independent  
 315 and self-supporting. The funds shall be terminated when the  
 316 young adult has attained one of four postsecondary goals under  
 317 subsection (3) or reaches 23 years of age, whichever occurs  
 318 earlier. In order to initiate postsecondary education, to allow  
 319 for a change in career goal, or to obtain additional skills in  
 320 the same educational or vocational area, a young adult may earn  
 321 no more than two diplomas, certificates, or credentials. A young  
 322 adult attaining an associate of arts or associate of science  
 323 degree shall be permitted to work toward completion of a  
 324 bachelor of arts or a bachelor of science degree or an  
 325 equivalent undergraduate degree. Road-to-Independence Program  
 326 funds may not be used for education or training after a young  
 327 adult has attained a bachelor of arts or a bachelor of science  
 328 degree or an equivalent undergraduate degree.

329 i. The department shall evaluate and renew each award  
 330 annually during the 90-day period before the young adult's  
 331 birthday. In order to be eligible for a renewal award for the  
 332 subsequent year, the young adult must:

333 (I) Complete the number of hours, or the equivalent  
 334 considered full time by the educational institution, unless that  
 335 young adult has a recognized disability preventing full-time  
 336 attendance, in the last academic year in which the young adult

337 | earned an award, except for a young adult who meets the  
 338 | requirements of s. 1009.41.

339 |       (II) Maintain appropriate progress as required by the  
 340 | educational institution, except that, if the young adult's  
 341 | progress is insufficient to renew the award at any time during  
 342 | the eligibility period, the young adult may restore eligibility  
 343 | by improving his or her progress to the required level.

344 |       j. Funds may be terminated during the interim between an  
 345 | award and the evaluation for a renewal award if the department  
 346 | determines that the award recipient is no longer enrolled in an  
 347 | educational institution as defined in sub-subparagraph 2.d., or  
 348 | is no longer a state resident. The department shall notify a  
 349 | recipient who is terminated and inform the recipient of his or  
 350 | her right to appeal.

351 |       k. An award recipient who does not qualify for a renewal  
 352 | award or who chooses not to renew the award may subsequently  
 353 | apply for reinstatement. An application for reinstatement must  
 354 | be made before the young adult reaches 23 years of age, and a  
 355 | student may not apply for reinstatement more than once. In order  
 356 | to be eligible for reinstatement, the young adult must meet the  
 357 | eligibility criteria and the criteria for award renewal for the  
 358 | program.

359 |       Section 33. Subsection (7) of section 1001.11, Florida  
 360 | Statutes, is amended to read:

361 |       1001.11 Commissioner of Education; other duties.—

362 |       (7) The commissioner shall make prominently available on  
 363 | the department's website the following: links to the Internet-  
 364 | based clearinghouse for professional development regarding

365 physical education; the school wellness and physical education  
 366 policies and other resources required under s. 1003.453(1) ~~and~~  
 367 ~~(2)~~; and other Internet sites that provide professional  
 368 development for elementary teachers of physical education as  
 369 defined in s. 1003.01(16). These links must provide elementary  
 370 teachers with information concerning current physical education  
 371 and nutrition philosophy and best practices that result in  
 372 student participation in physical activities that promote  
 373 lifelong physical and mental well-being.

374 Section 34. Paragraph (f) of subsection (3) and subsection  
 375 (8) of section 1002.20, Florida Statutes, are amended to read:

376 1002.20 K-12 student and parent rights.—Parents of public  
 377 school students must receive accurate and timely information  
 378 regarding their child's academic progress and must be informed  
 379 of ways they can help their child to succeed in school. K-12  
 380 students and their parents are afforded numerous statutory  
 381 rights including, but not limited to, the following:

382 (3) HEALTH ISSUES.—

383 (f) Career education courses involving hazardous  
 384 substances.—High school students must be given plano safety  
 385 glasses or devices in career education courses involving the use  
 386 of hazardous substances likely to cause eye injury, ~~in~~  
 387 ~~accordance with the provisions of s. 1006.65.~~

388 (8) STUDENTS WITH DISABILITIES.—Parents of public school  
 389 students with disabilities and parents of public school students  
 390 in residential care facilities are entitled to notice and due  
 391 process in accordance with the provisions of ss. 1003.57 and  
 392 1003.58. Public school students with disabilities must be



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393 provided the opportunity to meet the graduation requirements for  
 394 a standard high school diploma in accordance with the provisions  
 395 of s. 1003.428(3) ~~1003.43(4)~~. Certain public school students  
 396 with disabilities may be awarded a special diploma upon high  
 397 school graduation.

398 Section 35. Paragraph (a) of subsection (7) of section  
 399 1002.33, Florida Statutes, is amended to read:

400 1002.33 Charter schools.—

401 (7) CHARTER.—The major issues involving the operation of a  
 402 charter school shall be considered in advance and written into  
 403 the charter. The charter shall be signed by the governing board  
 404 of the charter school and the sponsor, following a public  
 405 hearing to ensure community input.

406 (a) The charter shall address and criteria for approval of  
 407 the charter shall be based on:

408 1. The school's mission, the students to be served, and  
 409 the ages and grades to be included.

410 2. The focus of the curriculum, the instructional methods  
 411 to be used, any distinctive instructional techniques to be  
 412 employed, and identification and acquisition of appropriate  
 413 technologies needed to improve educational and administrative  
 414 performance which include a means for promoting safe, ethical,  
 415 and appropriate uses of technology which comply with legal and  
 416 professional standards.

417 a. The charter shall ensure that reading is a primary  
 418 focus of the curriculum and that resources are provided to  
 419 identify and provide specialized instruction for students who  
 420 are reading below grade level. The curriculum and instructional

421 strategies for reading must be consistent with the Sunshine  
 422 State Standards and grounded in scientifically based reading  
 423 research.

424       b. In order to provide students with access to diverse  
 425 instructional delivery models, to facilitate the integration of  
 426 technology within traditional classroom instruction, and to  
 427 provide students with the skills they need to compete in the  
 428 21st century economy, the Legislature encourages instructional  
 429 methods for blended learning courses consisting of both  
 430 traditional classroom and online instructional techniques.  
 431 Charter schools may implement blended learning courses which  
 432 combine traditional classroom instruction and virtual  
 433 instruction. Students in a blended learning course must be full-  
 434 time students of the charter school and receive the online  
 435 instruction in a classroom setting at the charter school.  
 436 Instructional personnel certified pursuant to s. 1012.55 who  
 437 provide virtual instruction for blended learning courses may be  
 438 employees of the charter school or may be under contract to  
 439 provide instructional services to charter school students. At a  
 440 minimum, such instructional personnel must hold an active state  
 441 or school district adjunct certification under s. 1012.57 for  
 442 the subject area of the blended learning course. The funding and  
 443 performance accountability requirements for blended learning  
 444 courses are the same as those for traditional courses.

445       3. The current incoming baseline standard of student  
 446 academic achievement, the outcomes to be achieved, and the  
 447 method of measurement that will be used. The criteria listed in  
 448 this subparagraph shall include a detailed description of:

449 a. How the baseline student academic achievement levels  
450 and prior rates of academic progress will be established.

451 b. How these baseline rates will be compared to rates of  
452 academic progress achieved by these same students while  
453 attending the charter school.

454 c. To the extent possible, how these rates of progress  
455 will be evaluated and compared with rates of progress of other  
456 closely comparable student populations.

457  
458 The district school board is required to provide academic  
459 student performance data to charter schools for each of their  
460 students coming from the district school system, as well as  
461 rates of academic progress of comparable student populations in  
462 the district school system.

463 4. The methods used to identify the educational strengths  
464 and needs of students and how well educational goals and  
465 performance standards are met by students attending the charter  
466 school. The methods shall provide a means for the charter school  
467 to ensure accountability to its constituents by analyzing  
468 student performance data and by evaluating the effectiveness and  
469 efficiency of its major educational programs. Students in  
470 charter schools shall, at a minimum, participate in the  
471 statewide assessment program created under s. 1008.22.

472 5. In secondary charter schools, a method for determining  
473 that a student has satisfied the requirements for graduation in  
474 s. 1003.428 or s. 1003.429, ~~or s. 1003.43.~~

475 6. A method for resolving conflicts between the governing  
476 board of the charter school and the sponsor.

477           7. The admissions procedures and dismissal procedures,  
478 including the school's code of student conduct.

479           8. The ways by which the school will achieve a  
480 racial/ethnic balance reflective of the community it serves or  
481 within the racial/ethnic range of other public schools in the  
482 same school district.

483           9. The financial and administrative management of the  
484 school, including a reasonable demonstration of the professional  
485 experience or competence of those individuals or organizations  
486 applying to operate the charter school or those hired or  
487 retained to perform such professional services and the  
488 description of clearly delineated responsibilities and the  
489 policies and practices needed to effectively manage the charter  
490 school. A description of internal audit procedures and  
491 establishment of controls to ensure that financial resources are  
492 properly managed must be included. Both public sector and  
493 private sector professional experience shall be equally valid in  
494 such a consideration.

495           10. The asset and liability projections required in the  
496 application which are incorporated into the charter and shall be  
497 compared with information provided in the annual report of the  
498 charter school.

499           11. A description of procedures that identify various  
500 risks and provide for a comprehensive approach to reduce the  
501 impact of losses; plans to ensure the safety and security of  
502 students and staff; plans to identify, minimize, and protect  
503 others from violent or disruptive student behavior; and the  
504 manner in which the school will be insured, including whether or

505 | not the school will be required to have liability insurance,  
 506 | and, if so, the terms and conditions thereof and the amounts of  
 507 | coverage.

508 |         12. The term of the charter which shall provide for  
 509 | cancellation of the charter if insufficient progress has been  
 510 | made in attaining the student achievement objectives of the  
 511 | charter and if it is not likely that such objectives can be  
 512 | achieved before expiration of the charter. The initial term of a  
 513 | charter shall be for 4 or 5 years. In order to facilitate access  
 514 | to long-term financial resources for charter school  
 515 | construction, charter schools that are operated by a  
 516 | municipality or other public entity as provided by law are  
 517 | eligible for up to a 15-year charter, subject to approval by the  
 518 | district school board. A charter lab school is eligible for a  
 519 | charter for a term of up to 15 years. In addition, to facilitate  
 520 | access to long-term financial resources for charter school  
 521 | construction, charter schools that are operated by a private,  
 522 | not-for-profit, s. 501(c)(3) status corporation are eligible for  
 523 | up to a 15-year charter, subject to approval by the district  
 524 | school board. Such long-term charters remain subject to annual  
 525 | review and may be terminated during the term of the charter, but  
 526 | only according to the provisions set forth in subsection (8).

527 |         13. The facilities to be used and their location.

528 |         14. The qualifications to be required of the teachers and  
 529 | the potential strategies used to recruit, hire, train, and  
 530 | retain qualified staff to achieve best value.

531 |         15. The governance structure of the school, including the  
 532 | status of the charter school as a public or private employer as

533 required in paragraph (12)(i).

534 16. A timetable for implementing the charter which  
 535 addresses the implementation of each element thereof and the  
 536 date by which the charter shall be awarded in order to meet this  
 537 timetable.

538 17. In the case of an existing public school that is being  
 539 converted to charter status, alternative arrangements for  
 540 current students who choose not to attend the charter school and  
 541 for current teachers who choose not to teach in the charter  
 542 school after conversion in accordance with the existing  
 543 collective bargaining agreement or district school board rule in  
 544 the absence of a collective bargaining agreement. However,  
 545 alternative arrangements shall not be required for current  
 546 teachers who choose not to teach in a charter lab school, except  
 547 as authorized by the employment policies of the state university  
 548 which grants the charter to the lab school.

549 18. Full disclosure of the identity of all relatives  
 550 employed by the charter school who are related to the charter  
 551 school owner, president, chairperson of the governing board of  
 552 directors, superintendent, governing board member, principal,  
 553 assistant principal, or any other person employed by the charter  
 554 school who has equivalent decisionmaking authority. For the  
 555 purpose of this subparagraph, the term "relative" means father,  
 556 mother, son, daughter, brother, sister, uncle, aunt, first  
 557 cousin, nephew, niece, husband, wife, father-in-law, mother-in-  
 558 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,  
 559 stepfather, stepmother, stepson, stepdaughter, stepbrother,  
 560 stepsister, half brother, or half sister.

561 19. Implementation of the activities authorized under s.  
 562 1002.331 by the charter school when it satisfies the eligibility  
 563 requirements for a high-performing charter school. A high-  
 564 performing charter school shall notify its sponsor in writing by  
 565 March 1 if it intends to increase enrollment or expand grade  
 566 levels the following school year. The written notice shall  
 567 specify the amount of the enrollment increase and the grade  
 568 levels that will be added, as applicable.

569 Section 36. Paragraph (g) of subsection (4) of section  
 570 1002.34, Florida Statutes, is amended to read:

571 1002.34 Charter technical career centers.—

572 (4) CHARTER.—A sponsor may designate centers as provided  
 573 in this section. An application to establish a center may be  
 574 submitted by a sponsor or another organization that is  
 575 determined, by rule of the State Board of Education, to be  
 576 appropriate. However, an independent school is not eligible for  
 577 status as a center. The charter must be signed by the governing  
 578 body of the center and the sponsor and must be approved by the  
 579 district school board and Florida College System institution  
 580 board of trustees in whose geographic region the facility is  
 581 located. If a charter technical career center is established by  
 582 the conversion to charter status of a public technical center  
 583 formerly governed by a district school board, the charter status  
 584 of that center takes precedence in any question of governance.  
 585 The governance of the center or of any program within the center  
 586 remains with its board of directors unless the board agrees to a  
 587 change in governance or its charter is revoked as provided in  
 588 subsection (15). Such a conversion charter technical career

589 center is not affected by a change in the governance of public  
 590 technical centers or of programs within other centers that are  
 591 or have been governed by district school boards. A charter  
 592 technical career center, or any program within such a center,  
 593 that was governed by a district school board and transferred to  
 594 a Florida College System institution prior to the effective date  
 595 of this act is not affected by this provision. An applicant who  
 596 wishes to establish a center must submit to the district school  
 597 board or Florida College System institution board of trustees,  
 598 or a consortium of one or more of each, an application on a form  
 599 developed by the Department of Education which includes:

600 (g) A method for determining whether a student has  
 601 satisfied the requirements for graduation specified in s.  
 602 1003.428 or s. 1003.429 ~~1003.43~~ and for completion of a  
 603 postsecondary certificate or degree.

604  
 605 Students at a center must meet the same testing and academic  
 606 performance standards as those established by law and rule for  
 607 students at public schools and public technical centers. The  
 608 students must also meet any additional assessment indicators  
 609 that are included within the charter approved by the district  
 610 school board or Florida College System institution board of  
 611 trustees.

612 Section 37. Paragraph (b) of subsection (4) of section  
 613 1002.45, Florida Statutes, is amended to read:

614 1002.45 Virtual instruction programs.—

615 (4) CONTRACT REQUIREMENTS.—Each contract with an approved  
 616 provider must at minimum:



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617 (b) Provide a method for determining that a student has  
 618 satisfied the requirements for graduation in s. 1003.428 or s.  
 619 1003.429, ~~or s. 1003.43~~ if the contract is for the provision of  
 620 a full-time virtual instruction program to students in grades 9  
 621 through 12.

622 Section 38. Paragraph (e) of subsection (3) of section  
 623 1003.03, Florida Statutes, is amended to read:

624 1003.03 Maximum class size.—

625 (3) IMPLEMENTATION OPTIONS.—District school boards must  
 626 consider, but are not limited to, implementing the following  
 627 items in order to meet the constitutional class size maximums  
 628 described in subsection (1):

629 (e) Use innovative methods to reduce the cost of school  
 630 construction by using prototype school designs, using SMART  
 631 Schools designs, ~~participating in the School Infrastructure~~  
 632 ~~Thrift Program~~, or any other method not prohibited by law.

633 Section 39. Subsection (1), paragraph (c) of subsection  
 634 (7), and subsection (8) of section 1003.429, Florida Statutes,  
 635 are amended to read:

636 1003.429 Accelerated high school graduation options.—

637 (1) Students who enter grade 9 in the 2006-2007 school  
 638 year and thereafter may select, upon receipt of each consent  
 639 required by this section, one of the following three high school  
 640 graduation options:

641 (a) Completion of the general requirements for high school  
 642 graduation pursuant to s. 1003.428 ~~or s. 1003.43~~, as applicable;

643 (b) Completion of a 3-year standard college preparatory  
 644 program requiring successful completion of a minimum of 18

645 | academic credits in grades 9 through 12. At least 6 of the 18  
 646 | credits required for completion of this program must be received  
 647 | in classes that are offered pursuant to the International  
 648 | Baccalaureate Program, the Advanced Placement Program, dual  
 649 | enrollment, Advanced International Certificate of Education, or  
 650 | specifically listed or identified by the Department of Education  
 651 | as rigorous pursuant to s. 1009.531(3). The 18 credits required  
 652 | for completion of this program shall be primary requirements and  
 653 | shall be distributed as follows:

- 654 |       1. Four credits in English, with major concentration in  
 655 | composition and literature;
- 656 |       2. Three credits and, beginning with students entering  
 657 | grade 9 in the 2010-2011 school year, four credits in  
 658 | mathematics at the Algebra I level or higher from the list of  
 659 | courses that qualify for state university admission. Beginning  
 660 | with students entering grade 9 in the 2010-2011 school year, in  
 661 | addition to the Algebra I credit requirement, one of the four  
 662 | credits in mathematics must be geometry or a series of courses  
 663 | equivalent to geometry as approved by the State Board of  
 664 | Education. Beginning with students entering grade 9 in the 2010-  
 665 | 2011 school year, the end-of-course assessment requirements  
 666 | under s. 1008.22(3)(c)2.a.(I) must be met in order for a student  
 667 | to earn the required credit in Algebra I. Beginning with  
 668 | students entering grade 9 in the 2011-2012 school year, the end-  
 669 | of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)  
 670 | must be met in order for a student to earn the required credit  
 671 | in geometry. Beginning with students entering grade 9 in the  
 672 | 2012-2013 school year, in addition to the Algebra I and geometry

673 credit requirements, one of the four credits in mathematics must  
 674 be Algebra II or a series of courses equivalent to Algebra II as  
 675 approved by the State Board of Education;

676 3. Three credits in science, two of which must have a  
 677 laboratory component. Beginning with students entering grade 9  
 678 in the 2011-2012 school year, one of the three credits in  
 679 science must be Biology I or a series of courses equivalent to  
 680 Biology I as approved by the State Board of Education. Beginning  
 681 with students entering grade 9 in the 2011-2012 school year, the  
 682 end-of-course assessment requirements under s.

683 1008.22(3)(c)2.a.(II) must be met in order for a student to earn  
 684 the required credit in Biology I. Beginning with students  
 685 entering grade 9 in the 2013-2014 school year, one of the three  
 686 credits must be Biology I or a series of courses equivalent to  
 687 Biology I as approved by the State Board of Education, one  
 688 credit must be chemistry or physics or a series of courses  
 689 equivalent to chemistry or physics as approved by the State  
 690 Board of Education, and one credit must be an equally rigorous  
 691 course, as approved by the State Board of Education;

692 4. Three credits in social sciences, which must include  
 693 one credit in United States history, one credit in world  
 694 history, one-half credit in United States government, and one-  
 695 half credit in economics;

696 5. Two credits in the same second language unless the  
 697 student is a native speaker of or can otherwise demonstrate  
 698 competency in a language other than English. If the student  
 699 demonstrates competency in another language, the student may  
 700 replace the language requirement with two credits in other

701 academic courses; and

702 6. Three credits in electives and, beginning with students  
 703 entering grade 9 in the 2010-2011 school year, two credits in  
 704 electives; or

705 (c) Completion of a 3-year career preparatory program  
 706 requiring successful completion of a minimum of 18 academic  
 707 credits in grades 9 through 12. The 18 credits shall be primary  
 708 requirements and shall be distributed as follows:

709 1. Four credits in English, with major concentration in  
 710 composition and literature;

711 2. Three credits and, beginning with students entering  
 712 grade 9 in the 2010-2011 school year, four credits in  
 713 mathematics, one of which must be Algebra I. Beginning with  
 714 students entering grade 9 in the 2010-2011 school year, in  
 715 addition to the Algebra I credit requirement, one of the four  
 716 credits in mathematics must be geometry or a series of courses  
 717 equivalent to geometry as approved by the State Board of  
 718 Education. Beginning with students entering grade 9 in the 2010-  
 719 2011 school year, the end-of-course assessment requirements  
 720 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student  
 721 to earn the required credit in Algebra I. Beginning with  
 722 students entering grade 9 in the 2011-2012 school year, the end-  
 723 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)  
 724 must be met in order for a student to earn the required credit  
 725 in geometry. Beginning with students entering grade 9 in the  
 726 2012-2013 school year, in addition to the Algebra I and geometry  
 727 credit requirements, one of the four credits in mathematics must  
 728 be Algebra II or a series of courses equivalent to Algebra II as

729 approved by the State Board of Education;

730 3. Three credits in science, two of which must have a

731 laboratory component. Beginning with students entering grade 9

732 in the 2011-2012 school year, one of the three credits in

733 science must be Biology I or a series of courses equivalent to

734 Biology I as approved by the State Board of Education. Beginning

735 with students entering grade 9 in the 2011-2012 school year, the

736 end-of-course assessment requirements under s.

737 1008.22(3)(c)2.a.(II) must be met in order for a student to earn

738 the required credit in Biology I. Beginning with students

739 entering grade 9 in the 2013-2014 school year, one of the three

740 credits must be Biology I or a series of courses equivalent to

741 Biology I as approved by the State Board of Education, one

742 credit must be chemistry or physics or a series of courses

743 equivalent to chemistry or physics as approved by the State

744 Board of Education, and one credit must be an equally rigorous

745 course, as approved by the State Board of Education;

746 4. Three credits in social sciences, which must include

747 one credit in United States history, one credit in world

748 history, one-half credit in United States government, and one-

749 half credit in economics;

750 5. Three credits in a single vocational or career

751 education program, three credits in career and technical

752 certificate dual enrollment courses, or five credits in

753 vocational or career education courses; and

754 6. Two credits and, beginning with students entering grade

755 9 in the 2010-2011 school year, one credit in electives unless

756 five credits are earned pursuant to subparagraph 5.

757  
 758 Any student who selected an accelerated graduation program  
 759 before July 1, 2004, may continue that program, and all  
 760 statutory program requirements that were applicable when the  
 761 student made the program choice shall remain applicable to the  
 762 student as long as the student continues that program.

763 (7) If, at the end of each grade, a student is not on  
 764 track to meet the credit, assessment, or grade-point-average  
 765 requirements of the accelerated graduation option selected, the  
 766 school shall notify the student and parent of the following:

767 (c) The right of the student to change to the 4-year  
 768 program set forth in s. 1003.428 ~~or s. 1003.43, as applicable.~~

769 (8) A student who selected one of the accelerated 3-year  
 770 graduation options shall automatically move to the 4-year  
 771 program set forth in s. 1003.428 ~~or s. 1003.43, if applicable,~~  
 772 if the student:

773 (a) Exercises his or her right to change to the 4-year  
 774 program;

775 (b) Fails to earn 5 credits by the end of grade 9 or fails  
 776 to earn 11 credits by the end of grade 10;

777 (c) Does not achieve a score of 3 or higher on the grade  
 778 10 FCAT Writing assessment; or

779 (d) By the end of grade 11 does not meet the requirements  
 780 of subsections (1) and (6).

781 Section 40. Section 1003.438, Florida Statutes, is amended  
 782 to read:

783 1003.438 Special high school graduation requirements for  
 784 certain exceptional students.—A student who has been identified,

785 | in accordance with rules established by the State Board of  
 786 | Education, as a student with disabilities who has an  
 787 | intellectual disability; an autism spectrum disorder; a language  
 788 | impairment; an orthopedic impairment; an other health  
 789 | impairment; a traumatic brain injury; an emotional or behavioral  
 790 | disability; a specific learning disability, including, but not  
 791 | limited to, dyslexia, dyscalculia, or developmental aphasia; or  
 792 | students who are deaf or hard of hearing or dual sensory  
 793 | impaired shall not be required to meet all requirements of ~~s.~~  
 794 | ~~1003.43~~ ~~or~~ s. 1003.428 or s. 1003.429 and shall, upon meeting  
 795 | all applicable requirements prescribed by the district school  
 796 | board pursuant to s. 1008.25, be awarded a special diploma in a  
 797 | form prescribed by the commissioner; however, such special  
 798 | graduation requirements prescribed by the district school board  
 799 | must include minimum graduation requirements as prescribed by  
 800 | the commissioner. Any such student who meets all special  
 801 | requirements of the district school board, but is unable to meet  
 802 | the appropriate special state minimum requirements, shall be  
 803 | awarded a special certificate of completion in a form prescribed  
 804 | by the commissioner. However, this section does not limit or  
 805 | restrict the right of an exceptional student solely to a special  
 806 | diploma or special certificate of completion. Any such student  
 807 | shall, upon proper request, be afforded the opportunity to fully  
 808 | meet all requirements of ~~s. 1003.43~~ ~~or~~ s. 1003.428 or s.  
 809 | 1003.429 through the standard procedures established therein and  
 810 | thereby to qualify for a standard diploma upon graduation.

811 |       Section 41. Subsection (1) of section 1003.49, Florida  
 812 | Statutes, is amended to read:

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813 1003.49 Graduation and promotion requirements for publicly  
 814 operated schools.-

815 (1) Each state or local public agency, including the  
 816 Department of Children and Family Services, the Department of  
 817 Corrections, the boards of trustees of universities and Florida  
 818 College System institutions, and the Board of Trustees of the  
 819 Florida School for the Deaf and the Blind, which agency is  
 820 authorized to operate educational programs for students at any  
 821 level of grades kindergarten through 12 shall be subject to all  
 822 applicable requirements of ss. 1003.428, 1003.429 ~~1003.43,~~  
 823 1008.23, and 1008.25. Within the content of these cited statutes  
 824 each such state or local public agency or entity shall be  
 825 considered a "district school board."

826 Section 42. Paragraph (c) of subsection (4) of section  
 827 1004.70, Florida Statutes, is amended to read:

828 1004.70 Florida College System institution direct-support  
 829 organizations.-

830 (4) ACTIVITIES; RESTRICTIONS.-

831 (c) Any transaction or agreement between one direct-  
 832 support organization and another direct-support organization ~~or~~  
 833 ~~between a direct-support organization and a center of technology~~  
 834 ~~innovation designated under s. 1004.77~~ must be approved by the  
 835 board of trustees.

836 Section 43. Paragraph (b) of subsection (4) of section  
 837 1004.71, Florida Statutes, is amended to read:

838 1004.71 Statewide Florida College System institution  
 839 direct-support organizations.-

840 (4) RESTRICTIONS.-



841 (b) Any transaction or agreement between a statewide,  
 842 direct-support organization and any other direct-support  
 843 organization ~~or between a statewide, direct-support organization~~  
 844 ~~and a center of technology innovation designated under s.~~  
 845 ~~1004.77~~ must be approved by the State Board of Education.

846 Section 44. Paragraph (f) of subsection (2) of section  
 847 1006.025, Florida Statutes, is amended to read:

848 1006.025 Guidance services.—

849 (2) The guidance report shall include, but not be limited  
 850 to, the following:

851 ~~(f) Actions taken to provide information to students for~~  
 852 ~~the school to work transition pursuant to s. 1006.02.~~

853 Section 45. Paragraph (a) of subsection (3) of section  
 854 1006.15, Florida Statutes, is amended to read:

855 1006.15 Student standards for participation in  
 856 interscholastic and intrascholastic extracurricular student  
 857 activities; regulation.—

858 (3)(a) To be eligible to participate in interscholastic  
 859 extracurricular student activities, a student must:

860 1. Maintain a grade point average of 2.0 or above on a 4.0  
 861 scale, or its equivalent, in the previous semester or a  
 862 cumulative grade point average of 2.0 or above on a 4.0 scale,  
 863 or its equivalent, in the courses required by s. 1003.428 or s.  
 864 1003.429 ~~1003.43(1)~~.

865 2. Execute and fulfill the requirements of an academic  
 866 performance contract between the student, the district school  
 867 board, the appropriate governing association, and the student's  
 868 parents, if the student's cumulative grade point average falls

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869 below 2.0, or its equivalent, on a 4.0 scale in the courses  
 870 required by s. 1003.428 or s. 1003.429 ~~1003.43(1)~~ or, for  
 871 ~~students who entered the 9th grade prior to the 1997-1998 school~~  
 872 ~~year, if the student's cumulative grade point average falls~~  
 873 ~~below 2.0 on a 4.0 scale, or its equivalent, in the courses~~  
 874 ~~required by s. 1003.43(1) which are taken after July 1, 1997.~~ At  
 875 a minimum, the contract must require that the student attend  
 876 summer school, or its graded equivalent, between grades 9 and 10  
 877 or grades 10 and 11, as necessary.

878         3. Have a cumulative grade point average of 2.0 or above  
 879 on a 4.0 scale, or its equivalent, in the courses required by s.  
 880 1003.428 or s. 1003.429 ~~1003.43(1)~~ during his or her junior or  
 881 senior year.

882         4. Maintain satisfactory conduct, including adherence to  
 883 appropriate dress and other codes of student conduct policies  
 884 described in s. 1006.07(2). If a student is convicted of, or is  
 885 found to have committed, a felony or a delinquent act that would  
 886 have been a felony if committed by an adult, regardless of  
 887 whether adjudication is withheld, the student's participation in  
 888 interscholastic extracurricular activities is contingent upon  
 889 established and published district school board policy.

890         Section 46. Subsection (4) of section 1007.263, Florida  
 891 Statutes, is amended to read:

892         1007.263 Florida College System institutions; admissions  
 893 of students.—Each Florida College System institution board of  
 894 trustees is authorized to adopt rules governing admissions of  
 895 students subject to this section and rules of the State Board of  
 896 Education. These rules shall include the following:

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897 (4) A student who has been awarded a special diploma as  
 898 defined in s. 1003.438 or a certificate of completion as defined  
 899 in s. 1003.428(7)(b) ~~1003.43(10)~~ is eligible to enroll in  
 900 certificate career education programs.

901  
 902 Each board of trustees shall establish policies that notify  
 903 students about, and place students into, adult basic education,  
 904 adult secondary education, or other instructional programs that  
 905 provide students with alternatives to traditional college-  
 906 preparatory instruction, including private provider instruction.  
 907 A student is prohibited from enrolling in additional college-  
 908 level courses until the student scores above the cut-score on  
 909 all sections of the common placement test.

910 Section 47. Subsections (2) and (9) of section 1007.271,  
 911 Florida Statutes, are amended to read:

912 1007.271 Dual enrollment programs.—

913 (2) For the purpose of this section, an eligible secondary  
 914 student is a student who is enrolled in a Florida public  
 915 secondary school or in a Florida private secondary school which  
 916 is in compliance with s. 1002.42(2) and provides a secondary  
 917 curriculum pursuant to s. 1003.428 or s. 1003.429, ~~or s.~~  
 918 ~~1003.43~~. Students who are eligible for dual enrollment pursuant  
 919 to this section may enroll in dual enrollment courses conducted  
 920 during school hours, after school hours, and during the summer  
 921 term. However, if the student is projected to graduate from high  
 922 school before the scheduled completion date of a postsecondary  
 923 course, the student may not register for that course through  
 924 dual enrollment. The student may apply to the postsecondary

925 institution and pay the required registration, tuition, and fees  
 926 if the student meets the postsecondary institution's admissions  
 927 requirements under s. 1007.263. Instructional time for dual  
 928 enrollment may vary from 900 hours; however, the school district  
 929 may only report the student for a maximum of 1.0 FTE, as  
 930 provided in s. 1011.61(4). Any student enrolled as a dual  
 931 enrollment student is exempt from the payment of registration,  
 932 tuition, and laboratory fees. Vocational-preparatory  
 933 instruction, college-preparatory instruction, and other forms of  
 934 precollegiate instruction, as well as physical education courses  
 935 that focus on the physical execution of a skill rather than the  
 936 intellectual attributes of the activity, are ineligible for  
 937 inclusion in the dual enrollment program. Recreation and leisure  
 938 studies courses shall be evaluated individually in the same  
 939 manner as physical education courses for potential inclusion in  
 940 the program.

941 (9) The Commissioner of Education shall appoint faculty  
 942 committees representing public school, Florida College System  
 943 institution, and university faculties to identify postsecondary  
 944 courses that meet the high school graduation requirements of s.  
 945 1003.428 or, s. 1003.429, ~~or s. 1003.43~~ and to establish the  
 946 number of postsecondary semester credit hours of instruction and  
 947 equivalent high school credits earned through dual enrollment  
 948 pursuant to this section that are necessary to meet high school  
 949 graduation requirements. Such equivalencies shall be determined  
 950 solely on comparable course content and not on seat time  
 951 traditionally allocated to such courses in high school. The  
 952 Commissioner of Education shall recommend to the State Board of

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953 Education those postsecondary courses identified to meet high  
 954 school graduation requirements, based on mastery of course  
 955 outcomes, by their course numbers, and all high schools shall  
 956 accept these postsecondary education courses toward meeting the  
 957 requirements of s. 1003.428 or s. 1003.429, ~~or s. 1003.43.~~

958 Section 48. Paragraph (c) of subsection (3) of section  
 959 1008.22, Florida Statutes, is amended to read:

960 1008.22 Student assessment program for public schools.—

961 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall  
 962 design and implement a statewide program of educational  
 963 assessment that provides information for the improvement of the  
 964 operation and management of the public schools, including  
 965 schools operating for the purpose of providing educational  
 966 services to youth in Department of Juvenile Justice programs.  
 967 The commissioner may enter into contracts for the continued  
 968 administration of the assessment programs authorized and funded  
 969 by the Legislature. Contracts may be initiated in 1 fiscal year  
 970 and continue into the next and may be paid from the  
 971 appropriations of either or both fiscal years. The commissioner  
 972 is authorized to negotiate for the sale or lease of tests,  
 973 scoring protocols, test scoring services, and related materials  
 974 developed pursuant to law. Pursuant to the statewide assessment  
 975 program, the commissioner shall:

976 (c) Develop and implement a student achievement assessment  
 977 program as follows:

978 1. The Florida Comprehensive Assessment Test (FCAT)  
 979 measures a student's content knowledge and skills in reading,  
 980 writing, science, and mathematics. The content knowledge and

981 skills assessed by the FCAT must be aligned to the core  
 982 curricular content established in the Next Generation Sunshine  
 983 State Standards. FCAT Reading and FCAT Mathematics shall be  
 984 administered annually in grades 3 through 10 except, beginning  
 985 with the 2010-2011 school year, the administration of grade 9  
 986 FCAT Mathematics shall be discontinued, and beginning with the  
 987 2011-2012 school year, the administration of grade 10 FCAT  
 988 Mathematics shall be discontinued, except as required for  
 989 students who have not attained minimum performance expectations  
 990 for graduation as provided in paragraph (9)(c). FCAT Writing and  
 991 FCAT Science shall be administered at least once at the  
 992 elementary, middle, and high school levels except, beginning  
 993 with the 2011-2012 school year, the administration of FCAT  
 994 Science at the high school level shall be discontinued. Students  
 995 enrolled in an Algebra I, geometry, or Biology I course or an  
 996 equivalent course with a statewide, standardized end-of-course  
 997 assessment are not required to take the corresponding grade-  
 998 level FCAT assessment.

999       2.a. End-of-course assessments must be rigorous,  
 1000 statewide, standardized, and developed or approved by the  
 1001 department. The content knowledge and skills assessed by end-of-  
 1002 course assessments must be aligned to the core curricular  
 1003 content established in the Next Generation Sunshine State  
 1004 Standards.

1005       (I) Statewide, standardized end-of-course assessments in  
 1006 mathematics shall be administered according to this sub-sub-  
 1007 subparagraph. Beginning with the 2010-2011 school year, all  
 1008 students enrolled in Algebra I or an equivalent course must take

1009 | the Algebra I end-of-course assessment. For students entering  
 1010 | grade 9 during the 2010-2011 school year and who are enrolled in  
 1011 | Algebra I or an equivalent, each student's performance on the  
 1012 | end-of-course assessment in Algebra I shall constitute 30  
 1013 | percent of the student's final course grade. Beginning with the  
 1014 | 2012-2013 school year, the end-of-course assessment in Algebra I  
 1015 | shall be administered four times annually. Beginning with  
 1016 | students entering grade 9 in the 2011-2012 school year, a  
 1017 | student who is enrolled in Algebra I or an equivalent must earn  
 1018 | a passing score on the end-of-course assessment in Algebra I or  
 1019 | attain an equivalent score as described in subsection (11) in  
 1020 | order to earn course credit. Beginning with the 2011-2012 school  
 1021 | year, all students enrolled in geometry or an equivalent course  
 1022 | must take the geometry end-of-course assessment. For students  
 1023 | entering grade 9 during the 2011-2012 school year, each  
 1024 | student's performance on the end-of-course assessment in  
 1025 | geometry shall constitute 30 percent of the student's final  
 1026 | course grade. Beginning with students entering grade 9 during  
 1027 | the 2012-2013 school year, a student must earn a passing score  
 1028 | on the end-of-course assessment in geometry or attain an  
 1029 | equivalent score as described in subsection (11) in order to  
 1030 | earn course credit.

1031 |       (II) Statewide, standardized end-of-course assessments in  
 1032 | science shall be administered according to this sub-sub-  
 1033 | subparagraph. Beginning with the 2011-2012 school year, all  
 1034 | students enrolled in Biology I or an equivalent course must take  
 1035 | the Biology I end-of-course assessment. For the 2011-2012 school  
 1036 | year, each student's performance on the end-of-course assessment

1037 in Biology I shall constitute 30 percent of the student's final  
 1038 course grade. Beginning with students entering grade 9 during  
 1039 the 2012-2013 school year, a student must earn a passing score  
 1040 on the end-of-course assessment in Biology I in order to earn  
 1041 course credit.

1042 b. During the 2012-2013 school year, an end-of-course  
 1043 assessment in civics education shall be administered as a field  
 1044 test at the middle school level. During the 2013-2014 school  
 1045 year, each student's performance on the statewide, standardized  
 1046 end-of-course assessment in civics education shall constitute 30  
 1047 percent of the student's final course grade. Beginning with the  
 1048 2014-2015 school year, a student must earn a passing score on  
 1049 the end-of-course assessment in civics education in order to  
 1050 pass the course and be promoted from the middle grades. The  
 1051 school principal of a middle school shall determine, in  
 1052 accordance with State Board of Education rule, whether a student  
 1053 who transfers to the middle school and who has successfully  
 1054 completed a civics education course at the student's previous  
 1055 school must take an end-of-course assessment in civics  
 1056 education.

1057 c. The commissioner may select one or more nationally  
 1058 developed comprehensive examinations, which may include, but  
 1059 need not be limited to, examinations for a College Board  
 1060 Advanced Placement course, International Baccalaureate course,  
 1061 or Advanced International Certificate of Education course, or  
 1062 industry-approved examinations to earn national industry  
 1063 certifications identified in the Industry Certification Funding  
 1064 List, pursuant to rules adopted by the State Board of Education,



1065 for use as end-of-course assessments under this paragraph, if  
 1066 the commissioner determines that the content knowledge and  
 1067 skills assessed by the examinations meet or exceed the grade  
 1068 level expectations for the core curricular content established  
 1069 for the course in the Next Generation Sunshine State Standards.  
 1070 The commissioner may collaborate with the American Diploma  
 1071 Project in the adoption or development of rigorous end-of-course  
 1072 assessments that are aligned to the Next Generation Sunshine  
 1073 State Standards.

1074 d. Contingent upon funding provided in the General  
 1075 Appropriations Act, including the appropriation of funds  
 1076 received through federal grants, the Commissioner of Education  
 1077 shall establish an implementation schedule for the development  
 1078 and administration of additional statewide, standardized end-of-  
 1079 course assessments in English/Language Arts II, Algebra II,  
 1080 chemistry, physics, earth/space science, United States history,  
 1081 and world history. Priority shall be given to the development of  
 1082 end-of-course assessments in English/Language Arts II. The  
 1083 Commissioner of Education shall evaluate the feasibility and  
 1084 effect of transitioning from the grade 9 and grade 10 FCAT  
 1085 Reading and high school level FCAT Writing to an end-of-course  
 1086 assessment in English/Language Arts II. The commissioner shall  
 1087 report the results of the evaluation to the President of the  
 1088 Senate and the Speaker of the House of Representatives no later  
 1089 than July 1, 2011.

1090 3. The assessment program shall measure student content  
 1091 knowledge and skills adopted by the State Board of Education as  
 1092 specified in paragraph (a) and measure and report student

1093 performance levels of all students assessed in reading, writing,  
 1094 mathematics, and science. The commissioner shall provide for the  
 1095 tests to be developed or obtained, as appropriate, through  
 1096 contracts and project agreements with private vendors, public  
 1097 vendors, public agencies, postsecondary educational  
 1098 institutions, or school districts. The commissioner shall obtain  
 1099 input with respect to the design and implementation of the  
 1100 assessment program from state educators, assistive technology  
 1101 experts, and the public.

1102 4. The assessment program shall be composed of criterion-  
 1103 referenced tests that shall, to the extent determined by the  
 1104 commissioner, include test items that require the student to  
 1105 produce information or perform tasks in such a way that the core  
 1106 content knowledge and skills he or she uses can be measured.

1107 5. FCAT Reading, Mathematics, and Science and all  
 1108 statewide, standardized end-of-course assessments shall measure  
 1109 the content knowledge and skills a student has attained on the  
 1110 assessment by the use of scaled scores and achievement levels.  
 1111 Achievement levels shall range from 1 through 5, with level 1  
 1112 being the lowest achievement level, level 5 being the highest  
 1113 achievement level, and level 3 indicating satisfactory  
 1114 performance on an assessment. For purposes of FCAT Writing,  
 1115 student achievement shall be scored using a scale of 1 through 6  
 1116 and the score earned shall be used in calculating school grades.  
 1117 A score shall be designated for each subject area tested, below  
 1118 which score a student's performance is deemed inadequate. The  
 1119 school districts shall provide appropriate remedial instruction  
 1120 to students who score below these levels.

1121           6. The State Board of Education shall, by rule, designate  
 1122 a passing score for each part of the grade 10 assessment test  
 1123 and end-of-course assessments. Any rule that has the effect of  
 1124 raising the required passing scores may apply only to students  
 1125 taking the assessment for the first time after the rule is  
 1126 adopted by the State Board of Education. Except as otherwise  
 1127 provided in this subparagraph and as provided in s.  
 1128 1003.428(8)(b) ~~or s. 1003.43(11)(b)~~, students must earn a  
 1129 passing score on grade 10 FCAT Reading and grade 10 FCAT  
 1130 Mathematics or attain concordant scores as described in  
 1131 subsection (10) in order to qualify for a standard high school  
 1132 diploma.

1133           7. In addition to designating a passing score under  
 1134 subparagraph 6., the State Board of Education shall also  
 1135 designate, by rule, a score for each statewide, standardized  
 1136 end-of-course assessment which indicates that a student is high  
 1137 achieving and has the potential to meet college-readiness  
 1138 standards by the time the student graduates from high school.

1139           8. Participation in the assessment program is mandatory  
 1140 for all students attending public school, including students  
 1141 served in Department of Juvenile Justice programs, except as  
 1142 otherwise prescribed by the commissioner. A student who has not  
 1143 earned passing scores on the grade 10 FCAT as provided in  
 1144 subparagraph 6. must participate in each retake of the  
 1145 assessment until the student earns passing scores or achieves  
 1146 scores on a standardized assessment which are concordant with  
 1147 passing scores pursuant to subsection (10). If a student does  
 1148 not participate in the statewide assessment, the district must

1149 notify the student's parent and provide the parent with  
 1150 information regarding the implications of such nonparticipation.  
 1151 A parent must provide signed consent for a student to receive  
 1152 classroom instructional accommodations that would not be  
 1153 available or permitted on the statewide assessments and must  
 1154 acknowledge in writing that he or she understands the  
 1155 implications of such instructional accommodations. The State  
 1156 Board of Education shall adopt rules, based upon recommendations  
 1157 of the commissioner, for the provision of test accommodations  
 1158 for students in exceptional education programs and for students  
 1159 who have limited English proficiency. Accommodations that negate  
 1160 the validity of a statewide assessment are not allowable in the  
 1161 administration of the FCAT or an end-of-course assessment.  
 1162 However, instructional accommodations are allowable in the  
 1163 classroom if included in a student's individual education plan.  
 1164 Students using instructional accommodations in the classroom  
 1165 that are not allowable as accommodations on the FCAT or an end-  
 1166 of-course assessment may have the FCAT or an end-of-course  
 1167 assessment requirement waived pursuant to the requirements of s.  
 1168 1003.428(8)(b) ~~or s. 1003.43(11)(b)~~.

1169 9. A student seeking an adult high school diploma must  
 1170 meet the same testing requirements that a regular high school  
 1171 student must meet.

1172 10. District school boards must provide instruction to  
 1173 prepare students in the core curricular content established in  
 1174 the Next Generation Sunshine State Standards adopted under s.  
 1175 1003.41, including the core content knowledge and skills  
 1176 necessary for successful grade-to-grade progression and high

1177 | school graduation. If a student is provided with instructional  
 1178 | accommodations in the classroom that are not allowable as  
 1179 | accommodations in the statewide assessment program, as described  
 1180 | in the test manuals, the district must inform the parent in  
 1181 | writing and must provide the parent with information regarding  
 1182 | the impact on the student's ability to meet expected performance  
 1183 | levels in reading, writing, mathematics, and science. The  
 1184 | commissioner shall conduct studies as necessary to verify that  
 1185 | the required core curricular content is part of the district  
 1186 | instructional programs.

1187 |       11. District school boards must provide opportunities for  
 1188 | students to demonstrate an acceptable performance level on an  
 1189 | alternative standardized assessment approved by the State Board  
 1190 | of Education following enrollment in summer academies.

1191 |       12. The Department of Education must develop, or select,  
 1192 | and implement a common battery of assessment tools that will be  
 1193 | used in all juvenile justice programs in the state. These tools  
 1194 | must accurately measure the core curricular content established  
 1195 | in the Next Generation Sunshine State Standards.

1196 |       13. For students seeking a special diploma pursuant to s.  
 1197 | 1003.438, the Department of Education must develop or select and  
 1198 | implement an alternate assessment tool that accurately measures  
 1199 | the core curricular content established in the Next Generation  
 1200 | Sunshine State Standards for students with disabilities under s.  
 1201 | 1003.438.

1202 |       14. The Commissioner of Education shall establish  
 1203 | schedules for the administration of statewide assessments and  
 1204 | the reporting of student test results. When establishing the

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1205 | schedules for the administration of statewide assessments, the  
 1206 | commissioner shall consider the observance of religious and  
 1207 | school holidays. The commissioner shall, by August 1 of each  
 1208 | year, notify each school district in writing and publish on the  
 1209 | department's Internet website the testing and reporting  
 1210 | schedules for, at a minimum, the school year following the  
 1211 | upcoming school year. The testing and reporting schedules shall  
 1212 | require that:

1213 |       a. There is the latest possible administration of  
 1214 | statewide assessments and the earliest possible reporting to the  
 1215 | school districts of student test results which is feasible  
 1216 | within available technology and specific appropriations;  
 1217 | however, test results for the FCAT must be made available no  
 1218 | later than the week of June 8. Student results for end-of-course  
 1219 | assessments must be provided no later than 1 week after the  
 1220 | school district completes testing for each course. The  
 1221 | commissioner may extend the reporting schedule under exigent  
 1222 | circumstances.

1223 |       b. FCAT Writing may not be administered earlier than the  
 1224 | week of March 1, and a comprehensive statewide assessment of any  
 1225 | other subject may not be administered earlier than the week of  
 1226 | April 15.

1227 |       c. A statewide, standardized end-of-course assessment is  
 1228 | administered at the end of the course. The commissioner shall  
 1229 | select an administration period for assessments that meets the  
 1230 | intent of end-of-course assessments and provides student results  
 1231 | prior to the end of the course. School districts shall  
 1232 | administer tests in accordance with the schedule determined by

1233 the commissioner. For an end-of-course assessment administered  
 1234 at the end of the first semester, the commissioner shall  
 1235 determine the most appropriate testing dates based on a review  
 1236 of each school district's academic calendar.

1237  
 1238 The commissioner may, based on collaboration and input from  
 1239 school districts, design and implement student testing programs,  
 1240 for any grade level and subject area, necessary to effectively  
 1241 monitor educational achievement in the state, including the  
 1242 measurement of educational achievement of the Next Generation  
 1243 Sunshine State Standards for students with disabilities.  
 1244 Development and refinement of assessments shall include  
 1245 universal design principles and accessibility standards that  
 1246 will prevent any unintended obstacles for students with  
 1247 disabilities while ensuring the validity and reliability of the  
 1248 test. These principles should be applicable to all technology  
 1249 platforms and assistive devices available for the assessments.  
 1250 The field testing process and psychometric analyses for the  
 1251 statewide assessment program must include an appropriate  
 1252 percentage of students with disabilities and an evaluation or  
 1253 determination of the effect of test items on such students.

1254 Section 49. Section 1008.23, Florida Statutes, is amended  
 1255 to read:

1256 1008.23 Confidentiality of assessment instruments.—All  
 1257 examination and assessment instruments, including developmental  
 1258 materials and workpapers directly related thereto, which are  
 1259 prepared, prescribed, or administered pursuant to ss. ~~1003.43~~  
 1260 ~~1008.22~~ and 1008.25 shall be confidential and exempt from the

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1261 provisions of s. 119.07(1) and from s. 1001.52. Provisions  
 1262 governing access, maintenance, and destruction of such  
 1263 instruments and related materials shall be prescribed by rules  
 1264 of the State Board of Education.

1265 Section 50. Paragraph (a) of subsection (1) of section  
 1266 1009.40, Florida Statutes, is amended to read:

1267 1009.40 General requirements for student eligibility for  
 1268 state financial aid awards and tuition assistance grants.—

1269 (1)(a) The general requirements for eligibility of  
 1270 students for state financial aid awards and tuition assistance  
 1271 grants consist of the following:

1272 1. Achievement of the academic requirements of and  
 1273 acceptance at a state university or Florida College System  
 1274 institution; a nursing diploma school approved by the Florida  
 1275 Board of Nursing; a Florida college or university which is  
 1276 accredited by an accrediting agency recognized by the State  
 1277 Board of Education; any Florida institution the credits of which  
 1278 are acceptable for transfer to state universities; any career  
 1279 center; or any private career institution accredited by an  
 1280 accrediting agency recognized by the State Board of Education.

1281 2. Residency in this state for no less than 1 year  
 1282 preceding the award of aid or a tuition assistance grant for a  
 1283 program established pursuant to s. 1009.50, s. 1009.505, s.  
 1284 1009.51, s. 1009.52, s. 1009.53, s. 1009.56, s. 1009.60, s.  
 1285 1009.62, ~~s. 1009.68~~, s. 1009.72, s. 1009.73, s. 1009.77, s.  
 1286 1009.89, or s. 1009.891. Residency in this state must be for  
 1287 purposes other than to obtain an education. Resident status for  
 1288 purposes of receiving state financial aid awards shall be



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1289 determined in the same manner as resident status for tuition  
 1290 purposes pursuant to s. 1009.21.

1291 3. Submission of certification attesting to the accuracy,  
 1292 completeness, and correctness of information provided to  
 1293 demonstrate a student's eligibility to receive state financial  
 1294 aid awards or tuition assistance grants. Falsification of such  
 1295 information shall result in the denial of any pending  
 1296 application and revocation of any award or grant currently held  
 1297 to the extent that no further payments shall be made.  
 1298 Additionally, students who knowingly make false statements in  
 1299 order to receive state financial aid awards or tuition  
 1300 assistance grants commit a misdemeanor of the second degree  
 1301 subject to the provisions of s. 837.06 and shall be required to  
 1302 return all state financial aid awards or tuition assistance  
 1303 grants wrongfully obtained.

1304 Section 51. Paragraph (b) of subsection (1) of section  
 1305 1009.531, Florida Statutes, is amended to read:

1306 1009.531 Florida Bright Futures Scholarship Program;  
 1307 student eligibility requirements for initial awards.—

1308 (1) Effective January 1, 2008, in order to be eligible for  
 1309 an initial award from any of the three types of scholarships  
 1310 under the Florida Bright Futures Scholarship Program, a student  
 1311 must:

1312 (b) Earn a standard Florida high school diploma or its  
 1313 equivalent pursuant to s. 1003.428, s. 1003.4281, s. 1003.429,  
 1314 ~~s. 1003.43~~, or s. 1003.435 unless:

1315 1. The student completes a home education program  
 1316 according to s. 1002.41; or

1317 2. The student earns a high school diploma from a non-  
 1318 Florida school while living with a parent or guardian who is on  
 1319 military or public service assignment away from Florida.

1320 Section 52. Paragraph (c) of subsection (2) of section  
 1321 1009.94, Florida Statutes, is amended to read:

1322 1009.94 Student financial assistance database.—

1323 (2) For purposes of this section, financial assistance  
 1324 includes:

1325 (c) Any financial assistance provided under s. 1009.50, s.  
 1326 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.55, s.  
 1327 1009.56, s. 1009.60, s. 1009.62, ~~s. 1009.68~~, s. 1009.70, s.  
 1328 1009.701, s. 1009.72, s. 1009.73, s. 1009.74, s. 1009.77, s.  
 1329 1009.89, or s. 1009.891.

1330 Section 53. Paragraph (c) of subsection (1) of section  
 1331 1011.61, Florida Statutes, is amended to read:

1332 1011.61 Definitions.—Notwithstanding the provisions of s.  
 1333 1000.21, the following terms are defined as follows for the  
 1334 purposes of the Florida Education Finance Program:

1335 (1) A "full-time equivalent student" in each program of  
 1336 the district is defined in terms of full-time students and part-  
 1337 time students as follows:

1338 (c)1. A "full-time equivalent student" is:

1339 a. A full-time student in any one of the programs listed  
 1340 in s. 1011.62(1)(c); or

1341 b. A combination of full-time or part-time students in any  
 1342 one of the programs listed in s. 1011.62(1)(c) which is the  
 1343 equivalent of one full-time student based on the following  
 1344 calculations:

1345 (I) A full-time student in a combination of programs  
 1346 listed in s. 1011.62(1)(c) shall be a fraction of a full-time  
 1347 equivalent membership in each program equal to the number of net  
 1348 hours per school year for which he or she is a member, divided  
 1349 by the appropriate number of hours set forth in subparagraph  
 1350 (a)1. or subparagraph (a)2. The sum of the fractions for each  
 1351 program may not exceed the maximum value set forth in subsection  
 1352 (4).

1353 (II) A prekindergarten student with a disability shall  
 1354 meet the requirements specified for kindergarten students.

1355 (III) A full-time equivalent student for students in  
 1356 kindergarten through grade 12 in a full-time virtual instruction  
 1357 program under s. 1002.45 or a virtual charter school under s.  
 1358 1002.33 shall consist of six full-credit completions or the  
 1359 prescribed level of content that counts toward promotion to the  
 1360 next grade in programs listed in s. 1011.62(1)(c). Credit  
 1361 completions may be a combination of full-credit courses or half-  
 1362 credit courses. Beginning in the 2014-2015 fiscal year, when s.  
 1363 1008.22(3)(g) is implemented, the reported full-time equivalent  
 1364 students and associated funding of students enrolled in courses  
 1365 requiring passage of an end-of-course assessment shall be  
 1366 adjusted after the student completes the end-of-course  
 1367 assessment.

1368 (IV) A full-time equivalent student for students in  
 1369 kindergarten through grade 12 in a part-time virtual instruction  
 1370 program under s. 1002.45 shall consist of six full-credit  
 1371 completions in programs listed in s. 1011.62(1)(c)1. and 3.  
 1372 Credit completions may be a combination of full-credit courses

1373 or half-credit courses. Beginning in the 2014-2015 fiscal year,  
 1374 when s. 1008.22(3)(g) is implemented, the reported full-time  
 1375 equivalent students and associated funding of students enrolled  
 1376 in courses requiring passage of an end-of-course assessment  
 1377 shall be adjusted after the student completes the end-of-course  
 1378 assessment.

1379 (V) A Florida Virtual School full-time equivalent student  
 1380 shall consist of six full-credit completions or the prescribed  
 1381 level of content that counts toward promotion to the next grade  
 1382 in the programs listed in s. 1011.62(1)(c)1. and 3. for students  
 1383 participating in kindergarten through grade 12 part-time virtual  
 1384 instruction and the programs listed in s. 1011.62(1)(c) for  
 1385 students participating in kindergarten through grade 12 full-  
 1386 time virtual instruction. Credit completions may be a  
 1387 combination of full-credit courses or half-credit courses.  
 1388 Beginning in the 2014-2015 fiscal year, when s. 1008.22(3)(g) is  
 1389 implemented, the reported full-time equivalent students and  
 1390 associated funding of students enrolled in courses requiring  
 1391 passage of an end-of-course assessment shall be adjusted after  
 1392 the student completes the end-of-course assessment.

1393 (VI) Each successfully completed full-credit course earned  
 1394 through an online course delivered by a district other than the  
 1395 one in which the student resides shall be calculated as 1/6  
 1396 FTE.

1397 ~~(VII) Each successfully completed credit earned under the~~  
 1398 ~~alternative high school course credit requirements authorized in~~  
 1399 ~~s. 1002.375, which is not reported as a portion of the 900 net~~  
 1400 ~~hours of instruction pursuant to subparagraph (1)(a)1., shall be~~

1401 | ~~calculated as 1/6 FTE.~~

1402 |        (VII)~~(VIII)~~(A) A full-time equivalent student for courses  
 1403 | requiring a statewide, standardized end-of-course assessment  
 1404 | pursuant to s. 1008.22(3)(c)2.a. shall be defined and reported  
 1405 | based on the number of instructional hours as provided in this  
 1406 | subsection for the first 3 years of administering the end-of-  
 1407 | course assessment. Beginning in the fourth year of administering  
 1408 | the end-of-course assessment, the FTE shall be credit-based and  
 1409 | each course shall be equal to 1/6 FTE. The reported FTE shall  
 1410 | be adjusted after the student successfully completes the end-of-  
 1411 | course assessment pursuant to s. 1008.22(3)(c)2.a.

1412 |        (B) For students enrolled in a school district as a full-  
 1413 | time student, the district may report 1/6 FTE for each student  
 1414 | who passes a statewide, standardized end-of-course assessment  
 1415 | without being enrolled in the corresponding course.

1416 |        (C) The FTE earned under this sub-sub-subparagraph and any  
 1417 | FTE for courses or programs listed in s. 1011.62(1)(c) that do  
 1418 | not require passing a statewide, standardized end-of-course  
 1419 | assessment are subject to the requirements in subsection (4).

1420 |        2. A student in membership in a program scheduled for more  
 1421 | or less than 180 school days or the equivalent on an hourly  
 1422 | basis as specified by rules of the State Board of Education is a  
 1423 | fraction of a full-time equivalent membership equal to the  
 1424 | number of instructional hours in membership divided by the  
 1425 | appropriate number of hours set forth in subparagraph (a)1.;  
 1426 | however, for the purposes of this subparagraph, membership in  
 1427 | programs scheduled for more than 180 days is limited to students  
 1428 | enrolled in juvenile justice education programs and the Florida

1429 Virtual School.

1430

1431 The department shall determine and implement an equitable method  
 1432 of equivalent funding for experimental schools and for schools  
 1433 operating under emergency conditions, which schools have been  
 1434 approved by the department to operate for less than the minimum  
 1435 school day.

1436 Section 54. Paragraph (b) of subsection (2) of section  
 1437 1013.35, Florida Statutes, is amended to read:

1438 1013.35 School district educational facilities plan;  
 1439 definitions; preparation, adoption, and amendment; long-term  
 1440 work programs.—

1441 (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL  
 1442 FACILITIES PLAN.—

1443 (b) The plan must also include a financially feasible  
 1444 district facilities work program for a 5-year period. The work  
 1445 program must include:

1446 1. A schedule of major repair and renovation projects  
 1447 necessary to maintain the educational facilities and ancillary  
 1448 facilities of the district.

1449 2. A schedule of capital outlay projects necessary to  
 1450 ensure the availability of satisfactory student stations for the  
 1451 projected student enrollment in K-12 programs. This schedule  
 1452 shall consider:

1453 a. The locations, capacities, and planned utilization  
 1454 rates of current educational facilities of the district. The  
 1455 capacity of existing satisfactory facilities, as reported in the  
 1456 Florida Inventory of School Houses must be compared to the

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1457 capital outlay full-time-equivalent student enrollment as  
 1458 determined by the department, including all enrollment used in  
 1459 the calculation of the distribution formula in s. 1013.64.

1460 b. The proposed locations of planned facilities, whether  
 1461 those locations are consistent with the comprehensive plans of  
 1462 all affected local governments, and recommendations for  
 1463 infrastructure and other improvements to land adjacent to  
 1464 existing facilities. The provisions of ss. 1013.33(6), (7), and  
 1465 (8) and 1013.36 must be addressed for new facilities planned  
 1466 within the first 3 years of the work plan, as appropriate.

1467 c. Plans for the use and location of relocatable  
 1468 facilities, leased facilities, and charter school facilities.

1469 d. Plans for multitrack scheduling, grade level  
 1470 organization, block scheduling, or other alternatives that  
 1471 reduce the need for additional permanent student stations.

1472 e. Information concerning average class size and  
 1473 utilization rate by grade level within the district which will  
 1474 result if the tentative district facilities work program is  
 1475 fully implemented.

1476 f. The number and percentage of district students planned  
 1477 to be educated in relocatable facilities during each year of the  
 1478 tentative district facilities work program. For determining  
 1479 future needs, student capacity may not be assigned to any  
 1480 relocatable classroom that is scheduled for elimination or  
 1481 replacement with a permanent educational facility in the current  
 1482 year of the adopted district educational facilities plan and in  
 1483 the district facilities work program adopted under this section.  
 1484 Those relocatable classrooms clearly identified and scheduled

1485 for replacement in a school-board-adopted, financially feasible,  
 1486 5-year district facilities work program shall be counted at zero  
 1487 capacity at the time the work program is adopted and approved by  
 1488 the school board. However, if the district facilities work  
 1489 program is changed and the relocatable classrooms are not  
 1490 replaced as scheduled in the work program, the classrooms must  
 1491 be reentered into the system and be counted at actual capacity.  
 1492 Relocatable classrooms may not be perpetually added to the work  
 1493 program or continually extended for purposes of circumventing  
 1494 this section. All relocatable classrooms not identified and  
 1495 scheduled for replacement, including those owned, lease-  
 1496 purchased, or leased by the school district, must be counted at  
 1497 actual student capacity. The district educational facilities  
 1498 plan must identify the number of relocatable student stations  
 1499 scheduled for replacement during the 5-year survey period and  
 1500 the total dollar amount needed for that replacement.

1501 g. Plans for the closure of any school, including plans  
 1502 for disposition of the facility or usage of facility space, and  
 1503 anticipated revenues.

1504 h. Projects for which capital outlay and debt service  
 1505 funds accruing under s. 9(d), Art. XII of the State Constitution  
 1506 are to be used shall be identified separately in priority order  
 1507 on a project priority list within the district facilities work  
 1508 program.

1509 3. The projected cost for each project identified in the  
 1510 district facilities work program. For proposed projects for new  
 1511 student stations, a schedule shall be prepared comparing the  
 1512 planned cost and square footage for each new student station, by



1513 elementary, middle, and high school levels, to the low, average,  
 1514 and high cost of facilities constructed throughout the state  
 1515 during the most recent fiscal year for which data is available  
 1516 from the Department of Education.

1517 4. A schedule of estimated capital outlay revenues from  
 1518 each currently approved source which is estimated to be  
 1519 available for expenditure on the projects included in the  
 1520 district facilities work program.

1521 5. A schedule indicating which projects included in the  
 1522 district facilities work program will be funded from current  
 1523 revenues projected in subparagraph 4.

1524 6. A schedule of options for the generation of additional  
 1525 revenues by the district for expenditure on projects identified  
 1526 in the district facilities work program which are not funded  
 1527 under subparagraph 5. Additional anticipated revenues may  
 1528 include ~~effort index grants, SIT Program awards, and Classrooms~~  
 1529 First funds.

1530 Section 55. Subsection (2) of section 1013.356, Florida  
 1531 Statutes, is amended to read:

1532 1013.356 Local funding for educational facilities benefit  
 1533 districts or community development districts.—Upon confirmation  
 1534 by a district school board of the commitment of revenues by an  
 1535 educational facilities benefit district or community development  
 1536 district necessary to construct and maintain an educational  
 1537 facility contained within an individual district facilities work  
 1538 program or proposed by an approved charter school or a charter  
 1539 school applicant, the following funds shall be provided to the  
 1540 educational facilities benefit district or community development

1541 district annually, beginning with the next fiscal year after  
 1542 confirmation until the district's financial obligations are  
 1543 completed:

1544 (2) For construction and capital maintenance costs not  
 1545 covered by the funds provided under subsection (1), an annual  
 1546 amount contributed by the district school board equal to one-  
 1547 half of the remaining costs of construction and capital  
 1548 maintenance of the educational facility. Any construction costs  
 1549 above the cost-per-student criteria established in s.  
 1550 1013.64(6)(b)1. ~~for the SIT Program in s. 1013.72(2)~~ shall be  
 1551 funded exclusively by the educational facilities benefit  
 1552 district or the community development district. Funds  
 1553 contributed by a district school board shall not be used to fund  
 1554 operational costs.

1555  
 1556 Educational facilities funded pursuant to this act may be  
 1557 constructed on land that is owned by any person after the  
 1558 district school board has acquired from the owner of the land a  
 1559 long-term lease for the use of this land for a period of not  
 1560 less than 40 years or the life expectancy of the permanent  
 1561 facilities constructed thereon, whichever is longer. All  
 1562 interlocal agreements entered into pursuant to this act shall  
 1563 provide for ownership of educational facilities funded pursuant  
 1564 to this act to revert to the district school board if such  
 1565 facilities cease to be used for public educational purposes  
 1566 prior to 40 years after construction or prior to the end of the  
 1567 life expectancy of the educational facilities, whichever is  
 1568 longer.

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1569 Section 56. Subsections (4), (5), and (6) of section  
 1570 1013.41, Florida Statutes, are amended to read:

1571 1013.41 SMART schools; Classrooms First; legislative  
 1572 purpose.-

1573 (4) OFFICE OF EDUCATIONAL FACILITIES.-It is the purpose of  
 1574 the Legislature to require the Office of Educational Facilities  
 1575 to assist school districts in building SMART schools utilizing  
 1576 functional and frugal practices. The Office of Educational  
 1577 Facilities must review district facilities work programs and  
 1578 projects and ~~identify districts qualified for incentive funding~~  
 1579 ~~available through School Infrastructure Thrift Program awards;~~  
 1580 identify opportunities to maximize design and construction  
 1581 savings; develop school district facilities work program  
 1582 performance standards; and provide for review and  
 1583 recommendations to the Governor, the Legislature, and the State  
 1584 Board of Education.

1585 ~~(5) EFFORT INDEX GRANTS.-It is the purpose of the~~  
 1586 ~~Legislature to create s. 1013.73, in order to provide grants~~  
 1587 ~~from state funds to assist school districts that have provided a~~  
 1588 ~~specified level of local effort funding.~~

1589 ~~(6) SCHOOL INFRASTRUCTURE THRIFT (SIT) PROGRAM AWARDS.-It~~  
 1590 ~~is the purpose of the Legislature to convert the SIT Program~~  
 1591 ~~established in ss. 1013.42 and 1013.72 to an incentive award~~  
 1592 ~~program to encourage functional, frugal facilities and~~  
 1593 ~~practices.~~

1594 Section 57. Paragraph (b) of subsection (6) of section  
 1595 1013.64, Florida Statutes, is amended to read:

1596 1013.64 Funds for comprehensive educational plant needs;

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1597 construction cost maximums for school district capital  
 1598 projects.—Allocations from the Public Education Capital Outlay  
 1599 and Debt Service Trust Fund to the various boards for capital  
 1600 outlay projects shall be determined as follows:

1601 (6)

1602 (b)1. A district school board must not use funds from the  
 1603 following sources: Public Education Capital Outlay and Debt  
 1604 Service Trust Fund; School District and Community College  
 1605 District Capital Outlay and Debt Service Trust Fund; Classrooms  
 1606 First Program funds provided in s. 1013.68; ~~effort index grant~~  
 1607 ~~funds provided in s. 1013.73;~~ nonvoted 1.5-mill levy of ad  
 1608 valorem property taxes provided in s. 1011.71(2); Classrooms for  
 1609 Kids Program funds provided in s. 1013.735; District Effort  
 1610 Recognition Program funds provided in s. 1013.736; or High  
 1611 Growth District Capital Outlay Assistance Grant Program funds  
 1612 provided in s. 1013.738 for any new construction of educational  
 1613 plant space with a total cost per student station, including  
 1614 change orders, that equals more than:

- 1615 a. \$17,952 for an elementary school,
- 1616 b. \$19,386 for a middle school, or
- 1617 c. \$25,181 for a high school,

1618

1619 (January 2006) as adjusted annually to reflect increases or  
 1620 decreases in the Consumer Price Index.

1621 2. A district school board must not use funds from the  
 1622 Public Education Capital Outlay and Debt Service Trust Fund or  
 1623 the School District and Community College District Capital  
 1624 Outlay and Debt Service Trust Fund for any new construction of

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1625 an ancillary plant that exceeds 70 percent of the average cost  
 1626 per square foot of new construction for all schools.

1627 Section 58. Section 1013.69, Florida Statutes, is amended  
 1628 to read:

1629 1013.69 Full bonding required to participate in programs.—  
 1630 Any district with unused bonding capacity in its Capital Outlay  
 1631 and Debt Service Trust Fund allocation that certifies in its  
 1632 district educational facilities plan that it will not be able to  
 1633 meet all of its need for new student stations within existing  
 1634 revenues must fully bond its Capital Outlay and Debt Service  
 1635 Trust Fund allocation before it may participate in Classrooms  
 1636 First, ~~the School Infrastructure Thrift (SIT) Program, or the~~  
 1637 ~~Effort Index Grants Program.~~

1638 Section 59. Paragraph (b) of subsection (2) of section  
 1639 1013.738, Florida Statutes, is amended to read:

1640 1013.738 High Growth District Capital Outlay Assistance  
 1641 Grant Program.—

1642 (2) In order to qualify for a grant, a school district  
 1643 must meet the following criteria:

1644 (b) Fifty percent of the revenue derived from the 2-mill  
 1645 nonvoted discretionary capital outlay millage for the past 4  
 1646 fiscal years, when divided by the district's growth in capital  
 1647 outlay FTE students over this period, produces a value that is  
 1648 less than the average cost per student station calculated  
 1649 pursuant to s. 1013.64(6)(b)1. ~~1013.72(2)~~, and weighted by  
 1650 statewide growth in capital outlay FTE students in elementary,  
 1651 middle, and high schools for the past 4 fiscal years.

1652 Section 60. This act shall take effect upon becoming a

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1653 | law.



## **OTHER BUSINESS:**

Discussion of additional unused rulemaking provisions and unwarranted rulemaking mandates.



a



## The Florida House of Representatives

### MEMORANDUM

**To:** Chair Tobia and members of the Rulemaking Oversight & Repeal Subcommittee  
**From:** Don Rubottom  
**Date:** 02/18/2013  
**Re:** Status of unused rulemaking authority recommended for repeal

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On February 7, the Subcommittee conducted a workshop on the new reviser's bill repealing unused and unnecessary rulemaking authority from Florida statutes. Initially, Statutory Revision, JAPC and House staff recommended 152 rulemaking repealers for this bill. After consultation between Senate and House Staff, 14 education provisions were removed from the proposed bill along with another 15 provisions. The education provisions are all being addressed in HB 7001 and the amendment considered today by the Subcommittee. This memorandum discusses the remaining 15 provisions.

The attached chart lists the unused rulemaking provisions that are not presently scheduled for repeal. Seven of these involve Home Inspector and Mold Service provisions under which DBPR has just recently initiated rulemaking. These are all in chapter 468, Florida Statutes. House staff determined that the particular rulemaking provisions were not necessary to implement the laws, but once rulemaking began, these provisions fell into the category of used but redundant rulemaking authority. There are hundreds of redundant provisions listed as authority for current administrative rules in Florida. Such provisions might be the subject of future reform legislation that might consolidate and clarify rulemaking authority.

The remaining provisions on the list have been removed from the repealer bill at the request of the Senate with the understanding, in most cases, that if rulemaking is not initiated in the coming year, they will be included in the 2014 reviser's bill.

JAPC staff is presently working on the 2014 repeal list. House staff is expected to review that list again prior to final recommendations for repeals. This process is increasing the accountability of agencies for the authority they have been assigned, and is increasing the responsibility of legislative staff to review how and whether rulemaking authority is being utilized or is even necessary.

**Unused rule authorizing statutes being retained during 2013 review.**

F.S. section	2013 RB status	Agency	Subject matter	Discussion of necessity	Years unused
310.102	Removed	DBPR	Harbor pilots: discipline of impaired pilots and deputy pilots.	The <u>DBPR</u> argues that rulemaking authority would be required to address treatment for impaired pilots and deputy pilots, which is tied directly to the legal sufficiency of complaints pursuant to s. 455.225, F.S. <u>Staff</u> argues there are numerous other F.S. authority for this type of discipline to require treatment for impairment, such as ss. 455.224, 455.225, 455.2255 and rule 61G14-17.002.	<b>10</b>
310.142	Removed	Board of Pilot Commissioners	Harbor pilots: reciprocal pilotage of vessels in the boundaries of St. Marys, Georgia		<b>22</b>
341.840	Removed	Fla. Rail Enterprise	Par. (7)(f) relates to FRE rules governing exemptions for contractors serving as authorized agents of FRE.	In 2009, the "Florida High Speed Rail Act" was converted to the "Florida Rail Enterprise Act" with the Florida Rail Enterprise becoming part of FDOT. Section 334.044(2), F.S., gives FDOT the authority to adopt rules to implement provisions of law conferring duties upon it. FDOT could use this broad rulemaking authority to implement rules governing this process.	<b>9</b>
455.214	Removed	DBPR	Allowing retired professionals to practice as limited licensees.		<b>13</b>
468.8313	Removed	DBPR	Home inspector examination, approval of education and examination providers.	Other authority appears sufficient. Since recommendation for repeal was made, agency has noticed rule development relying on the provision. Other rulemaking authority appears sufficient to support rules.	<b>6</b>
468.8315	Removed	DBPR	Home inspector license renewal.	Other authority appears sufficient. Since recommendation for repeal was made, agency has noticed rule development relying on the provision. Other rulemaking authority appears sufficient to support rules.	<b>6</b>
468.8316(2)	Removed	DBPR	Continuing education requirement for delinquent licenses.	Other authority appears sufficient. Since recommendation for repeal was made, agency has noticed rule development relying on the provision. Other rulemaking authority appears sufficient to support rules.	<b>6</b>
468.8317	Removed	DBPR	Home inspector inactive license.	Other authority appears sufficient. Since recommendation for repeal was made, agency has noticed rule development relying on the provision. Other rulemaking authority appears sufficient to support rules.	<b>6</b>
468.8413	Removed	DBPR	Mold services exam, approval of education and examination providers.	Other authority appears sufficient. Since recommendation for repeal was made, agency has noticed rule development relying on the provision. Other rulemaking authority appears sufficient to support rules.	<b>6</b>
468.8415	Removed	DBPR	Mold services license renewal.	Other authority appears sufficient. Since recommendation for repeal was made, agency has noticed rule development relying on the provision. Other rulemaking authority appears sufficient to support rules.	<b>6</b>
468.8417	Removed	DBPR	Mold services inactive license. General and grant rule authority covers this.	Other authority appears sufficient. Since recommendation for repeal was made, agency has noticed rule development relying on the provision. Other rulemaking authority appears sufficient to support rules.	<b>6</b>
475.2801	Removed	DBPR/Real Estate Comm	Enforcement of Brokerage Relationship Disclosure Act.	DBPR believes this provision is necessary to support Rule 61J2-24.002; however that rule does not cite this provision as authority or implementation, instead relying on general authority in 475.05 and general provisions relating to citations and discipline.	<b>14</b>
497.160(3)	Removed	DFS	Authorizes DFS to adopt rules relating to receivership proceedings of entities licensed under Chapter 497.	Rules not necessary as section merely authorizes petition for judicial receivership which would operate under court authority rather than administrative authority. In addition, sufficient authority is provided under 497.103.	<b>8</b>
517.131(5)	Removed	Fin Svcs Comm	If necessary, allows the Financial Services Commission to clarify procedures regarding disbursements from the Securities Guaranty Fund.	Adequate rulemaking authority is provided in s. 517.03, F.S.	<b>6</b>
517.141(11)	Removed	Fin Svcs Comm	If necessary, allows the Financial Services Commission to clarify procedures regarding disbursements from the Securities Guaranty Fund.	Adequate rulemaking authority is provided in s. 517.03, F.S.	<b>7</b>





## The Florida House of Representatives

### MEMORANDUM

**To:** Chair Tobia and members of the Rulemaking Oversight & Repeal Subcommittee  
**From:** Don Rubottom  
**Date:** 02/19/2013  
**Re:** JAPC chapter law report

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After each legislative session, JAPC staff reviews all laws enacted and identifies all rulemaking provisions affected. Following is their 2012 Chapter Law Report containing a summary of the JAPC staff analysis. The chart identifies the subject of each bill, the agency affected, the rulemaking phrase and the specific statutory citation. (Beginning on page 23 of the 2012 report, the repeals enacted in ch. 2012-166, LOF (HB 7055) are noted.)

After sending the information developed to agencies to help them identify changes in their rulemaking responsibilities and authority, JAPC staff follows up by monitoring agency compliance with any new express rulemaking mandates. In some cases, JAPC corresponds with an agency repeatedly over a number of years to determine why an agency failed to undertake mandatory rulemaking, particularly in light of a 180 deadline supplied in the APA.

The Joint Rules require JAPC to advise agencies about changes in rulemaking authority. House and Senate committees should consider better monitoring these JAPC efforts in order to enhance the legislative oversight of the use and non-use of rulemaking authority and responsibilities in the various policy areas. In addition, the information in the chart could be reorganized in a database allowing reports organized by agency or statute number rather than just by chapter law.

## 2012 Chapter Law Report

Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-001	Spaceport Facilities	Space Florida			7/1/12
2012-002	Reapportionment	Supervisors of Elections			2/16/12
2012-002	Reapportionment	Division of Elections			2/16/12
2012-002	Reapportionment	Department of State			2/16/12
2012-003	Rules Establishing Numeric Nutrient Criteria	Department of Environmental Protection			2/16/12
2012-004	Florida Statutes	All Agencies			5/8/12
2012-005	Reviser's Bill	All Agencies			5/8/12
2012-005	Reviser's Bill	Board of Veterinary Medicine	shall adopt rules	s.474.2125(1) [Section 65]	5/8/12
2012-005	Reviser's Bill	Department of Financial Services	shall adopt rules	s.627.351(2)(b) [Section 77]	5/8/12
2012-005	Reviser's Bill	Department of Health	shall establish by rule	s.794.056(2) [Section 84]	5/8/12
2012-005	Reviser's Bill	Criminal Justice Standards and Training Commission	shall, by rule	s.943.25(3) [Section 88]	5/8/12
2012-006	Reviser's Bill	All Agencies			5/8/12
2012-007	Reviser's Bill	Department of Agriculture and Consumer Services			5/8/12
2012-007	Reviser's Bill	Florida Forest Service	may prescribe by rule	s.259.10521(2)(b) [Section 10]	5/8/12
2012-007	Reviser's Bill	Florida Forest Service	authorized to adopt necessary rules	s.259.10521(3)(b) [Section 10]	5/8/12
2012-007	Reviser's Bill	Florida Forest Service	may adopt and enforce rules necessary	s.589.011(4) [Section 24]	5/8/12
2012-007	Reviser's Bill	Florida Forest Service	may adopt rules	s.589.071 [Section 29]	5/8/12
2012-007	Reviser's Bill	Florida Forest Service	may make rules	s. 589.12 [Section 36]	5/8/12
2012-007	Reviser's Bill	Florida Forest Service	may adopt rules	s.589.19(4)(e) [Section 42]	5/8/12
2012-007	Reviser's Bill	Florida Forest Service	has authority to make rules	s.590.02(1)(f) [Section 58]	5/8/12
2012-007	Reviser's Bill	Florida Forest Service	as shall be prescribed by rule	s.590.091(2) [Section 60]	5/8/12
2012-007	Reviser's Bill	Florida Forest Service	shall adopt rules	s.590.125(3)(e) & (4)(d) [Section 61]	5/8/12
2012-008	Drugfree Workplaces	Agency for Health Care Administration			7/1/12
2012-008	Drugfree Workplaces	Department of Corrections	shall adopt rules	s.944.474(2) [Section 3]	7/1/12
2012-008	Drugfree Workplaces	All Agencies			7/1/12
2012-009	Education	District School Boards			7/1/12
2012-010	State University System	Board of Governors			3/23/12

## 2012 Chapter Law Report

Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-011	Public Records	All Agencies			7/1/12
2012-012	Public Records	All Agencies			10/1/12
2012-013	Building Construction and Inspection	Department of Business and Professional Regulation	shall adopt rules	s.553.721 [Section 13]	7/1/12
2012-013	Building Construction and Inspection	Department of Health			7/1/12
2012-013	Building Construction and Inspection	Florida Building Commission	<u>shall establish a workgroup to assist in developing a rule</u>	[Section 19]	7/1/12
2012-013	Building Construction and Inspection	Florida Building Commission	<u>shall file a notice of proposed rule by October 1, 2012; shall file the rule for adoption by January 2, 2013</u>	[Section 19] (3)	7/1/12
2012-013	Building Construction and Inspection	Department of Environmental Protection			7/1/12
2012-013	Building Construction and Inspection	Building Code Administrators and Inspectors Board	shall establish by rule	s.468.609(2)(c)4. [Section 5]	7/1/12
2012-013	Building Construction and Inspection	Building Code Administrators and Inspectors Board	may, by rule	s.553.73(10)(k)3. [Section 14]	7/1/12
2012-013	Building Construction and Inspection	Department of Agriculture and Consumer Services	shall have exclusive authority to adopt by rule	s.553.73(10)(k)3. [Section 14]	7/1/12
2012-013	Building Construction and Inspection	Local Governments			7/1/12
2012-013	Building Construction and Inspection	All Agencies			7/1/12
2012-014	Practice of Dentistry	Board of Dentistry	<u>shall adopt rules</u>	s.466.017(6) [Section 3]	3/23/12
2012-014	Practice of Dentistry	Board of Dentistry	by rule shall designate	s.466.024(1) [Section 5]	3/23/12
2012-015	Public Meetings and Public Records	All Agencies			7/1/12
2012-016	Special Districts	Special Districts			7/1/12
2012-016	Special Districts	Public Employees Relations Commission			7/1/12
2012-016	Special Districts	Department of Economic Opportunity			7/1/12
2012-017	Restitution	Courts			10/1/12
2012-017	Restitution	Law Enforcement Agencies			10/1/12
2012-018	Recreational Dealer Vehicles	Department of Highway Safety and Motor Vehicles			7/1/12
2012-019	Protection of Minors	Courts			10/1/12
2012-019	Protection of Minors	Law Enforcement Agencies			10/1/12
2012-020	Biomedical Research	Department of Health	may adopt rules	s.215.5602(9) [Section 2]	7/1/12
2012-020	Biomedical Research	Governor			7/1/12
2012-021	Murder	Courts			10/1/12

## 2012 Chapter Law Report

Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-021	Murder	Law Enforcement Agencies			10/1/12
2012-022	Florida Tax Credit Scholarship Program	Department of Education			3/23/12
2012-022	Florida Tax Credit Scholarship Program	State Board of Education			3/23/12
2012-022	Florida Tax Credit Scholarship Program	School Districts			3/23/12
2012-022	Florida Tax Credit Scholarship Program	Commissioner of Education			3/23/12
2012-023	Controlled Substances	Courts			3/23/12
2012-023	Controlled Substances	Law Enforcement Agencies			3/23/12
2012-024	Public Safety Telecommunicators	Department of Health			7/1/12
2012-025	Public Records	All Agencies			7/1/12
2012-026	Judicial Census Commissions	Courts			7/1/12
2012-027	Obsolete/ Outdated Programs and Requirements	Florida State Employee Wellness Council			7/1/12
2012-027	Obsolete/ Outdated Programs and Requirements	Executive Office of the Governor			7/1/12
2012-027	Obsolete/ Outdated Programs and Requirements	Small Business Regulatory Advisory Council			7/1/12
2012-027	Obsolete/ Outdated Programs and Requirements	Statewide Intermodal Transportation Advisory Council			7/1/12
2012-027	Obsolete/ Outdated Programs and Requirements	Florida Institute for Nuclear Detection and Security			7/1/12
2012-027	Obsolete/ Outdated Programs and Requirements	OPPAGA			7/1/12
2012-027	Obsolete/ Outdated Programs and Requirements	Department of Transportation			7/1/12
2012-027	Obsolete/ Outdated Programs and Requirements	Florida Transportation Commission			7/1/12
2012-027	Obsolete/ Outdated Programs and Requirements	Law Enforcement Agencies			7/1/12
2012-027	Obsolete/ Outdated Programs and Requirements	Office of Insurance Regulation			7/1/12
2012-027	Obsolete/ Outdated Programs and Requirements	All Agencies			7/1/12
2012-028	Open Government Sunset Review Act	Department of Economic Opportunity			3/23/12
2012-029	Regional Workforce Boards	Governor			7/1/12
2012-029	Regional Workforce Boards	Department of Economic Opportunity			7/1/12
2012-029	Regional Workforce Boards	Regional Workforce Boards			7/1/12



## 2012 Chapter Law Report

Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-029	Regional Workforce Boards	Agency for Workforce Innovation			7/1/12
2012-030	Unemployment Compensation	Reemployment Assistance Appeals Commission			7/1/12
2012-030	Unemployment Compensation	Department of Economic Opportunity	shall adopt rules	s.443.1216(1)(a)2.d.e. [Section 12]	7/1/12
2012-030	Unemployment Compensation	Department of Economic Opportunity	may adopt rules necessary	s.443.1216(1)(d) [Section 12]	7/1/12
2012-030	Unemployment Compensation	Department of Economic Opportunity	shall adopt rules	s.443.131(3)(a)3. [Section 15]	7/1/12
2012-030	Unemployment Compensation	Department of Revenue	may adopt rules necessary	s.443.1216(1)(d) [Section 12]	7/1/12
2012-030	Unemployment Compensation	Department of Revenue	may adopt rules	s.443.131(3)(f)3. [Section 15]	7/1/12
2012-030	Unemployment Compensation	Department of Revenue	may adopt rules	s.443.1313(3) [Section 17]	7/1/12
2012-030	Unemployment Compensation	Department of Economic Opportunity	shall adopt rules	s.443.1315(7) [Section 18]	7/1/12
2012-030	Unemployment Compensation	Department of Revenue	shall adopt rules	s.443.1315(7) [Section 18]	7/1/12
2012-030	Unemployment Compensation	Department of Revenue	may adopt rules	s.443.1317(2) [Section 20]	7/1/12
2012-030	Unemployment Compensation	Department of Economic Opportunity	may adopt rules	s.443.141(1)(g) [Section 21]	7/1/12
2012-030	Unemployment Compensation	Department of Revenue	may adopt rules	s.443.141(1)(g) [Section 21]	7/1/12
2012-030	Unemployment Compensation	Department of Economic Opportunity	shall adopt rules	s.443.141(2)(c) [Section 21]	7/1/12
2012-030	Unemployment Compensation	Department of Revenue	shall adopt rules	s.443.141(2)(c) [Section 21]	7/1/12
2012-030	Unemployment Compensation	Department of Economic Opportunity	may adopt rules	s.443.151(2)(b) and (3)(c) [Section 22]	7/1/12
2012-030	Unemployment Compensation	Department of Economic Opportunity	shall adopt rules	s.443.163(1) [Section 23]	7/1/12
2012-030	Unemployment Compensation	Department of Revenue	shall adopt rules	s.443.163(1) [Section 23]	7/1/12
2012-030	Unemployment Compensation	Department of Economic Opportunity	may establish by rule	s.443.163(3)(c) [Section 23]	7/1/12
2012-030	Unemployment Compensation	Department of Revenue	may establish by rule	s.443.163(3)(c) [Section 23]	7/1/12
2012-030	Unemployment Compensation	Agency for Workforce Innovation			7/1/12

## 2012 Chapter Law Report

Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-030	Unemployment Compensation	Administration Commission			7/1/12
2012-030	Unemployment Compensation	Department of Transportation	shall establish by rule	s.334.30(1) [Section 60]	7/1/12
2012-030	Unemployment Compensation	Governor			7/1/12
2012-030	Unemployment Compensation	Office of the Statewide Prosecutor			7/1/12
2012-030	Unemployment Compensation	State Attorney			7/1/12
2012-030	Unemployment Compensation	Department of Law Enforcement			7/1/12
2012-030	Unemployment Compensation	Division of Workforce Services			7/1/12
2012-030	Unemployment Compensation	Commission on Human Relations			7/1/12
2012-030	Unemployment Compensation	Public Employees Relations Commission			7/1/12
2012-030	Unemployment Compensation	Chief Financial Officer			7/1/12
2012-030	Unemployment Compensation	Executive Office of the Governor			7/1/12
2012-030	Unemployment Compensation	Department of Health			7/1/12
2012-030	Unemployment Compensation	Department of Children and Families			7/1/12
2012-030	Unemployment Compensation	Office of Early Learning			7/1/12
2012-030	Unemployment Compensation	Department of Education			7/1/12
2012-030	Unemployment Compensation	Department of Financial Services			7/1/12
2012-030	Unemployment Compensation	Department of Management Services			7/1/12
2012-030	Unemployment Compensation	Board of Employee Leasing Companies			7/1/12
2012-030	Unemployment Compensation	Department of Business and Professional Regulation			7/1/12
2012-030	Unemployment Compensation	Office of Financial Regulation			7/1/12
2012-030	Unemployment Compensation	Financial Services Commission			7/1/12

## 2012 Chapter Law Report

Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-030	Unemployment Compensation	Office of Insurance Regulation			7/1/12
2012-030	Unemployment Compensation	Courts			7/1/12
2012-030	Unemployment Compensation	Law Enforcement Agencies			7/1/12
2012-030	Unemployment Compensation	Commissioner of Education			7/1/12
2012-030	Unemployment Compensation	General Tax Administration Program Office			7/1/12
2012-031	Repeal of Administrative Rules	Department of State			5/27/12
2012-031	Repeal of Administrative Rules	Attorney General			5/27/12
2012-031	Repeal of Administrative Rules	Governor			5/27/12
2012-031	Repeal of Administrative Rules	Northwest Florida Water Management District	<u>following rules are nullified</u>	[Section 3]	5/27/12
2012-031	Repeal of Administrative Rules	Suwannee River Water Management District	<u>following rules are nullified</u>	[Section 4]	5/27/12
2012-031	Repeal of Administrative Rules	St. Johns River Water Management District	<u>following rules are nullified</u>	[Section 5]	5/27/12
2012-031	Repeal of Administrative Rules	Southwest Florida Water Management District	<u>following rules are nullified</u>	[Section 6]	5/27/12
2012-031	Repeal of Administrative Rules	South Florida Water Management District	<u>following rules are nullified</u>	[Section 7]	5/27/12
2012-031	Repeal of Administrative Rules	former Department of Commerce	<u>following rules are nullified</u>	[Section 8]	5/27/12
2012-031	Repeal of Administrative Rules	former Department of Health and Rehabilitative Services	<u>following rules are nullified</u>	[Section 9 - 11]	5/27/12
2012-031	Repeal of Administrative Rules	Department of Health	<u>should readopt or revise those portions of the rules which remain necessary</u>	[Section 9 & 11]	5/27/12
2012-031	Repeal of Administrative Rules	former Advisory Council on Intergovernmental Relations	<u>following rules are nullified</u>	[Section 12]	5/27/12
2012-031	Repeal of Administrative Rules	former Department of Labor and Employment Security	<u>following rules are nullified</u>	[Section 13 - 14]	5/27/12
2012-031	Repeal of Administrative Rules	Department of Education	<u>should readopt or revise those portions of the rules which remain necessary</u>	[Section 14]	5/27/12
2012-031	Repeal of Administrative Rules	All Agencies			5/27/12
2012-032	Economic Development	Department of Health			7/1/12

## 2012 Chapter Law Report

Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-032	Economic Development	Department of Revenue	shall adopt rules	s.211.3103(3) [Section 5]	7/1/12
2012-032	Economic Development	Department of Revenue	shall be adopted by rule	s.211.3103(8)(e) [Section 5]	7/1/12
2012-032	Economic Development	Department of Revenue	shall adopt rules	s.212.08(5)(b)4. [Section 8]	7/1/12
2012-032	Economic Development	Department of Revenue	may adopt rules	s.212.08(7) [Section 8]	7/1/12
2012-032	Economic Development	Department of Revenue Executive Director	authorized to adopt emergency rules	[Section 25]	7/1/12
2012-032	Economic Development	Municipalities	authorized to adopt and amend all needful rules	s.332.08(1)(b)(2)(a) [Section 20]	7/1/12
2012-032	Economic Development	Charlotte County			7/1/12
2012-032	Economic Development	Citrus County			7/1/12
2012-032	Economic Development	Department of Economic Opportunity			7/1/12
2012-032	Economic Development	Department of Transportation			7/1/12
2012-032	Economic Development	All Agencies			7/1/12
2012-033	Health Care Service	Department of Children and Families			7/1/12
2012-033	Health Care Service	Department of Revenue			7/1/12
2012-033	Health Care Service	Department of Elderly Affairs			7/1/12
2012-033	Health Care Service	Agency for Health Care Administration	may adopt rules	[Section 12]	7/1/12
2012-033	Health Care Service	Department of Financial Services			7/1/12
2012-033	Health Care Service	Legislative Budget Commission			7/1/12
2012-033	Health Care Service	Department of Children and Families Secretary			7/1/12
2012-034	Worker's Compensation Reporting Requirement	Department of Financial Services			7/1/12
2012-035	Substance Abuse Programs	Courts			7/1/12
2012-035	Substance Abuse Programs	Law Enforcement Agencies			7/1/12
2012-036	Preventing Deaths	Courts			10/1/12
2012-036	Preventing Deaths from Drug-Related Overdoses	Law Enforcement Agencies			10/1/12
2012-037	Blood Establishments	Department of Legal Affairs			7/1/12
2012-037	Blood Establishments	Department of Business and Professional Regulation	may adopt rules	s.499.01(2)(g)4. [Section 4]	7/1/12
2012-037	Blood Establishments	Agency for Health Care Administration			7/1/12
2012-038	Financial Emergencies	Auditor General			7/1/12
2012-038	Financial Emergencies	Governor			7/1/12
2012-038	Financial Emergencies	Commissioner of Education			7/1/12
2012-038	Financial Emergencies	District School Boards			7/1/12
2012-038	Financial Emergencies	Local Governments			7/1/12
2012-038	Financial Emergencies	Financial Emergency Boards	shall adopt such rules as are necessary	s.218.503(3)(g)1. [Section 2]	7/1/12

## 2012 Chapter Law Report

Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-038	Financial Emergencies	State Board of Education			7/1/12
2012-039	Video Voyeurism	Courts			7/1/12
2012-039	Video Voyeurism	Law Enforcement Agencies			7/1/12
2012-040	Veteran's Guardianship	Courts			7/1/12
2012-041	Restraint of Incarcerated Pregnant Women	Department of Corrections	shall adopt rules	(5)(a) [Section 1]	7/1/12
2012-041	Restraint of Incarcerated Pregnant Women	Department of Juvenile Justice	shall adopt rules	(5)(a) [Section 1]	7/1/12
2012-041	Restraint of Incarcerated Pregnant Women	Local Governments			4/6/12
2012-042	Florida Healthy Kids Corporation	Chief Financial Officer			4/6/12
2012-042	Florida Healthy Kids Corporation	Secretary of Health Care Administration			4/6/12
2012-042	Florida Healthy Kids Corporation	Commissioner of Education			4/6/12
2012-042	Florida Healthy Kids Corporation	Department of Education			4/6/12
2012-042	Florida Healthy Kids Corporation	Governor			4/6/12
2012-042	Florida Healthy Kids Corporation	State Health Officer			4/6/12
2012-042	Florida Healthy Kids Corporation	Secretary of Children and Family Services			4/6/12
2012-043	Adult Day Care Centers	Agency for Health Care Administration			7/1/12
2012-043	Adult Day Care Centers	Department of Elderly Affairs	shall adopt rules	s.429.918(6)(b) [Section 2]	7/1/12
2012-043	Adult Day Care Centers	Department of Elderly Affairs	may adopt rules	s.429.918(12) [Section 2]	7/1/12
2012-044	Medicaid Managed Care	Agency for Health Care Administration	shall adopt any rules necessary	s.409.961 [Section 4]	7/1/12
2012-044	Medicaid Managed Care	Department of Children and Families	shall adopt and accept the transfer of any rules necessary	s.409.961 [Section 4]	7/1/12
2012-044	Medicaid Managed Care	Office of Insurance Regulation	may adopt rules	s.641.312 [Section 13]	7/1/12
2012-044	Medicaid Managed Care	Department of Juvenile Justice			7/1/12
2012-045	County Boundary Lines	St. Lucie County			4/6/12
2012-045	County Boundary Lines	Martin County			4/6/12
2012-046	Florida College System Personnel Records	State Board of Education	shall adopt rules	s.1012.81(1) [Section 1]	7/1/12
2012-047	Special Observances	Department of Environmental Protection			7/1/12
2012-048	Natural Guardians	Courts			7/1/12
2012-049	Fiduciaries	Courts			1/1/13

## 2012 Chapter Law Report

Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-050	Mosquito Control Districts	Department of Agriculture and Consumer Services			7/1/12
2012-050	Mosquito Control Districts	Local Governments			7/1/12
2012-051	Office of Legislative Services	Office of Legislative Services			4/6/12
2012-051	Office of Legislative Services	Division of Legislative Information			4/6/12
2012-051	Office of Legislative Services	Division of Statutory Revision			4/6/12
2012-051	Office of Legislative Services	Commission on Ethics			4/6/12
2012-051	Office of Legislative Services	House & Senate	shall provide by rule	s.11.045(2), (3), (3)(d) [Section 1]	4/6/12
2012-051	Office of Legislative Services	House & Senate	may provide by joint rule	s.11.045(2), (3)(d) [Section 1]	4/6/12
2012-051	Office of Legislative Services	House & Senate	shall provide by rule	s.11.0455(6), (7) [Section 2]	4/6/12
2012-051	Office of Legislative Services	House & Senate	may provide by joint rule	s.11.0455(6) [Section 2]	4/6/12
2012-052	District School Board Bonds	District School Boards			7/1/12
2012-052	District School Board Bonds	State Board of Education			7/1/12
2012-052	District School Board Bonds	Department of Legal Affairs			7/1/12
2012-052	District School Board Bonds	Department of Education			7/1/12
2012-053	Giving False Information to a Law Enforcement Officer	Courts			10/1/12
2012-053	Giving False Information to a Law Enforcement Officer	Law Enforcement Agencies			10/1/12
2012-054	Homestead Property Tax Exemptions	Department of State			See CS for HJR 93
2012-054	Homestead Property Tax Exemptions	Department of Revenue			See CS for HJR 93
2012-054	Homestead Property Tax Exemptions	Local Governments			See CS for HJR 93
2012-055	Transfer of Tax Liability	Department of Revenue	may adopt rules necessary	s.213.758(9) [Section 1]	4/6/12
2012-055	Transfer of Tax Liability	Department of Legal Affairs			4/6/12
2012-056	Department of Juvenile Justice	Department of Juvenile Justice			7/1/12
2012-056	Department of Juvenile Justice	Courts			7/1/12
2012-057	Homestead Exemptions for Seniors	Local Governments			See HJR 169
2012-057	Homestead Exemptions for Seniors	Department of Revenue	must require by rule	s.196.075(5) [Section 1]	See HJR 169

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-058	Electronic Filing of Construction Plans	Florida Building Code Administrators and Inspectors Board			7/1/12
2012-059	UCC/Secured Transactions	Uniform Law Commission			7/1/13
2012-059	UCC/Secured Transactions	Division of Statutory Revision			7/1/13
2012-059	UCC/Secured Transactions	Courts			7/1/13
2012-060	Pharmacy	Board of Pharmacy	<u>on a form provided by the board</u>	s.465.009(6)(b) [Section 3]	7/1/12
2012-061	Reducing and Streamlining Regulations	Department of Business and Professional Regulation	<u>may prescribe by rule; rules may not require more than one renewal cycle</u>	s.468.8317(2) [Section 6]	7/1/12
2012-061	Reducing and Streamlining Regulations	Department of Business and Professional Regulation	<u>may prescribe by rule; rules may not require more than one renewal cycle</u>	s.468.8417(2) [Section 8]	7/1/12
2012-061	Reducing and Streamlining Regulations	Department of Business and Professional Regulation	shall adopt rules	s.475.6235(8) [Section 18]	7/1/12
2012-061	Reducing and Streamlining Regulations	Florida Real Estate Appraisal Board	<u>standards established by rule</u>	s.373.461(5)(c) [Section 1]	7/1/12
2012-061	Reducing and Streamlining Regulations	Florida Real Estate Appraisal Board	<u>established by rule of the board</u>	s.475.615(5) [Section 14]	7/1/12
2012-061	Reducing and Streamlining Regulations	Florida Real Estate Appraisal Board	<u>established by rule of the board</u>	s.475.617(1) [Section 15]	7/1/12
2012-061	Reducing and Streamlining Regulations	Florida Real Estate Appraisal Board	shall prescribe by rule	s.475.617(2) [Section 15]	7/1/12
2012-061	Reducing and Streamlining Regulations	Florida Real Estate Appraisal Board	<u>established by rule of the board</u>	s.475.617(2)(b) [Section 15]	7/1/12
2012-061	Reducing and Streamlining Regulations	Florida Real Estate Appraisal Board	<u>established by rule of the board</u>	s.475.617(3)(b) [Section 15]	7/1/12
2012-061	Reducing and Streamlining Regulations	Florida Real Estate Appraisal Board	<u>established by rule of the board</u>	s.475.6175(1) [Section 17]	7/1/12
2012-061	Reducing and Streamlining Regulations	Florida Real Estate Appraisal Board	<u>established by rule of the board</u>	s.475.6235(4) [Section 18]	7/1/12
2012-061	Reducing and Streamlining Regulations	Florida Real Estate Appraisal Board	<u>established by rule of the board</u>	s.475.62414 [Section 19]	7/1/12
2012-061	Reducing and Streamlining Regulations	Florida Real Estate Appraisal Board	<u>established by rule of the board</u>	s.475.6245(1)(n) [Section 20]	7/1/12
2012-061	Reducing and Streamlining Regulations	Florida Real Estate Appraisal Board	<u>shall adopt rules</u>	s.475.628 [Section 22]	7/1/12
2012-061	Reducing and Streamlining Regulations	DBPR: Boards			7/1/12
2012-061	Reducing and Streamlining Regulations	Division of Criminal Justice Information Systems			7/1/12
2012-061	Reducing and Streamlining Regulations	Department of Law Enforcement			7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-061	Reducing and Streamlining Regulations	Division of Real Estate			7/1/12
2012-061	Reducing and Streamlining Regulations	Courts			7/1/12
2012-061	Reducing and Streamlining Regulations	Regulatory Council of Community Association Managers	shall prescribe by rule	s.468.4338 [Section 5]	7/1/12
2012-061	Reducing and Streamlining Regulations	Florida Real Estate Commission	shall adopt rules	s.475.451(2)(c)3. [Section 12]	7/1/12
2012-061	Reducing and Streamlining Regulations	Board of Cosmetology	shall adopt promulgate rules; rules may not require more than one renewal cycle	s.477.0212(2) [Section 24]	7/1/12
2012-061	Reducing and Streamlining Regulations	Board of Cosmetology	shall prescribe by rule a fee	s.477.0212(2) [Section 24]	7/1/12
2012-061	Reducing and Streamlining Regulations	Board of Architecture and Interior Design	prescribed by board rule	s.481.209(1)(a) [Section 26]	7/1/12
2012-061	Reducing and Streamlining Regulations	Board of Architecture and Interior Design	shall adopt rules	s.481.209(1)(b)2. [Section 26]	7/1/12
2012-061	Reducing and Streamlining Regulations	Board of Architecture and Interior Design	which meets the requirements set forth by rule	s.481.211(4) [Section 27]	7/1/12
2012-061	Reducing and Streamlining Regulations	Board of Architecture and Interior Design	may prescribe by rule; rules may not require more than one renewal cycle	s.481.217(1) [Section 29]	7/1/12
2012-061	Reducing and Streamlining Regulations	Board of Architecture and Interior Design	shall adopt rules	s.481.217(2) [Section 29]	7/1/12
2012-061	Reducing and Streamlining Regulations	Board of Landscape Architecture	may prescribe by rule	s.481.315(1) [Section 30]	7/1/12
2012-061	Reducing and Streamlining Regulations	Board of Landscape Architecture	shall adopt rules	s.481.315(2) [Section 30]	7/1/12
2012-061	Reducing and Streamlining Regulations	Electrical Contractors' Licensing Board	may prescribe, by rule	s.489.519(1) [Section 32]	7/1/12
2012-061	Reducing and Streamlining Regulations	Department of Business and Professional Regulation	shall specify by rule	s.499.01(2)(c)3. [Section 34]	7/1/12
2012-061	Reducing and Streamlining Regulations	Department of Business and Professional Regulation	shall define by rule	s.499.01(3) [Section 34]	7/1/12
2012-061	Reducing and Streamlining Regulations	Department of Business and Professional Regulation	shall define by rule	s.499.01(4)(b) [Section 34]	7/1/12
2012-061	Reducing and Streamlining Regulations	Department of Business and Professional Regulation	may adopt rules	s.499.01(4)(g) [Section 34]	7/1/12
2012-062	Regulation of Hoisting Equipment	Local Governments			4/6/12
2012-062	Regulation of Hoisting Equipment	Construction Industry Licensing Board			4/6/12



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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-062	Regulation of Hoisting Equipment	Department of Business and Professional Regulation			4/6/12
2012-062	Regulation of Hoisting Equipment	Division of Hotels and Restaurants			4/6/12
2012-063	Administrative Procedures	Executive Office of the Governor			10/1/12
2012-063	Administrative Procedures	Department of Economic Opportunity			10/1/12
2012-063	Administrative Procedures	Department of State	shall prescribe by rule	s.120.55(1)(c)(d) [Section 2]	10/1/12
2012-063	Administrative Procedures	Division of Statutory Revision			10/1/12
2012-063	Administrative Procedures	All Agencies			10/1/12
2012-064	Health Care Fraud	Department of Health			7/1/12
2012-064	Health Care Fraud	DOH: Boards			7/1/12
2012-065	Beach Management	Department of Environmental Protection	as set forth by rule	s.161.041(1)(a) [Section 2]	7/1/12
2012-065	Beach Management	Department of Environmental Protection	shall adopt rules	s.161.041(6) [Section 2]	7/1/12
2012-065	Beach Management	Department of Environmental Protection	upon such terms and conditions as set forth by rule	s.161.041(7) [Section 2]	7/1/12
2012-065	Beach Management	Department of Environmental Protection	may not issue guidelines without adopting such guidelines by rule	s.161.041(7)(b) [Section 2]	7/1/12
2012-065	Beach Management	Department of Environmental Protection	shall amend chapters 62B-41 and 62B-49, FAC	s.161.041(8) [Section 2]	7/1/12
2012-065	Beach Management	Executive Office of the Governor			7/1/12
2012-065	Beach Management	Board of Trustees of the Internal Improvement Trust Fund			7/1/12
2012-065	Beach Management	Water Management Districts			7/1/12
2012-066	Sale or Lease of Hospital	Secretary of Health Care Administration			4/6/12
2012-066	Sale or Lease of Hospital	Agency for Health Care Administration	standards developed by rule	s.395.003(2)(c) [Section 5]	4/6/12
2012-066	Sale or Lease of Hospital	Local Governments			4/6/12
2012-066	Sale or Lease of Hospital	Department of Economic Opportunity			4/6/12
2012-067	Consumer Services	Department of Agriculture and Consumer Services	shall, by rule, waive fees	s.472.011(1) [Section 5]	7/1/12
2012-067	Consumer Services	Department of Agriculture and Consumer Services	shall adopt rules	s.472.018(1) [Section 8]	7/1/12
2012-067	Consumer Services	Department of Agriculture and Consumer Services	may adopt by rule	s.493.6113(3)(b) [Section 15]	7/1/12
2012-067	Consumer Services	Department of Agriculture and Consumer Services	may require by rule	s.526.52(3)(a) [Section 30]	7/1/12
2012-067	Consumer Services	Department of Agriculture and Consumer Services	shall specify by rule the form	s.559.9285(3) [Section 38]	7/1/12
2012-067	Consumer Services	Department of Agriculture and Consumer Services	shall by rule establish fees	s.616.242(8)(a) [Section 43]	7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-067	Consumer Services	Division of Standards			7/1/12
2012-067	Consumer Services	Department of Revenue			7/1/12
2012-067	Consumer Services	Public Services Commission	shall by rule	s.501.059(10) [Section 20]	7/1/12
2012-067	Consumer Services	Division of Consumer Services			7/1/12
2012-067	Consumer Services	Board of Professional Surveyors and Mappers	by rule, may establish fees	s.472.011(1) [Section 5]	7/1/12
2012-067	Consumer Services	Board of Professional Surveyors and Mappers	may also establish by rule a delinquency fee	s.472.011(1) [Section 5]	7/1/12
2012-067	Consumer Services	Board of Professional Surveyors and Mappers	may, by rule, assess and collect a <del>special assessment one-time fee</del>	s.472.011(12) [Section 5]	7/1/12
2012-067	Consumer Services	Board of Professional Surveyors and Mappers	shall adopt rules	s.472.018(1) [Section 8]	7/1/12
2012-067	Consumer Services	Board of Professional Surveyors and Mappers	may <u>adopt</u> rules	s.472.018(1) [Section 8]	7/1/12
2012-067	Consumer Services	Board of Professional Surveyors and Mappers	may <u>adopt</u> rules	s.472.018(1) [Section 8]	7/1/12
2012-067	Consumer Services	Board of Professional Surveyors and Mappers	may establish, by rule, requirements	s.472.0351(5)(6) [Section 13]	7/1/12
2012-067	Consumer Services	Department of Legal Affairs			7/1/12
2012-067	Consumer Services	Criminal Justice Standards and Training Commission			7/1/12
2012-067	Consumer Services	Chief Financial Officer			7/1/12
2012-068	Criminal Penalties	Office of Financial Regulation			7/1/12
2012-068	Criminal Penalties	Courts			7/1/12
2012-069	Physical Therapy	Board of Physical Therapy Practice	<u>under rules adopted by the board</u>	s.486.0715(1)(e) [Section 1]	6/1/12
2012-069	Physical Therapy	Board of Physical Therapy Practice	<u>under rules adopted by the board</u>	s.486.1065(1)(e) [Section 2]	6/1/12
2012-070	Communications Services Taxes	Department of Revenue			7/1/12
2012-070	Communications Services Taxes	Communications Services Tax Working Group			7/1/12
2012-071	Limited Agricultural Associations	Department of State			4/6/12
2012-071	Limited Agricultural Associations	Department of Environmental Protection			4/6/12
2012-071	Limited Agricultural Associations	Courts			4/6/12
2012-071	Limited Agricultural Associations	Department of Agriculture and Consumer Services			4/6/12
2012-072	Business and Professional Regulation	Department of Business and Professional Regulation	<u>in a manner prescribed by rules</u>	s.455.271(60)(b) [Section 5]	10/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-072	Business and Professional Regulation	Department of Business and Professional Regulation	fee determined by rule	s.455.271(60)(b) [Section 5]	10/1/12
2012-072	Business and Professional Regulation	Department of Business and Professional Regulation	<del>as defined by rule</del>	s.455.273(2) [Section 6]	10/1/12
2012-072	Business and Professional Regulation	Pilotage Rate Review Committee	type two transfer of the relevant administrative rules	[Section 21]	10/1/12
2012-072	Business and Professional Regulation	Board of Pilot Commissioners	type two transfer of the relevant administrative rules	[Section 21]	10/1/12
2012-072	Business and Professional Regulation	DBPR: Boards	<del>in a manner prescribed by rules</del>	s.455.271(6)(b) [Section 5]	10/1/12
2012-072	Business and Professional Regulation	DBPR: Boards	fee determined by rule	s.455.271(6)(b) [Section 5]	10/1/12
2012-072	Business and Professional Regulation	DBPR: Boards	<del>as defined by rule</del>	s.455.273(2) [Section 6]	10/1/12
2012-072	Business and Professional Regulation	Florida Real Estate Commission	shall adopt rules	s.475.451(2)(c)3. [Section 8]	10/1/12
2012-072	Business and Professional Regulation	Board of Cosmetology	<del>shall adopt rules</del>	s.477.019(6) [Section 13]	10/1/12
2012-072	Business and Professional Regulation	Board of Cosmetology	<u>Pursuant to rules adopted by the board</u>	s.477.0263(4) [Section 14]	10/1/12
2012-073	Background Screening	Agency for Health Care Administration	<del>may adopt rules</del>	s.408.809(5) [Section 2]	4/6/12
2012-073	Background Screening	Agency for Health Care Administration	may adopt rules	s.408.809(8)(7) [Section 2]	4/6/12
2012-073	Background Screening	Agency for Health Care Administration	<u>may adopt rules</u>	s.435.12(1) [Section 12]	4/6/12
2012-073	Background Screening	Department of Health	may adopt rules	s.408.809(8)(7) [Section 2]	4/6/12
2012-073	Background Screening	Department of Law Enforcement	<u>may adopt rules</u>	s.435.12(1) [Section 12]	4/6/12
2012-073	Background Screening	Department of Law Enforcement	shall adopt a rule	s.943.05(2)(h)2. [Section 15]	4/6/12
2012-073	Background Screening	Board of Nursing			4/6/12
2012-073	Background Screening	Department of Elderly Affairs	<u>may adopt rules</u>	s.430.0402(5) [Section 8]	4/6/12
2012-073	Background Screening	Department of Education			4/6/12
2012-073	Background Screening	Agencies participating in fingerprint retention	may adopt rules	s.943.05(2)(h)3. [Section 15]	4/6/12
2012-074	Firearm or Destructive Device	Courts			7/1/12
2012-074	Firearm or Destructive Device	Law Enforcement Agencies			7/1/12
2012-075	Developments of Regional Impact	Regional Planning Councils			7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-075	Developments of Regional Impact	Water Management Districts			7/1/12
2012-075	Developments of Regional Impact	Local Governments			7/1/12
2012-075	Developments of Regional Impact	State Permitting Agencies			7/1/12
2012-075	Developments of Regional Impact	Department of Environmental Protection			7/1/12
2012-075	Developments of Regional Impact	Department of State			7/1/12
2012-075	Developments of Regional Impact	Division of Historical Resources			7/1/12
2012-075	Developments of Regional Impact	Department of Economic Opportunity			7/1/12
2012-076	Timeshares	Division of Florida Condominiums, Timeshares, and Mobile Homes			7/1/12
2012-077	Warranty Associations	Department of Financial Services			7/1/12
2012-077	Warranty Associations	Office of Insurance Regulation			7/1/12
2012-077	Warranty Associations	Financial Services Commission	may by rule establish	s.634.141(1) [Section 3]	7/1/12
2012-078	Eminent Domain	Florida School for the Deaf and the Blind			7/1/12
2012-078	Eminent Domain	State Board of Administration			7/1/12
2012-079	Sexually Violent Predators	Department of Children and Families			7/1/12
2012-079	Sexually Violent Predators	Courts			7/1/12
2012-080	Citizens Property Insurance Corporation	Office of Insurance Regulation			7/1/12
2012-080	Citizens Property Insurance Corporation	Financial Services Commission			7/1/12
2012-080	Citizens Property Insurance Corporation	Florida Surplus Lines Service Office			7/1/12
2012-080	Citizens Property Insurance Corporation	Governor			7/1/12
2012-080	Citizens Property Insurance Corporation	Chief Financial Officer			7/1/12
2012-080	Citizens Property Insurance Corporation	Citizens Property Insurance Corporation	shall adopt policy forms	s.627.351(6)(c)1. [Section 1]	7/1/12
2012-080	Citizens Property Insurance Corporation	Citizens Property Insurance Corporation	may adopt variations of the policy forms	s.627.351(6)(c)1.f. [Section 1]	7/1/12
2012-081	Adoption	Department of Children and Families			7/1/12
2012-081	Adoption	Office of Vital Statistics			7/1/12
2012-081	Adoption	Department of Health			7/1/12
2012-081	Adoption	Courts			7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-082	ID Cards and Driver Licenses	Department of Highway Safety and Motor Vehicles			7/1/12
2012-082	ID Cards and Driver Licenses	Department of Veterans' Affairs			7/1/12
2012-083	Agriculture	Department of Agriculture and Consumer Services	authorized to adopt rules	s.580.036(2) [Section 6]	7/1/12
2012-083	Agriculture	Department of Agriculture and Consumer Services	<u>authority to adopt rules</u>	s.586.10(1) [Section 9]	7/1/12
2012-083	Agriculture	Department of Agriculture and Consumer Services	shall <del>[a]dopt promulgate</del> rules necessary, <del>Promulgate</del> rules relating to standard grades, <u>rules to administer this section</u>	s.586.10(2)(b)(2) [Section 9]	7/1/12
2012-083	Agriculture	Department of Agriculture and Consumer Services	rules may be adopted	s.586.10(3)(b)(5) [Section 9]	7/1/12
2012-083	Agriculture	Department of Environmental Protection			7/1/12
2012-083	Agriculture	Water Management Districts			7/1/12
2012-083	Agriculture	Department of Transportation			7/1/12
2012-083	Agriculture	Local Governments			7/1/12
2012-084	Department of Children and Families	Department of Children and Families			7/1/12
2012-084	Department of Children and Families	Department of Health			7/1/12
2012-084	Department of Children and Families	Department of Corrections			7/1/12
2012-084	Department of Children and Families	Department of Transportation			7/1/12
2012-084	Department of Children and Families	Executive Office of the Governor			7/1/12
2012-084	Department of Children and Families	Department of Management Services			7/1/12
2012-084	Department of Children and Families	Department of Revenue			7/1/12
2012-084	Department of Children and Families	State Surgeon General			7/1/12
2012-085	Money Services Businesses	Office of Financial Regulation	shall be established by rule	s.560.309(8) [Section 6]	7/1/12
2012-085	Money Services Businesses	Office of Financial Regulation	as prescribed by rule	s.560.310(2)(a) [Section 7]	7/1/12
2012-085	Money Services Businesses	Office of Financial Regulation	as prescribed by rule	s.560.310(2)(d)(e) [Section 7]	7/1/12
2012-085	Money Services Businesses	Department of Financial Services			7/1/12
2012-085	Money Services Businesses	Financial Services Commission			7/1/12
2012-086	Voluntary Contributions	Department of Highway Safety and Motor Vehicles			7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-086	Voluntary Contributions	Department of Veterans' Affairs			7/1/12
2012-087	District School Boards	District School Boards			7/1/12
2012-087	District School Boards	Department of Education			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Fish and Wildlife Conservation Commission			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Department of Environmental Protection			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Division of Law Enforcement	administrative rules are transferred by a type two transfer	(1) [Section 1]	7/1/12
2012-088	Fish and Wildlife Conservation Commission	Florida Forest Service	administrative rules are transferred by a type two transfer	(1) [Section 2]	7/1/12
2012-088	Fish and Wildlife Conservation Commission	Department of Agriculture and Consumer Services			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Board of Trustees of the Internal Improvement Trust Fund			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Secretary of Environmental Protection			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Director of the Fish and Wildlife Conservation Commission			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Executive Office of the Governor			7/1/12
2012-088	Fish and Wildlife Conservation Commission	The Joint Task Force on State Agency Law Enforcement Communications			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Division of Alcoholic Beverages and Tobacco			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Department of Business and Professional Regulation			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Division of Florida Highway Patrol			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Department of Highway Safety and Motor Vehicles			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Department of Law Enforcement			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Department of Corrections			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Division of State Fire Marshal			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Department of Financial Services			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Department of Transportation			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Department of Health			7/1/12

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2012-088	Fish and Wildlife Conservation Commission	Criminal Justice Standards and Training Commission			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Law Enforcement Agencies			7/1/12
2012-088	Fish and Wildlife Conservation Commission	The Office of Agricultural Law Enforcement			7/1/12
2012-088	Fish and Wildlife Conservation Commission	The Division of the Florida Highway Patrol			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Parole Commission			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Courts			7/1/12
2012-088	Fish and Wildlife Conservation Commission	Department of Transportation			7/1/12
2012-089	Florida Climate Protection Act	Department of Environmental Protection			7/1/12
2012-090	Growth Policy	City of Miami			7/1/12
2012-090	Growth Policy	Miami-Dade County			7/1/12
2012-090	Growth Policy	Local Governments			7/1/12
2012-091	Community-Based Development Organizations	Department of Economic Opportunity			7/1/12
2012-092	Uniform Home Grading Scale	Financial Services Commission			7/1/12
2012-092	Uniform Home Grading Scale	Department of Financial Services			7/1/12
2012-093	Repeal of Health Insurance Provisions	Office of Insurance Regulation			7/1/12
2012-093	Repeal of Health Insurance Provisions	Department of Financial Services			7/1/12
2012-094	Environmental Resource Permitting	Department of Environmental Protection	<u>shall initiate rulemaking to adopt</u>	s.373.4131(1)(a) [Section 1]	7/1/12
2012-094	Environmental Resource Permitting	Department of Environmental Protection	<u>may amend fee rules</u>	s.373.4131(1)(b)7. [Section 1]	7/1/12
2012-094	Environmental Resource Permitting	Water Management Districts	<u>may amend fee rules</u>	s.373.4131(1)(b)7. [Section 1]	7/1/12
2012-094	Environmental Resource Permitting	Water Management Districts	<u>rules may be repealed</u>	s.373.4131(2)(c) [Section 1]	7/1/12
2012-094	Environmental Resource Permitting	Water Management Districts	<u>may adopt rules</u>	s.373.4131(3)(a) [Section 1]	7/1/12
2012-094	Environmental Resource Permitting	Local Governments			7/1/12
2012-095	Fish and Wildlife Conservation Commission	Fish and Wildlife Conservation Commission			7/1/12
2012-095	Fish and Wildlife Conservation Commission	Department of Highway Safety and Motor Vehicles			7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-095	Fish and Wildlife Conservation Commission	Chief Financial Officer			7/1/12
2012-095	Fish and Wildlife Conservation Commission	Courts			7/1/12
2012-096	Governmental Reorganization	Division of Information Technology			4/6/12
2012-096	Governmental Reorganization	Department of Economic Opportunity	shall adopt rules	s.163.2523 [Section 6]	4/6/12
2012-096	Governmental Reorganization	Department of Economic Opportunity	shall adopt by rule	s.163.458 [Section 14]	4/6/12
2012-096	Governmental Reorganization	Department of Economic Opportunity	shall adopt rules	s.163.462 [Section 17]	4/6/12
2012-096	Governmental Reorganization	Department of Economic Opportunity	shall be established by rule	s.220.153(3)(b) [Section 27]	4/6/12
2012-096	Governmental Reorganization	Department of Economic Opportunity	may adopt rules	s.220.153(5) [Section 27]	4/6/12
2012-096	Governmental Reorganization	Department of Economic Opportunity	shall adopt rules	s.220.194(8)(a) [Section 29]	4/6/12
2012-096	Governmental Reorganization	Department of Economic Opportunity	may adopt rules	s.288.1254(8)(a) [Section 44]	4/6/12
2012-096	Governmental Reorganization	Department of Economic Opportunity	shall adopt rules	s.288.7102(7) [Section 46]	4/6/12
2012-096	Governmental Reorganization	Department of Economic Opportunity	may be prescribed by rule	s.624.5105(3)(a) [Section 77]	4/6/12
2012-096	Governmental Reorganization	Local Governments			4/6/12
2012-096	Governmental Reorganization	Space Florida			4/6/12
2012-096	Governmental Reorganization	Department of Legal Affairs			4/6/12
2012-096	Governmental Reorganization	Division of Bond Finance			4/6/12
2012-096	Governmental Reorganization	Executive Office of the Governor			4/6/12
2012-096	Governmental Reorganization	Department of Environmental Protection			4/6/12
2012-096	Governmental Reorganization	Department of Revenue	may adopt rules	s.220.153(5) [Section 27]	4/6/12
2012-096	Governmental Reorganization	Department of Revenue	may adopt emergency rules	s.377.809(4)(d) [Section 59]	4/6/12
2012-096	Governmental Reorganization	Department of Financial Services			4/6/12
2012-096	Governmental Reorganization	Financial Services Commission	shall adopt by rule	s.215.55865 [Section 25]	4/6/12
2012-096	Governmental Reorganization	Office of Insurance Regulation			4/6/12
2012-096	Governmental Reorganization	Florida Building Commission			4/6/12
2012-096	Governmental Reorganization	Department of Transportation			4/6/12
2012-096	Governmental Reorganization	Fish and Wildlife Conservation Commission			4/6/12
2012-096	Governmental Reorganization	Department of Agriculture and Consumer Services			4/6/12



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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-096	Governmental Reorganization	Department of State			4/6/12
2012-096	Governmental Reorganization	Tampa Bay Regional Planning Council			4/6/12
2012-096	Governmental Reorganization	Southwest Florida Regional Planning Council			4/6/12
2012-096	Governmental Reorganization	Board of Trustees of the Internal Improvement Trust Fund			4/6/12
2012-096	Governmental Reorganization	Water Management Districts			4/6/12
2012-096	Governmental Reorganization	Division of Emergency Management			4/6/12
2012-096	Governmental Reorganization	Department of Health			4/6/12
2012-096	Governmental Reorganization	Department of Military Affairs			4/6/12
2012-096	Governmental Reorganization	Department of Education			4/6/12
2012-096	Governmental Reorganization	Department of Lottery			4/6/12
2012-096	Governmental Reorganization	Department of Children and Families			4/6/12
2012-096	Governmental Reorganization	Auditor General			4/6/12
2012-096	Governmental Reorganization	Department of Highway Safety and Motor Vehicles			4/6/12
2012-096	Governmental Reorganization	Department of Management Services			4/6/12
2012-096	Governmental Reorganization	Secretary of Children and Family Services			4/6/12
2012-096	Governmental Reorganization	Secretary of Juvenile Justice			4/6/12
2012-096	Governmental Reorganization	Director of the Agency for Persons with Disabilities			4/6/12
2012-096	Governmental Reorganization	Director of the Office of Early Learning			4/6/12
2012-096	Governmental Reorganization	State Surgeon General			4/6/12
2012-096	Governmental Reorganization	Secretary of Health Care Administration			4/6/12
2012-096	Governmental Reorganization	Commissioner of Education			4/6/12
2012-096	Governmental Reorganization	Director of the Statewide Guardian Ad Litem Office			4/6/12
2012-096	Governmental Reorganization	Director of the Office of Child Abuse Prevention			4/6/12
2012-096	Governmental Reorganization	Florida Housing Finance Corporation			4/6/12
2012-096	Governmental Reorganization	Chief Financial Officer			4/6/12
2012-096	Governmental Reorganization	Commissioner of Education			4/6/12
2012-096	Governmental Reorganization	Attorney General			4/6/12
2012-096	Governmental Reorganization	Commissioner of Agriculture			4/6/12
2012-096	Governmental Reorganization	Secretary of State			4/6/12
2012-096	Governmental Reorganization	Office of Early Learning	shall adopt rules	s.1002.79(2) [Section 79]	4/6/12
2012-097	Human Trafficking	Office of Statewide Prosecution			4/6/12
2012-097	Human Trafficking	Department of Legal Affairs			7/1/12
2012-097	Human Trafficking	Board of Massage Therapy			7/1/12
2012-097	Human Trafficking	Law Enforcement Agencies			7/1/12
2012-097	Human Trafficking	Department of Health			7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-097	Human Trafficking	Criminal Justice Standards and Training Commission			7/1/12
2012-097	Human Trafficking	Governor			7/1/12
2012-097	Human Trafficking	Attorney General			7/1/12
2012-097	Human Trafficking	Department of Law Enforcement			7/1/12
2012-097	Human Trafficking	Courts			7/1/12
2012-098	Military Installations	Department of Economic Opportunity	administrative rules are transferred by a type two transfer	[Section 4]	7/1/12
2012-098	Military Installations	Local Governments			7/1/12
2012-099	Growth Management	Department of Economic Opportunity			4/6/12
2012-099	Growth Management	Office of Economic and Demographic Research			4/6/12
2012-099	Growth Management	Local Governments			4/6/12
2012-099	Growth Management	Office of Educational Facilities			4/6/12
2012-099	Growth Management	Administration Commission			4/6/12
2012-099	Growth Management	University of Florida			4/6/12
2012-099	Growth Management	District School Boards			4/6/12
2012-099	Growth Management	Department of Transportation			4/6/12
2012-099	Growth Management	Department of Education			4/6/12
2012-099	Growth Management	Regional Planning Councils	rules shall be adopted	s.186.508(1) [Section 14]	4/6/12
2012-099	Growth Management	Department of State			4/6/12
2012-099	Growth Management	Department of Environmental Protection			4/6/12
2012-099	Growth Management	Fish and Wildlife Conservation Commission			4/6/12
2012-099	Growth Management	Department of Agriculture and Consumer Services			4/6/12
2012-099	Growth Management	Division of Administrative Hearings			4/6/12
2012-099	Growth Management	Department of Management Services			4/6/12
2012-099	Growth Management	Executive Office of the Governor			4/6/12
2012-099	Growth Management	Special Districts			4/6/12
2012-099	Growth Management	Agency for Health Care Administration			4/6/12
2012-100	Clerks of Court	Clerks of Court			7/1/12
2012-100	Clerks of Court	Chief Justice			7/1/12
2012-100	Clerks of Court	Commission on Ethics			7/1/12
2012-100	Clerks of Court	Parole Commission			7/1/12
2012-100	Clerks of Court	Department of Revenue			7/1/12
2012-100	Clerks of Court	Department of Financial Services			7/1/12
2012-100	Clerks of Court	Justice Administrative Commission			7/1/12
2012-100	Clerks of Court	Department of Corrections			7/1/12
2012-100	Clerks of Court	Department of Children and Families			7/1/12
2012-100	Clerks of Court	Department of Highway Safety and Motor Vehicles			7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-101	Ratification of Rules	Department of Agriculture and Consumer Services	The following rule is ratified: 5F-11.002	(1) [Section 1]	4/6/12
2012-101	Ratification of Rules	Department of State			4/6/12
2012-102	Local Business Taxes	Local Governments			10/1/12
2012-102	Local Business Taxes	Department of Business and Professional Regulation			10/1/12
2012-103	Florida Motor Vehicle Theft Prevention Authority	Law Enforcement Agencies			7/1/12
2012-103	Florida Motor Vehicle Theft Prevention Authority	Department of Highway Safety and Motor Vehicles			7/1/12
2012-103	Florida Motor Vehicle Theft Prevention Authority	Florida Motor Vehicle Theft Prevention Authority			7/1/12
2012-103	Florida Motor Vehicle Theft Prevention Authority	Department of Legal Affairs			7/1/12
2012-104	Spaceport Territory	Space Florida			7/1/12
2012-104	Spaceport Territory	Duval County			7/1/12
2012-105	Sexual Exploitation	Department of Children and Families	may adopt rules	s.409.1678(4) [Section 6]	1/1/13
2012-105	Sexual Exploitation	Office of Adoption and Child Protection			1/1/13
2012-105	Sexual Exploitation	Law Enforcement Agencies			1/1/13
2012-105	Sexual Exploitation	Courts			1/1/13
2012-105	Sexual Exploitation	Crime Victims' Services Office			1/1/13
2012-105	Sexual Exploitation	Attorney General			1/1/13
2012-105	Sexual Exploitation	Department of Juvenile Justice			1/1/13
2012-105	Sexual Exploitation	Law Enforcement Agencies			1/1/13
2012-106	Substance Abuse Education and Intervention	Courts			7/1/12
2012-106	Substance Abuse Education and Intervention	Auditor General			7/1/12
2012-106	Substance Abuse Education and Intervention	OPPAGA			7/1/12
2012-106	Substance Abuse Education and Intervention	Department of Corrections			7/1/12
2012-107	Miami-Dade County Lake Belt Mitigation Plan	Department of Revenue			4/13/12
2012-107	Miami-Dade County Lake Belt Mitigation Plan	South Florida Water Management District			4/13/12
2012-107	Miami-Dade County Lake Belt Mitigation Plan	Miami-Dade County			4/13/12
2012-107	Miami-Dade County Lake Belt Mitigation Plan	Department of Environmental Protection			4/13/12
2012-107	Miami-Dade County Lake Belt Mitigation Plan	Fish and Wildlife Conservation Commission			4/13/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-108	Weapons or Firearms	Department of Agriculture and Consumer Services			4/13/12
2012-108	Weapons or Firearms	Fish and Wildlife Conservation Commission			4/13/12
2012-109	Probate	Courts			4/13/12
2012-109	Probate	Department of Children and Families			4/13/12
2012-110	Motor Vehicle Registration	Department of Highway Safety and Motor Vehicles			7/1/12
2012-111	Vehicles with Autonomous Technology	Department of Highway Safety and Motor Vehicles			7/1/12
2012-112	State Investments	State Board of Administration			7/1/12
2012-113	Actions for Damages	Courts			4/13/12
2012-114	Federal Environmental Permitting	Department of Environmental Protection			7/1/12
2012-115	Athletic Trainers and Massage Therapists	Board of Athletic Training			7/1/12
2012-115	Athletic Trainers and Massage Therapists	Board of Massage Therapy			7/1/12
2012-115	Athletic Trainers and Massage Therapists	Department of Health			7/1/12
2012-115	Athletic Trainers and Massage Therapists	Division of Medical Quality Assurance			7/1/12
2012-116	Administrative Authority	Governor			7/1/12
2012-116	Administrative Authority	Department of State	may adopt rules	s.15.16(7) [Section 11]	7/1/12
2012-116	Administrative Authority	Department of State	may adopt rules	s.97.026 [Section 24]	7/1/12
2012-116	Administrative Authority	Department of State	shall adopt rules	s.97.0555 [Section 25]	7/1/12
2012-116	Administrative Authority	Department of State	may adopt rules	s.97.061(1) [Section 26]	7/1/12
2012-116	Administrative Authority	Department of State	may promulgate rules	s.103.101(5) [Section 28]	7/1/12
2012-116	Administrative Authority	Department of State	may adopt rules	s.106.165 [Section 29]	7/1/12
2012-116	Administrative Authority	Department of State	may adopt rules	s.118.12 [Section 35]	7/1/12
2012-116	Administrative Authority	Secretary of State			7/1/12
2012-116	Administrative Authority	Department of State	Subsection (3) of section 101.56062, Florida Statutes, is repealed.	[Section 27]	7/1/12
2012-116	Administrative Authority	Office of Attorney General	may adopt rules	s.16.60(3)(a) [Section 13]	7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-116	Administrative Authority	Department of Financial Services			7/1/12
2012-116	Administrative Authority	Chief Financial Officer			7/1/12
2012-116	Administrative Authority	Supreme Court			7/1/12
2012-116	Administrative Authority	Clerks of Court			7/1/12
2012-116	Administrative Authority	Department of Children and Families	shall adopt rules	s.39.0137(2) [Section 20]	7/1/12
2012-116	Administrative Authority	Department of Children and Families	may promulgate rules	s.63.167(3) [Section 22]	7/1/12
2012-116	Administrative Authority	Department of Children and Families	<u>Subsection (4) of section 125.902, Florida Statutes, is repealed.</u>	[Section 40]	7/1/12
2012-116	Administrative Authority	Department of Children and Families	<u>Section 409.5092, Florida Statutes, is repealed.</u>	[Section 55]	7/1/12
2012-116	Administrative Authority	Department of Health	<u>Subsection (4) of section 154.503, Florida Statutes, is repealed.</u>	[Section 41]	7/1/12
2012-116	Administrative Authority	Department of Revenue	<u>Section 88.9051, Florida Statutes, is repealed.</u>	[Section 23]	7/1/12
2012-116	Administrative Authority	Department of Management Services	shall have authority to adopt rules	s.110.1055 [Section 30]	7/1/12
2012-116	Administrative Authority	Department of Management Services	<del>existing rules are statutorily repealed unless otherwise adopted</del>	s.110.1055 [Section 30]	7/1/12
2012-116	Administrative Authority	Department of Management Services	shall adopt rules	s.110.12301(2) [Section 33]	7/1/12
2012-116	Administrative Authority	Department of Management Services	shall adopt rules	s.121.5911 [Section 39]	7/1/12
2012-116	Administrative Authority	Department of Management Services	<u>Subsection (5) of section 110.1099, Florida Statutes, is repealed.</u>	[Section 31]	7/1/12
2012-116	Administrative Authority	Department of Management Services	<u>Subsection (7) of section 110.1228, Florida Statutes, is repealed.</u>	[Section 32]	7/1/12
2012-116	Administrative Authority	Department of Management Services	<u>Subsection (3) of section 121.4503, Florida Statutes, is repealed.</u>	[Section 38]	7/1/12
2012-116	Administrative Authority	Department of Management Services	<u>Subsection (2) of section 255.25001, Florida Statutes, is repealed.</u>	[Section 51]	7/1/12
2012-116	Administrative Authority	Department of Management Services	<u>Subsection (6) of section 364.0135, Florida Statutes, is repealed.</u>	[Section 53]	7/1/12
2012-116	Administrative Authority	Division of State Group Insurance			7/1/12
2012-116	Administrative Authority	State Board of Education	<u>Subsection (4) of section 112.1915, Florida Statutes, is repealed.</u>	[Section 34]	7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-116	Administrative Authority	Division of Retirement	<u>Paragraph (b) of subsection (4) of section 121.1001, Florida Statutes, is repealed.</u>	[Section 37]	7/1/12
2012-116	Administrative Authority	Division of Retirement	<u>Subsection (2) of section 175.341, Florida Statutes, is repealed.</u>	[Section 48]	7/1/12
2012-116	Administrative Authority	Division of Retirement	<u>Subsection (2) of section 185.23, Florida Statutes, is repealed.</u>	[Section 50]	7/1/12
2012-116	Administrative Authority	Department of Economic Opportunity	may develop rules	s.159.8081(2)(a) [Section 42]	7/1/12
2012-116	Administrative Authority	Department of Economic Opportunity	shall develop rules	s.159.8083 [Section 43]	7/1/12
2012-116	Administrative Authority	Department of Environmental Protection	<u>Section 161.75, Florida Statutes, is repealed.</u>	[Section 45]	7/1/12
2012-116	Administrative Authority	Department of Environmental Protection	<u>Paragraph (e) of subsection (2) of section 177.504, Florida Statutes is repealed.</u>	Section 49]	7/1/12
2012-116	Administrative Authority	Fish and Wildlife Conservation Commission	<u>Section 161.75, Florida Statutes, is repealed.</u>	[Section 45]	7/1/12
2012-116	Administrative Authority	State Board of Administration	<u>Subsection (3) of section 159.825, Florida Statutes, is repealed.</u>	[Section 44]	7/1/12
2012-116	Administrative Authority	Department of Legal Affairs	<u>Subsection (6) of section 163.517, Florida Statutes, is repealed.</u>	[Section 47]	7/1/12
2012-116	Administrative Authority	Division of Library and Information Services	<u>Subsection (7) of section 257.34, Florida Statutes, is repealed.</u>	[Section 52]	7/1/12
2012-116	Administrative Authority	Division of Consumer Services	is authorized to adopt rules	s.366.85 [Section 54]	7/1/12
2012-116	Administrative Authority	Department of Agriculture and Consumer Services	may adopt rules	s.501.142(1) [Section 56]	7/1/12
2012-116	Administrative Authority	Executive Office of the Governor	<u>Subsection (11) of section 39.001, Florida Statutes, is repealed.</u>	[Section 19]	7/1/12
2012-116	Administrative Authority	Office of Fiscal Accountability and Regulatory Reform			7/1/12
2012-116	Administrative Authority	Florida Elections Commission			7/1/12
2012-116	Administrative Authority	Division of Elections			7/1/12
2012-116	Administrative Authority	Department of Juvenile Justice			7/1/12
2012-116	Administrative Authority	Department of Community Affairs	<u>Section 163.462, Florida Statutes, is repealed.</u>	[Section 46]	7/1/12
2012-116	Administrative Authority	All Agencies	<u>unused rulemaking authority shall be omitted</u>	s.11.242(5)(j) [Section 9]	7/1/12
2012-117	Energy	Public Service Commission	shall adopt rules	s.366.92(3) [Section 10]	7/1/12
2012-117	Energy	Public Service Commission	shall have rulemaking authority	s.366.92(3)(b)1. [Section 10]	7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-117	Energy	Public Service Commission	may adopt rules	s.366.92 <del>(5)(7)</del> [Section 10]	7/1/12
2012-117	Energy	Department of Revenue	may adopt rules	s.212.08(7) [Section 4]	7/1/12
2012-117	Energy	Department of Revenue	shall have the authority to adopt rules	s.220.192(7) [Section 6]	7/1/12
2012-117	Energy	Department of Revenue	may adopt rules	s.220.193 <del>(6)(4)</del> [Section 7]	7/1/12
2012-117	Energy	Department of Revenue	<u>as adopted by rule</u>	s.212.08(7)(hhh)1.a. & b. [Section 4]	7/1/12
2012-117	Energy	Department of Revenue	<u>as prescribes by rule</u>	s.220.193 <del>(5)(d)</del> [Section 7]	7/1/12
2012-117	Energy	Department of Agriculture and Consumer Services	<u>may adopt by rule the form</u>	s.212.08(7)(hhh)4.f. [Section 4]	7/1/12
2012-117	Energy	Department of Agriculture and Consumer Services	<u>may adopt other rules</u>	s.212.08(7)(hhh)4.f. [Section 4]	7/1/12
2012-117	Energy	Department of Agriculture and Consumer Services	form adopted by <u>rule</u>	s.220.192(4) [Section 6]	7/1/12
2012-117	Energy	Department of Agriculture and Consumer Services	shall have the authority to adopt rules	s.220.192(7) [Section 6]	7/1/12
2012-117	Energy	Department of Agriculture and Consumer Services	<u>form shall be adopted by rule</u>	s.220.193(3)(b) [Section 7]	7/1/12
2012-117	Energy	Department of Agriculture and Consumer Services	may adopt rules	s.220.193 <del>(6)(4)</del> [Section 7]	7/1/12
2012-117	Energy	Department of Agriculture and Consumer Services	<u>shall adopt rules</u>	s.366.94 <del>(2)</del> [Section 11]	7/1/12
2012-117	Energy	Department of Agriculture and Consumer Services	<u>adopted by rule</u>	s.581.083(4)(a)1. [Section 14]	7/1/12
2012-117	Energy	Department of Agriculture and Consumer Services	shall determine by rule	s.581.083(4)(e) [Section 14]	7/1/12
2012-117	Energy	Department of Management Services			7/1/12
2012-117	Energy	Department of Environmental Protection			7/1/12
2012-117	Energy	School Districts			7/1/12
2012-117	Energy	Local Governments			7/1/12
2012-117	Energy	Division of Hotels and Restaurants			7/1/12
2012-117	Energy	Department of Business and Professional Regulation			7/1/12
2012-117	Energy	State University System			7/1/12
2012-117	Energy	Office of Energy			7/1/12
2012-117	Energy	Florida Building Commission			7/1/12
2012-117	Energy	Florida Energy Systems Consortium			7/1/12
2012-118	Appropriations	All Agencies			7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-118	Appropriations	Department of Health	shall write rules	(541) [Section 3]	7/1/12
2012-119	Appropriations	All Agencies	may not adopt or implement a rule	(1)(d) [Section 5]	7/1/12
2012-119	Appropriations	Agency for Health Care Administration	may establish rules	s.409.912 [Section 9]	7/1/12
2012-120	Prescription Drug Abuse	Department of Legal Affairs			4/19/12
2012-120	Prescription Drug Abuse	Attorney General			4/19/12
2012-120	Prescription Drug Abuse	Surgeon General			4/19/12
2012-120	Prescription Drug Abuse	Secretary of Children and Family Services			4/19/12
2012-120	Prescription Drug Abuse	Secretary of Health Care Administration			4/19/12
2012-120	Prescription Drug Abuse	Department of Law Enforcement Executive Director			4/19/12
2012-121	Local Governments	Local Governments			7/1/12
2012-121	Local Governments	Special Districts			7/1/12
2012-121	Local Governments	Supervisors of Elections			7/1/12
2012-121	Local Governments	Division of Library and Information Services			7/1/12
2012-122	Department of Health	Correctional Medical Authority	administrative rules are transferred	[Section 2]	7/1/12
2012-122	Department of Health	Department of Health			7/1/12
2012-122	Department of Health	Executive Office of the Governor			7/1/12
2012-123	State Judicial System	Courts			7/1/12
2012-123	State Judicial System	Governor			7/1/12
2012-123	State Judicial System	Statewide Guardian Ad Litem Office			7/1/12
2012-123	State Judicial System	Justice Administrative Commission			7/1/12
2012-123	State Judicial System	Department of Corrections			7/1/12
2012-123	State Judicial System	Office of State Courts Administrator			7/1/12
2012-123	State Judicial System	Local Governments			7/1/12
2012-123	State Judicial System	Florida Clerks of Court Operations Corporation			7/1/12
2012-124	Court Related Assessments	Office of State Courts Administrator			7/1/12
2012-124	Court Related Assessments	Courts			7/1/12
2012-124	Court Related Assessments	Department of Financial Services			7/1/12
2012-124	Court Related Assessments	Justice Administrative Commission			7/1/12
2012-125	Criminal Justice	Department of Law Enforcement			10/1/12
2012-125	Criminal Justice	Courts			10/1/12
2012-125	Criminal Justice	Department of Revenue			10/1/12
2012-126	Water Management Districts	Water Management Districts			7/1/12
2012-126	Water Management Districts	Executive Office of the Governor			7/1/12
2012-126	Water Management Districts	Legislative Budget Commission			7/1/12
2012-126	Water Management Districts	Department of Financial Services			7/1/12
2012-126	Water Management Districts	Division of Retirement			7/1/12



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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-127	Department of Economic Opportunity	Department of Economic Opportunity			7/1/12
2012-127	Department of Economic Opportunity	Auditor General			7/1/12
2012-127	Department of Economic Opportunity	OPPAGA			7/1/12
2012-127	Department of Economic Opportunity	Florida Housing Finance Corporation			7/1/12
2012-127	Department of Economic Opportunity	Special Districts			7/1/12
2012-128	Transportation	Department of Transportation	may adopt rules	s.311.07(5)(6) [Section 4]	7/1/12
2012-128	Transportation	Department of Transportation	may adopt rules	s.311.101(8) [Section 7]	7/1/12
2012-128	Transportation	Department of Transportation	may is authorized to adopt rules	s.338.155(1) [Section 23]	7/1/12
2012-128	Transportation	Department of Transportation	may by rule	s.338.155(1) [Section 23]	7/1/12
2012-128	Transportation	Department of Economic Opportunity	shall transfer administrative rules	(1) [Section 33]	7/1/12
2012-128	Transportation	Department of Environmental Protection			7/1/12
2012-128	Transportation	Space Florida			7/1/12
2012-128	Transportation	Orlando-Orange County Expressway Authority			7/1/12
2012-128	Transportation	Florida Seaport Transportation and Economic Development Council	shall adopt rules	s.311.09(4) [Section 5]	7/1/12
2012-128	Transportation	Florida Seaport Transportation and Economic Development Council	shall adopt rules	s.311.22(2) [Section 8]	7/1/12
2012-128	Transportation	Department of Highway Safety and Motor Vehicles			7/1/12
2012-128	Transportation	Department of Revenue			7/1/12
2012-128	Transportation	Department of Children and Families			7/1/12
2012-128	Transportation	Department of Juvenile Justice			7/1/12
2012-128	Transportation	Division of Bond Finance			7/1/12
2012-128	Transportation	Governor			7/1/12
2012-129	Postsecondary Education	University of South Florida Polytechnic			4/20/12
2012-129	Postsecondary Education	Florida Polytechnic University			4/20/12
2012-129	Postsecondary Education	Board of Governors			4/20/12
2012-129	Postsecondary Education	University of South Florida			4/20/12
2012-129	Postsecondary Education	Florida Industrial and Phosphate Research Institute			4/20/12
2012-129	Postsecondary Education	Polk State College			4/20/12
2012-129	Postsecondary Education	University of Florida			4/20/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-130	Lottery	Department of Lottery	shall adopt rules	s.24.105(9) [Section 1]	7/1/12
2012-131	Internet Service	Department of Economic Opportunity	may adopt rules	s.364.0135(6) [Section 6]	4/20/12
2012-131	Internet Service	Department of Management Services	<u>rules are transferred by type two transfer</u>	[Section 2]	4/20/12
2012-131	Internet Service	Legislative Budget Commission			4/20/12
2012-132	State Employees	All Agencies			7/1/12
2012-133	Education Funding	Department of Education			7/1/12
2012-133	Education Funding	School Districts	shall [a]dopt rules	s.1001.42( <del>26</del> )(25) [Section 4]	7/1/12
2012-133	Education Funding	School Districts	shall adopt rules	s.1001.50(2) [Section 5]	7/1/12
2012-133	Education Funding	Commissioner of Education			7/1/12
2012-133	Education Funding	State Board of Education	<u>approved by rule</u>	s.1002.67(3)(a) [Section 7]	7/1/12
2012-133	Education Funding	State Board of Education	<u>established by rule</u>	s.1002.67(3)(c) [Section 7]	7/1/12
2012-133	Education Funding	State Board of Education	shall be prescribed in rules	s.1003.52(12)(d) [Section 12]	7/1/12
2012-133	Education Funding	State Board of Education	shall adopt procedures	s.1002.69 (5) [Section 8]	7/1/12
2012-133	Education Funding	State Board of Education	shall adopt criteria	s.1002.69 (7)(c) [Section 8]	7/1/12
2012-133	Education Funding	Office of Early Learning			7/1/12
2012-133	Education Funding	Department of Juvenile Justice			7/1/12
2012-133	Education Funding	Board of Governors			7/1/12
2012-133	Education Funding	OPPAGA			7/1/12
2012-133	Education Funding	Auditor General			7/1/12
2012-133	Education Funding	Deputy Commissioner of Finance and Operations			7/1/12
2012-133	Education Funding	Governor			7/1/12
2012-134	Education Funding	Auditor General			7/1/12
2012-134	Education Funding	Board of Governors	<u>shall adopt regulations</u>	s.1001.706(3)(i) [Section 5]	7/1/12
2012-134	Education Funding	Board of Governors	<u>shall adopt regulations</u>	s.1009.24(8)(b) [Section 22]	7/1/12
2012-134	Education Funding	Board of Governors	shall adopt regulations	s.1009.24(14)(t) [Section 22]	7/1/12
2012-134	Education Funding	Chief Financial Officer			7/1/12
2012-134	Education Funding	Department of Financial Services			7/1/12
2012-134	Education Funding	Florida Virtual Campus			7/1/12
2012-134	Education Funding	Department of Education			7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-134	Education Funding	Florida College System			7/1/12
2012-134	Education Funding	State University System			7/1/12
2012-134	Education Funding	Legislative Auditing Committee			7/1/12
2012-134	Education Funding	School Districts			7/1/12
2012-134	Education Funding	Department of State			7/1/12
2012-134	Education Funding	Division of Library and Information Services			7/1/12
2012-134	Education Funding	Division of Florida Colleges			7/1/12
2012-134	Education Funding	Division of Bond Finance			7/1/12
2012-134	Education Funding	State Board of Administration			7/1/12
2012-134	Education Funding	Department of Children and Families			7/1/12
2012-134	Education Funding	Department of Revenue			7/1/12
2012-134	Education Funding	University of Florida			7/1/12
2012-134	Education Funding	University of West Florida			7/1/12
2012-134	Education Funding	University of South Florida			7/1/12
2012-134	Education Funding	Florida State College			7/1/12
2012-134	Education Funding	St. Petersburg College			7/1/12
2012-134	Education Funding	South Florida State College			7/1/12
2012-135	Reemployment Services	Department of Financial Services			7/1/12
2012-135	Reemployment Services	Financial Services Commission	may adopt rules	s.440.591 [Section 8]	7/1/12
2012-135	Reemployment Services	Department of Education	may adopt rules	s.440.591 [Section 8]	7/1/12
2012-135	Reemployment Services	Agency for Health Care Administration	may adopt rules	s.440.591 [Section 8]	7/1/12
2012-135	Reemployment Services	Chief Financial Officer			7/1/12
2012-135	Reemployment Services	Office of Insurance Regulation			7/1/12
2012-135	Reemployment Services	Division of Administrative Hearings			7/1/12
2012-135	Reemployment Services	Deputy Chief Judge			7/1/12
2012-135	Reemployment Services	Office of the Judges of Compensation Claims			7/1/12
2012-135	Reemployment Services	Department of Business and Professional Regulation			7/1/12
2012-135	Reemployment Services	Department of Management Services			7/1/12
2012-135	Reemployment Services	Justice Administrative Commission			7/1/12
2012-135	Reemployment Services	First District Court of Appeal			7/1/12
2012-136	Department of Children and Families	Department of Children and Families			4/20/12
2012-137	Juvenile Detention	Department of Juvenile Justice			4/20/12
2012-138	State Court Revenues	Courts			6/1/12
2012-138	State Court Revenues	Department of Revenue			6/1/12
2012-138	State Court Revenues	Justice Administrative Commission			6/1/12
2012-138	State Court Revenues	Department of Financial Services			6/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-139	Business Registration	Department of Revenue	may adopt rules	s.288.109(7) [Section 1]	7/1/12
2012-139	Business Registration	Department of Business and Professional Regulation			7/1/12
2012-139	Business Registration	Department of Economic Opportunity			7/1/12
2012-139	Business Registration	Department of Financial Services			7/1/12
2012-139	Business Registration	Department of Lottery			7/1/12
2012-139	Business Registration	Department of Management Services			7/1/12
2012-139	Business Registration	Department of State			7/1/12
2012-140	Trust Funds	Department of Revenue			7/1/12
2012-141	Department of Management Services	Department of Management Services			7/1/12
2012-141	Department of Management Services	Department of Financial Services			7/1/12
2012-141	Department of Management Services	Department of Revenue			7/1/12
2012-141	Department of Management Services	Chief Financial Officer			7/1/12
2012-142	State Data Center System	Agency for Enterprise Information Technology	shall develop and establish rules	s.282.201(2)(e) [Section 1]	7/1/12
2012-142	State Data Center System	Agency for Enterprise Information Technology	<del>shall publish notice of rule development</del>	s.282.201(2)(e) [Section 1]	7/1/12
2012-142	State Data Center System	All Agencies			7/1/12
2012-143	Department of Business and Professional Regulation	Department of Business and Professional Regulation	shall adopt rules	s.499.024 [Section 5]	7/1/12
2012-143	Department of Business and Professional Regulation	Department of Business and Professional Regulation	may by rule	s.499.024(5) [Section 5]	7/1/12
2012-143	Department of Business and Professional Regulation	Department of Business and Professional Regulation	may adopt rules	s.499.024(6) [Section 5]	7/1/12
2012-143	Department of Business and Professional Regulation	Department of Business and Professional Regulation	may adopt rules	s.499.01(2) [Section 11]	7/1/12
2012-143	Department of Business and Professional Regulation	Department of Business and Professional Regulation	shall, by rule, establish	s.499.04 [Section 13]	7/1/12
2012-143	Department of Business and Professional Regulation	Division of Drugs, Devices, and Cosmetics			7/1/12
2012-143	Department of Business and Professional Regulation	Department of Health			7/1/12
2012-143	Department of Business and Professional Regulation	Secretary of Business and Professional Regulation			7/1/12
2012-143	Department of Business and Professional Regulation	Secretary of Health Care Administration			7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-144	Concealed Weapon License	Department of Agriculture and Consumer Services			7/1/12
2012-144	Concealed Weapon License	Criminal Justice Standards and Training Commission			7/1/12
2012-145	Taxation	Department of Revenue	shall adopt rules	s.212.12(1)(d)(e)3. [Section 2]	7/1/12
2012-145	Taxation	Department of Revenue	may adopt rules	s.212.12(1)(b)(a)2. [Section 2]	7/1/12
2012-145	Taxation	Department of Revenue Executive Director	<u>authorized to adopt emergency rules</u>	(1) [Section 5]	7/1/12
2012-145	Taxation	Department of Environmental Protection	may adopt rules	s.201.15(8) [Section 1]	7/1/12
2012-145	Taxation	Department of Agriculture and Consumer Services	may adopt rules	s.201.15(8) [Section 1]	7/1/12
2012-145	Taxation	Department of Education			7/1/12
2012-145	Taxation	School Districts			7/1/12
2012-146	Retirement	Division of Retirement			7/1/12
2012-146	Retirement	All Agencies			7/1/12
2012-147	Domestic Violence	Department of Children and Family Services	<del>Develop by rule</del>	s.39.903(1)(a) & (b) [Section 2]	7/1/12
2012-147	Domestic Violence	Department of Children and Family Services	<del>shall [a]dopt rules</del>	s.39.903(1)(e) [Section 2]	7/1/12
2012-147	Domestic Violence	Department of Children and Family Services	<del>shall [a]dopt by rule</del>	s.39.903(9) [Section 2]	7/1/12
2012-147	Domestic Violence	Department of Children and Family Services	<del>shall promulgate guidelines</del>	s.741.325(1) [Section 13]	7/1/12
2012-147	Domestic Violence	Department of Children and Family Services	<del>rules shall establish</del>	s.741.325(1) [Section 13]	7/1/12
2012-147	Domestic Violence	Department of Health	may adopt rules	s.381.006(18) [Section 6]	7/1/12
2012-147	Domestic Violence	Department of Health	shall be duty to adopt and enforce rules	s.381.0072 [Section 7]	7/1/12
2012-147	Domestic Violence	Courts			7/1/12
2012-147	Domestic Violence	Department of Revenue			7/1/12
2012-147	Domestic Violence	Department of Law Enforcement			7/1/12
2012-148	Dissolution or Annulment of Marriage	Courts			7/1/12
2012-149	Public Records	All Agencies			10/1/12
2012-150	Reclaimed Water	Department of Environmental Protection	<u>shall initiate rulemaking</u>	s.373.250(5)(a) [Section 2]	7/1/12
2012-150	Reclaimed Water	Department of Environmental Protection	amendments to rule must be adopted and submitted	s.373.036(1)(d) [Section 4]	7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-150	Reclaimed Water	Department of Environmental Protection	may not adopt implementing rules	s.403.813(1)(r)4. [Section 6]	7/1/12
2012-150	Reclaimed Water	Water Management Districts	shall adopt rules	s.373.250(4)(3) [Section 2]	7/1/12
2012-150	Reclaimed Water	Water Management Districts	<del>shall not adopt any rule</del>	s.373.250(4)(3)(b) [Section 2]	7/1/12
2012-150	Reclaimed Water	Water Management Districts	may not adopt any rule	s.373.250(4)(3)(b) [Section 2]	7/1/12
2012-150	Reclaimed Water	Water Management Districts	is not required to adopt, by rule	s.373.250(4)(3)(b)(e) [Section 2]	7/1/12
2012-150	Reclaimed Water	Water Management Districts	shall initiate rulemaking	s.373.250(5)(b) [Section 2]	7/1/12
2012-150	Reclaimed Water	Local Governments			7/1/12
2012-150	Reclaimed Water	Board of Trustees of the Internal Improvement Trust Fund			7/1/12
2012-150	Reclaimed Water	Department of Agriculture and Consumer Services			7/1/12
2012-151	Insurance	Department of Financial Services	shall adopt rules	s.627.351(2)(b) [Section 11]	7/1/12
2012-151	Insurance	Office of Insurance Regulation	in accordance with rules the office may adopt	s.628.910(8) [Section 25]	7/1/12
2012-151	Insurance	Financial Services Commission	may adopt by rule the form	s.628.911(2) [Section 26]	7/1/12
2012-151	Insurance	Financial Services Commission	shall adopt rules	s.628.919 [Section 33]	7/1/12
2012-151	Insurance	Department of Law Enforcement			7/1/12
2012-151	Insurance	Department of Highway Safety and Motor Vehicles			7/1/12
2012-151	Insurance	Governor			7/1/12
2012-151	Insurance	Chief Financial Officer			7/1/12
2012-151	Insurance	Secretary of State			7/1/12
2012-151	Insurance	Department of State			7/1/12
2012-151	Insurance	Citizens Property Insurance Corporation	must include rules	s.627.351(6)(c)6. [Section 11]	7/1/12
2012-151	Insurance	Citizens Property Insurance Corporation	shall adopt policy forms	s.627.351(6)(c)1. [Section 11]	7/1/12
2012-152	Florida Evidence Code	Courts			4/27/12
2012-153	Stalking	Courts			10/1/12
2012-153	Stalking	Law Enforcement Agencies			10/1/12
2012-153	Stalking	Office of the State Courts Administrator			10/1/12
2012-154	Public Records	Courts			10/1/12
2012-154	Public Records	Law Enforcement Agencies			10/1/12
2012-155	Vulnerable Persons	Department of Children and Families			10/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-155	Vulnerable Persons	Department of Legal Affairs			10/1/12
2012-155	Vulnerable Persons	Commission for Independent Education			10/1/12
2012-155	Vulnerable Persons	State Board of Education			10/1/12
2012-155	Vulnerable Persons	Board of Governors			10/1/12
2012-155	Vulnerable Persons	Florida College System			10/1/12
2012-155	Vulnerable Persons	State Universities			10/1/12
2012-155	Vulnerable Persons	Office of the Attorney General			10/1/12
2012-155	Vulnerable Persons	Department of Health			10/1/12
2012-155	Vulnerable Persons	Courts			10/1/12
2012-156	Freeholder Voting	Department of State			7/1/12
2012-157	Disabled Parking Permits	Department of Highway Safety and Motor Vehicles			7/1/12
2012-157	Disabled Parking Permits	Law Enforcement Agencies			7/1/12
2012-157	Disabled Parking Permits	Courts			7/1/12
2012-157	Disabled Parking Permits	Department of Children and Families			7/1/12
2012-157	Disabled Parking Permits	Department of Health			7/1/12
2012-158	State Symbols	Department of State			7/1/12
2012-159	Military Support	Department of Veterans' Affairs	may adopt rules as necessary	s.295.187(9) [Section 12]	7/1/12
2012-159	Military Support	Department of Economic Opportunity	administrative rules are transferred by a type two transfer	(2) [Section 8]	7/1/12
2012-159	Military Support	Department of Corrections			7/1/12
2012-159	Military Support	Department of Highway Safety and Motor Vehicles			7/1/12
2012-159	Military Support	Department of Revenue			7/1/12
2012-159	Military Support	Local Governments			7/1/12
2012-159	Military Support	Department of Management Services	may adopt rules as necessary	s.295.187(9) [Section 12]	7/1/12
2012-159	Military Support	Governor			7/1/12
2012-159	Military Support	Attorney General			7/1/12
2012-159	Military Support	Chief Financial Officer			7/1/12
2012-159	Military Support	Commissioner of Agriculture			7/1/12
2012-159	Military Support	Department of Veterans' Affairs Executive Director			7/1/12
2012-159	Military Support	Department of Economic Opportunity Executive Director			7/1/12
2012-159	Military Support	Courts			7/1/12
2012-159	Military Support	Department of Transportation			7/1/12
2012-160	Health Care Facilities	Agency for Health Care Administration	shall, by rule, adopt	s.400.141(1)(f) [Section 6]	7/1/12
2012-160	Health Care Facilities	Agency for Health Care Administration	may adopt rules	s.400.141(1)(g) [Section 6]	7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-160	Health Care Facilities	Agency for Health Care Administration	<del>shall adopt rules</del>	s.400.142(3) [Section 7]	7/1/12
2012-160	Health Care Facilities	Agency for Health Care Administration	shall develop a form	s.400.147(7) [Section 8]	7/1/12
2012-160	Health Care Facilities	Agency for Health Care Administration	<del>shall develop a form</del>	s.400.147(8)(a) [Section 8]	7/1/12
2012-160	Health Care Facilities	Agency for Health Care Administration	must adopt rules	s.400.23(5) [Section 10]	7/1/12
2012-160	Health Care Facilities	Agency for Health Care Administration	<del>rules must include a methodology</del>	s.400.23(5)(a) [Section 10]	7/1/12
2012-160	Health Care Facilities	Agency for Health Care Administration	shall set by rule	s.400.931(3) [Section 17]	7/1/12
2012-160	Health Care Facilities	Agency for Health Care Administration	fee shall be established by rule	s.400.931(5) [Section 17]	7/1/12
2012-160	Health Care Facilities	Agency for Health Care Administration	shall be adopted by rule	s.408.036(3)(n)1. [Section 20]	7/1/12
2012-160	Health Care Facilities	Agency for Health Care Administration	may establish rules	s.409.912 [Section 39]	7/1/12
2012-160	Health Care Facilities	Agency for Health Care Administration	may adopt rules	s.409.912(37)(a)1. [Section 39]	7/1/12
2012-160	Health Care Facilities	Agency for Health Care Administration	may adopt rules	s.409.912(37)(a)16.c. [Section 39]	7/1/12
2012-160	Health Care Facilities	Agency for Persons with Disabilities			7/1/12
2012-160	Health Care Facilities	Department of Health			7/1/12
2012-160	Health Care Facilities	Division of Children's Medical Services			7/1/12
2012-160	Health Care Facilities	Law Enforcement Agencies			7/1/12
2012-160	Health Care Facilities	Department of Children and Families			7/1/12
2012-160	Health Care Facilities	Board of Nursing Home Administrators			7/1/12
2012-161	Construction Warranties	Florida Building Commission			7/1/12
2012-161	Construction Warranties	Department of Business and Professional Regulation			7/1/12
2012-161	Construction Warranties	Courts			7/1/12
2012-162	Postsecondary Education	Florida College System			7/1/12
2012-162	Postsecondary Education	Universities			7/1/12
2012-163	Osteopathic Physicians	Board of Osteopathic Medicine			7/1/12
2012-164	Intergovernmental Cooperation	Local Governments			7/1/12
2012-164	Intergovernmental Cooperation	Special Districts			7/1/12
2012-165	Public Lodging	Division of Hotels and Restaurants	may adopt rules	s.509.013(4)(b)8. [Section 1]	10/1/12
2012-165	Public Lodging	Department of Health			10/1/12
2012-165	Public Lodging	Agency for Health Care Administration			10/1/12



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2012-165	Public Lodging	Department of Children and Families			10/1/12
2012-166	School Districts	School Districts			7/1/12
2012-167	Youth Athletes	State Board of Education			7/1/12
2012-168	Radiological Personnel	Department of Health			7/1/12
2012-169	College Credit	Board of Governors	<u>shall adopt regulations</u>	s.1004.096 [Section 1]	7/1/12
2012-169	College Credit	State University System			7/1/12
2012-169	College Credit	State Board of Education	<u>shall adopt rules</u>	s.1004.096 [Section 1]	7/1/12
2012-170	Physician Assistants	Department of Health			7/1/12
2012-170	Physician Assistants	Board of Medicine	shall adopt by rule	s.458.347(4)(f)4. [Section 1]	7/1/12
2012-170	Physician Assistants	Board of Medicine	shall establish, by rule, a fee	s.458.347(4)(f)4. [Section 1]	7/1/12
2012-170	Physician Assistants	Board of Osteopathic Medicine	shall adopt by rule	s.458.347(4)(f)4. [Section 1]	7/1/12
2012-170	Physician Assistants	Board of Osteopathic Medicine	shall establish, by rule, a fee	s.458.347(4)(f)4. [Section 1]	7/1/12
2012-171	Chiropractic Medicine	Board of Chiropractic Medicine	shall establish by rule	s.460.406(1)(e) [Section 3]	7/1/12
2012-171	Chiropractic Medicine	Board of Chiropractic Medicine	shall adopt standards	s.460.4165(5)(c) [Section 5]	7/1/12
2012-171	Chiropractic Medicine	Department of Health			7/1/12
2012-172	Alzheimer's Disease	Department of Elderly Affairs			4/27/12
2012-172	Alzheimer's Disease	Governor			4/27/12
2012-173	Animal Control	Board of Pharmacy	shall adopt rules	s.828.055(1) [Section 2]	7/1/12
2012-173	Animal Control	Board of Pharmacy	may, by rule	s.828.055(1) [Section 2]	7/1/12
2012-173	Animal Control	Board of Pharmacy	<u>shall adopt rules</u>	s.828.055(4) [Section 2]	7/1/12
2012-173	Animal Control	Department of Health	may adopt rules	s.381.0031(7)(6) [Section 1]	7/1/12
2012-173	Animal Control	Animal Control Officers			7/1/12
2012-173	Animal Control	Board of Veterinary Medicine	may approve by rule	s.828.058(1) [Section 3]	7/1/12
2012-173	Animal Control	Secretary of State			7/1/12
2012-173	Animal Control	Department of Business and Professional Regulation			7/1/12
2012-174	Transportation and Mitigation Programs	Department of Transportation	may adopt rules	s.311.07(5)(6) [Section 9]	7/1/12
2012-174	Transportation and Mitigation Programs	Department of Transportation	<u>authorized to adopt rules</u>	s.311.101(8) [Section 12]	7/1/12

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2012-174	Transportation and Mitigation Programs	Department of Transportation	may adopt rules	s.337.408(4) [Section 2]	7/1/12
2012-174	Transportation and Mitigation Programs	Department of Transportation	<u>may by rule</u>	s.338.155(1) [Section 42]	7/1/12
2012-174	Transportation and Mitigation Programs	Department of Transportation	<u>may modify its rules</u>	s.338.161(3)(c) [Section 43]	7/1/12
2012-174	Transportation and Mitigation Programs	Department of Transportation	<del>shall adopt rules</del>	s.339.0805(1)(b) [Section 52]	7/1/12
2012-174	Transportation and Mitigation Programs	Department of Transportation	shall adopt rules	s.479.261(5) [Section 96]	7/1/12
2012-174	Transportation and Mitigation Programs	Transportation Authorities			7/1/12
2012-174	Transportation and Mitigation Programs	Department of Environmental Protection	<u>shall initiate rulemaking</u>	s.373.118(6) [Section 73]	7/1/12
2012-174	Transportation and Mitigation Programs	Department of Environmental Protection	<u>may establish, by rule</u>	s.373.413(6) [Section 74]	7/1/12
2012-174	Transportation and Mitigation Programs	Department of Environmental Protection	shall, by rule, adopt	s.403.7211(2)(d) [Section 93]	7/1/12
2012-174	Transportation and Mitigation Programs	Water Management Districts	<u>may establish, by rule</u>	s.373.413(6) [Section 74]	7/1/12
2012-174	Transportation and Mitigation Programs	Department of Economic Opportunity			7/1/12
2012-174	Transportation and Mitigation Programs	Office of the State Public Transportation Administrator			7/1/12
2012-174	Transportation and Mitigation Programs	Florida Seaport Transportation and Economic Development Council	<u>shall develop guidelines</u>	s.311.07(2) [Section 9]	7/1/12
2012-174	Transportation and Mitigation Programs	Florida Seaport Transportation and Economic Development Council	shall adopt rules	s.311.09(4) [Section 10]	7/1/12
2012-174	Transportation and Mitigation Programs	Florida Seaport Transportation and Economic Development Council	shall adopt rules	s.311.22(2) [Section 84]	7/1/12
2012-174	Transportation and Mitigation Programs	Municipalities	authorized to adopt and amend all needful rules, regulations	s.332.08(1)(b)1.(2)(a) [Section 21]	7/1/12
2012-174	Transportation and Mitigation Programs	Florida Rail Enterprise	may adopt rules	s.341.840(7)(f) [Section 61]	7/1/12
2012-174	Transportation and Mitigation Programs	Department of Management Services			7/1/12
2012-174	Transportation and Mitigation Programs	Department of Financial Services			7/1/12
2012-174	Transportation and Mitigation Programs	Metropolitan Planning Organizations			7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-174	Transportation and Mitigation Programs	Statewide Intermodal Transportation Advisory Council			7/1/12
2012-174	Transportation and Mitigation Programs	South Florida Regional Transportation Authority			7/1/12
2012-174	Transportation and Mitigation Programs	Palm Beach County School District			7/1/12
2012-174	Transportation and Mitigation Programs	Pilotage Rate Review Committee	are transferred by a type two transfer	[Section 78]	7/1/12
2012-174	Transportation and Mitigation Programs	Board of Pilot Commissioners			7/1/12
2012-174	Transportation and Mitigation Programs	Florida Transportation Commission			7/1/12
2012-174	Transportation and Mitigation Programs	Local Governments			7/1/12
2012-174	Transportation and Mitigation Programs	Department of Highway Safety and Motor Vehicles			7/1/12
2012-174	Transportation and Mitigation Programs	Department of Revenue	may adopt rules	s.341.840(7)(g) [Section 61]	7/1/12
2012-174	Transportation and Mitigation Programs	Division of Bond Finance			7/1/12
2012-174	Transportation and Mitigation Programs	Regional Planning Councils			7/1/12
2012-174	Transportation and Mitigation Programs	Department of Transportation Secretary			7/1/12
2012-174	Transportation and Mitigation Programs	Governor			7/1/12
2012-174	Transportation and Mitigation Programs	Universities			7/1/12
2012-174	Transportation and Mitigation Programs	Commission on Ethics			7/1/12
2012-174	Transportation and Mitigation Programs	Transit Authorities			7/1/12
2012-175	Self Service Storage Facilities	Courts			7/1/12
2012-176	Public Accountancy	Division of Certified Public Accounting			7/1/12
2012-176	Public Accountancy	Board of Accountancy	shall adopt rules	s.473.308(4)(a) [Section 1]	7/1/12
2012-176	Public Accountancy	Board of Accountancy	may prescribe by rule	s.473.313(2) [Section 2]	7/1/12
2012-177	Emergency 911 Service	E911 Board			7/1/12
2012-177	Emergency 911 Service	Public Service Commission			7/1/12
2012-177	Emergency 911 Service	Law Enforcement Agencies			7/1/12
2012-177	Emergency 911 Service	Governor			7/1/12
2012-177	Emergency 911 Service	Local Governments			7/1/12

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2012-178	Child Protection	Department of Children and Families	shall adopt by rule	s.39.0138(1) [Section 3]	7/1/12
2012-178	Child Protection	Department of Children and Families	shall adopt by rule	s.39.301(14)(45)(c) [Section 6]	7/1/12
2012-178	Child Protection	Children and Youth Cabinet			7/1/12
2012-178	Child Protection	Department of Law Enforcement			7/1/12
2012-178	Child Protection	Courts			7/1/12
2012-178	Child Protection	Law Enforcement Agencies			7/1/12
2012-178	Child Protection	Department of Corrections			7/1/12
2012-178	Child Protection	Department of Health			7/1/12
2012-179	Secondhand Dealers & Metals Recyclers	Law Enforcement Agencies			7/1/12
2012-179	Secondhand Dealers & Metals Recyclers	Department of Revenue			7/1/12
2012-179	Secondhand Dealers & Metals Recyclers	Department of Law Enforcement	on a form approved by	s.538.04(1) [Section 2]	7/1/12
2012-179	Secondhand Dealers & Metals Recyclers	Department of Highway Safety and Motor Vehicles			7/1/12
2012-180	Tourist Development Tax	Local Governments			7/1/12
2012-181	Highway Safety and Motor Vehicles	Department of Highway Safety and Motor Vehicles	in a form prescribed by the <u>department</u>	s.319.23(7) [Section 21]	1/1/13
2012-181	Highway Safety and Motor Vehicles	Department of Highway Safety and Motor Vehicles	<u>may adopt rules</u>	s.319.30(10) [Section 25]	1/1/13
2012-181	Highway Safety and Motor Vehicles	Department of Highway Safety and Motor Vehicles	shall prescribe a form	s.320.02(2)(b) [Section 28]	1/1/13
2012-181	Highway Safety and Motor Vehicles	Department of Highway Safety and Motor Vehicles	<u>may adopt rules</u>	s.320.02(5)(e) [Section 28]	1/1/13
2012-181	Highway Safety and Motor Vehicles	Department of Highway Safety and Motor Vehicles	on a form prescribed by the <u>department</u>	s.320.13(1)(c) [Section 40]	1/1/13
2012-181	Highway Safety and Motor Vehicles	Department of Highway Safety and Motor Vehicles	may make rules and regulations	s.322.27(3)(g) [Section 58]	1/1/13
2012-181	Highway Safety and Motor Vehicles	Department of Highway Safety and Motor Vehicles	shall <u>adopt</u> rules	s.328.15(5)(a) [Section 67]	1/1/13
2012-181	Highway Safety and Motor Vehicles	Department of Highway Safety and Motor Vehicles	may by rule require	s.328.15(5)(a) [Section 67]	1/1/13
2012-181	Highway Safety and Motor Vehicles	Division of the Florida Highway Patrol			1/1/13
2012-181	Highway Safety and Motor Vehicles	Office of Commercial Vehicle Enforcement			1/1/13
2012-181	Highway Safety and Motor Vehicles	Courts			1/1/13
2012-181	Highway Safety and Motor Vehicles	Department of Transportation			1/1/13

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-181	Highway Safety and Motor Vehicles	Local Governments			1/1/13
2012-181	Highway Safety and Motor Vehicles	Department of Revenue			1/1/13
2012-181	Highway Safety and Motor Vehicles	Department of Juvenile Justice			1/1/13
2012-181	Highway Safety and Motor Vehicles	Department of Children and Families			1/1/13
2012-181	Highway Safety and Motor Vehicles	Department of Law Enforcement			1/1/13
2012-181	Highway Safety and Motor Vehicles	Department of State			1/1/13
2012-181	Highway Safety and Motor Vehicles	Department of Business and Professional Regulation			1/1/13
2012-181	Highway Safety and Motor Vehicles	Department of Agriculture and Consumer Services			1/1/13
2012-181	Highway Safety and Motor Vehicles	Department of Health			1/1/13
2012-182	Department of Citrus	Department of Citrus	adopt and <del>periodically, from time to time,</del> alter, rescind, modify, or amend all proper and necessary rules	s.601.10(1) [Section 13]	7/1/12
2012-182	Department of Citrus	Department of Citrus	adopt, promulgate, alter, rescind, modify, amend or repeal, and enforce rules	s.601.10(7) [Section 13]	7/1/12
2012-182	Department of Citrus	Department of Citrus	adopt promulgate rules	s.601.10(12) [Section 13]	7/1/12
2012-182	Department of Citrus	Department of Citrus	provide by rule a list of forms	s.601.10(15) [Section 13]	7/1/12
2012-182	Department of Citrus	Department of Citrus	shall <del>adopt</del> prescribe rules	s.601.11(3) [Section 15]	7/1/12
2012-182	Department of Citrus	Department of Citrus	may not adopt any rule inconsistent	s.601.11(4) [Section 15]	7/1/12
2012-182	Department of Citrus	Department of Citrus	may adopt emergency rules	s.601.11(2)(a) [Section 16]	7/1/12
2012-182	Department of Citrus	Department of Citrus	shall administer and prescribe rules	s.601.13(1) [Section 17]	7/1/12
2012-182	Department of Citrus	Department of Citrus	shall prescribe rules	s.601.15(1) [Section 18]	7/1/12
2012-182	Department of Citrus	Department of Citrus	shall by rule prescribe	s.601.15(4) [Section 18]	7/1/12
2012-182	Department of Citrus	Department of Citrus	may by rule require	s.601.15(5) [Section 18]	7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-182	Department of Citrus	Department of Citrus	<u>shall</u> adopt rules	s.601.15(7)(d) [Section 18]	7/1/12
2012-182	Department of Citrus	Department of Citrus	adopt and <del>periodically, from time to time</del> , alter, rescind, modify, or amend all proper and necessary rules	s.601.15(10) [Section 18]	7/1/12
2012-182	Department of Citrus	Department of Citrus	shall <u>adopt</u> rules	s.601.24 [Section 21]	7/1/12
2012-182	Department of Citrus	Department of Citrus	shall <u>adopt</u> rules	s.601.25 [Section 22]	7/1/12
2012-182	Department of Citrus	Department of Citrus	may <u>adopt</u> rules	s.601.46(1) [Section 25]	7/1/12
2012-182	Department of Citrus	Department of Citrus	may <u>adopt</u> rules	s.601.50(1) [Section 37]	7/1/12
2012-182	Department of Citrus	Department of Citrus	rule <u>adopted</u> under this section may <u>not</u> permit	s.601.50(2) [Section 37]	7/1/12
2012-182	Department of Citrus	Department of Citrus	rules <u>must</u> provide	s.601.50(2) [Section 37]	7/1/12
2012-182	Department of Citrus	Department of Citrus	shall <u>adopt</u> rules	s.601.56 [Section 43]	7/1/12
2012-182	Department of Citrus	Department of Citrus	<del>may adopt rules authorized to establish by rule</del>	s.601.57(7) [Section 44]	7/1/12
2012-182	Department of Citrus	Department of Citrus	rules <u>shall</u> allow	s.601.61(1)(a) [Section 48]	7/1/12
2012-182	Department of Citrus	Department of Citrus	as set forth in <u>rules adopted by</u>	s.601.61(4) [Section 48]	7/1/12
2012-182	Department of Citrus	Department of Citrus	rule <u>adopted by</u>	s.601.69(9) [Section 52]	7/1/12
2012-182	Department of Citrus	Department of Citrus	rule <u>adopted by</u>	s.601.701(1) [Section 54]	7/1/12
2012-182	Department of Citrus	Department of Citrus	shall be prescribed by rules	s.601.91(3) [Section 64]	7/1/12
2012-182	Department of Citrus	Department of Citrus	may by rule prescribe	s.601.9901 [Section 65]	7/1/12
2012-182	Department of Citrus	Department of Citrus	<u>shall</u> <u>adopt</u> and enforce rules	s.601.9904 [Section 70]	7/1/12
2012-182	Department of Citrus	Department of Citrus	should be established by <u>rules</u> <u>adopted by</u>	s.601.9910(3) [Section 72]	7/1/12
2012-182	Department of Citrus	Florida Citrus Commission	may prescribe by rule	s.601.61(2) [Section 48]	7/1/12
2012-182	Department of Citrus	Chief Financial Officer			7/1/12
2012-182	Department of Citrus	Department of Agriculture and Consumer Services	<u>may</u> adopt rules	s.601.28(5) [Section 23]	7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-182	Department of Citrus	Department of Agriculture and Consumer Services	rules shall prescribe	s.601.28(5) [Section 23]	7/1/12
2012-182	Department of Citrus	Department of Agriculture and Consumer Services	rules shall <u>require</u>	s.601.28(5) [Section 23]	7/1/12
2012-182	Department of Citrus	Department of Agriculture and Consumer Services	rules <del>may shall</del> not <u>authorize</u> <del>allow</del> fees	s.601.28(5) [Section 23]	7/1/12
2012-182	Department of Citrus	Department of Agriculture and Consumer Services	shall establish by rule	s.601.60(1) [Section 46]	7/1/12
2012-182	Department of Citrus	Department of Agriculture and Consumer Services	<u>rule adopted by</u>	s.601.701(1) [Section 54]	7/1/12
2012-182	Department of Citrus	Department of Agriculture and Consumer Services	may adopt rules; rules may include fees	s.601.74 [Section 56]	7/1/12
2012-182	Department of Citrus	Department of Agriculture and Consumer Services	may adopt rules	s.601.75 [Section 57]	7/1/12
2012-182	Department of Citrus	Department of Agriculture and Consumer Services	may adopt rules	s.601.76 [Section 58]	7/1/12
2012-182	Department of Citrus	Department of Agriculture and Consumer Services	may, by rule	s.601.77 [Section 59]	7/1/12
2012-182	Department of Citrus	Department of Agriculture and Consumer Services	may, by rule	s.601.78 [Section 60]	7/1/12
2012-182	Department of Citrus	Department of Agriculture and Consumer Services	shall adopt rules	s.601.78 [Section 60]	7/1/12
2012-182	Department of Citrus	Department of Agriculture and Consumer Services	may adopt rules	s.601.992 [Section 75]	7/1/12
2012-183	Public Records	Department of Citrus			7/1/12
2012-184	Department of Health	Department of Health	duty to administer and enforce rules	s.381.0011(2)(3) [Section 7]	4/27/12
2012-184	Department of Health	Department of Health	<del>shall adopt rules</del>	s.381.0011(5)(a) [Section 7]	4/27/12
2012-184	Department of Health	Department of Health	<del>duty to [a]dopt rules</del>	s.381.0011(42) [Section 7]	4/27/12
2012-184	Department of Health	Department of Health	may adopt rules	s.381.0031(7)(6) [Section 15]	4/27/12
2012-184	Department of Health	Department of Health	<u>shall adopt rules; rules must include</u>	s.381.00315(5) [Section 16]	4/27/12
2012-184	Department of Health	Department of Health	<u>rules adopted shall supersede all rules</u>	s.381.00315(6) [Section 16]	4/27/12
2012-184	Department of Health	Department of Health	<del>may adopt rules</del>	s.381.0052(5) [Section 24]	4/27/12
2012-184	Department of Health	Department of Health	may promulgate rules	s.381.0053(4) [Section 25]	4/27/12
2012-184	Department of Health	Department of Health	may adopt rules	s.381.00591 [Section 29]	4/27/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-184	Department of Health	Department of Health	may adopt rules	s.381.00593(8) [Section 30]	4/27/12
2012-184	Department of Health	Department of Health	shall adopt rules	s.381.0065(5) [Section 32]	4/27/12
2012-184	Department of Health	Department of Health	may not adopt any rule	s.381.00651(9)(c) [Section 33]	4/27/12
2012-184	Department of Health	Department of Health	shall be the duty to adopt and enforce rules	s.381.0072 [Section 37]	4/27/12
2012-184	Department of Health	Department of Health	shall establish by rule	s.381.00781(4) [Section 38]	4/27/12
2012-184	Department of Health	Department of Health	shall adopt rules necessary	s.381.0086(1) [Section 39]	4/27/12
2012-184	Department of Health	Department of Health	shall adopt rules	s.381.0101(4)(5) [Section 41]	4/27/12
2012-184	Department of Health	Department of Health	may adopt rules	s.381.0203(1) [Section 42]	4/27/12
2012-184	Department of Health	Department of Health	may adopt rules	s.381.0203(2)(4)3- [Section 42]	4/27/12
2012-184	Department of Health	Department of Health	may adopt rules	s.381.765(3) [Section 62]	4/27/12
2012-184	Department of Health	Department of Health	To adopt rules	s.391.026(18) [Section 77]	4/27/12
2012-184	Department of Health	Department of Health	shall develop, by rule	s.392.61(4) [Section 82]	4/27/12
2012-184	Department of Health	Department of Health	may adopt rules	s.401.243(4) [Section 86]	4/27/12
2012-184	Department of Health	Department of Health	shall adopt rules	s.401.245(5) [Section 87]	4/27/12
2012-184	Department of Health	Department of Health	may adopt rules	s.401.271(2) [Section 88]	4/27/12
2012-184	Department of Health	Department of Health	shall adopt rules	s.462.19(2) [Section 97]	4/27/12
2012-184	Department of Health	Department of Health	may adopt and enforce rules; shall revise such rules as necessary	s.514.021(1) [Section 104]	4/27/12
2012-184	Department of Health	Department of Health	may not establish by rule; may not adopt by rule	s.514.021(2) [Section 104]	4/27/12
2012-184	Department of Health	Department of Health	may adopt and enforce rules	s.514.023(2) [Section 105]	4/27/12
2012-184	Department of Health	Department of Health	shall adopt rules	s.514.031(5) [Section 108]	4/27/12
2012-184	Department of Health	Department of Health	Department of Education Health may adopt rules necessary	s.1009.66(9)(40) [Section 113]	4/27/12



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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-184	Department of Health	Department of Health	Department of <u>Education Health</u> shall adopt rules	s.1009.67(6) [Section 114]	4/27/12
2012-184	Department of Health	Department of Health	<u>administrative rules are transferred by a type two transfer</u>	[Section 115]	4/27/12
2012-184	Department of Health	State Surgeon General			4/27/12
2012-184	Department of Health	Secretary of State			4/27/12
2012-184	Department of Health	Department of Environmental Protection			4/27/12
2012-184	Department of Health	Secretary of Environmental Protection			4/27/12
2012-184	Department of Health	Division Director for Emergency Preparedness and Community Support			4/27/12
2012-184	Department of Health	Agency for Health Care Administration			4/27/12
2012-184	Department of Health	State University System			4/27/12
2012-184	Department of Health	Agency for Health Care Administration	shall adopt and publish rules	s.400.914(1) [Section 91]	4/27/12
2012-184	Department of Health	Board of Nursing	shall adopt rules	s.464.208(4) [Section 101]	4/27/12
2012-184	Department of Health	Local Governments			4/27/12
2012-184	Department of Health	Department of Education	Department of <u>Education Health</u> may adopt rules necessary	s.1009.66(9)(40) [Section 113]	4/27/12
2012-184	Department of Health	Department of Education	Department of <u>Education Health</u> shall adopt rules	s.1009.67(6) [Section 114]	4/27/12
2012-184	Department of Health	Department of Education	<u>administrative rules are transferred by a type two transfer</u>	[Section 115]	4/27/12
2012-184	Department of Health	Chief Financial Officer			4/27/12
2012-184	Department of Health	Department of Business and Professional Regulation			4/27/12
2012-184	Department of Health	Department of Revenue	list shall be in rules promulgated by	s.212.08(2)(a) & (b) [Section 4]	4/27/12
2012-184	Department of Health	Department of Children and Families			4/27/12
2012-184	Department of Health	Department of Elderly Affairs			4/27/12
2012-184	Department of Health	Division of Emergency Management			4/27/12
2012-184	Department of Health	Governor			4/27/12
2012-184	Department of Health	Department of Management Services			4/27/12
2012-184	Department of Health	Florida Building Commission			4/27/12
2012-184	Department of Health	Division of Fire Marshal			4/27/12
2012-184	Department of Health	Division of Forestry			4/27/12
2012-184	Department of Health	Department of Agriculture and Consumer Services			4/27/12
2012-184	Department of Health	Legislative Budget Commission			4/27/12
2012-184	Department of Health	Division of Medical Quality Assurance			4/27/12
2012-184	Department of Health	Executive Office of the Governor			4/27/12
2012-184	Department of Health	Fire and Emergency Incident Information Reporting Program	shall [a]dopt rules	s.633.115(1)(a)3. [Section 112]	4/27/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-184	Department of Health	Fire and Emergency Incident Information Reporting Program	shall [b]y rule establish procedures	s.633.115(1)(a)4. [Section 112]	4/27/12
2012-184	Department of Health	Board of Medicine			4/27/12
2012-184	Department of Health	Board of Osteopathic Medicine			4/27/12
2012-185	Metal Theft	Courts			10/1/12
2012-185	Metal Theft	Law Enforcement Agencies			10/1/12
2012-186	Homeless Youth	Courts			7/1/12
2012-186	Homeless Youth	Department of Health			7/1/12
2012-186	Homeless Youth	School Districts			7/1/12
2012-187	Water Shortage/Quality	Public Service Commission			7/1/12
2012-187	Water Shortage/Quality	Water Management Districts			7/1/12
2012-187	Water Shortage/Quality	Department of Environmental Protection			7/1/12
2012-187	Water Shortage/Quality	Public Service Commission Chair			7/1/12
2012-187	Water Shortage/Quality	Department of Environmental Protection Secretary			7/1/12
2012-187	Water Shortage/Quality	Public Counsel			7/1/12
2012-187	Water Shortage/Quality	Governor			7/1/12
2012-188	High School Athletics	School Districts	shall require schools to adopt rules	s.1006.20(9) [Section 2]	7/1/12
2012-188	High School Athletics	State Board of Education			7/1/12
2012-188	High School Athletics	Commissioner of Education			7/1/12
2012-189	Recreation & Parks	Department of Environmental Protection			7/1/12
2012-189	Recreation & Parks	Division of Parks and Recreation			7/1/12
2012-190	Department of Agriculture and Consumer Services	Department of Agriculture and Consumer Services	may adopt rules	s.500.09(3) [Section 11]	7/1/12
2012-190	Department of Agriculture and Consumer Services	Department of Agriculture and Consumer Services	by rule may establish	s.580.131(1)(f)(6) [Section 31]	7/1/12
2012-190	Department of Agriculture and Consumer Services	Florida Forest Service	may adopt rules	s.589.19(4)(e) [Section 43]	7/1/12
2012-190	Department of Agriculture and Consumer Services	Florida Forest Service	authority [t]o make rules	s.590.02(1)(f) [Section 45]	7/1/12
2012-190	Department of Agriculture and Consumer Services	Aquaculture Review Council			7/1/12
2012-190	Department of Agriculture and Consumer Services	Commissioner of Agriculture			7/1/12
2012-190	Department of Agriculture and Consumer Services	Division of Food, Nutrition, and Wellness			7/1/12
2012-190	Department of Agriculture and Consumer Services	Board of Trustees of the Internal Improvement Trust Fund			7/1/12
2012-190	Department of Agriculture and Consumer Services	Office of Energy and Water			7/1/12
2012-190	Department of Agriculture and Consumer Services	Soil and Water Conservation Districts			7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-191	Public Education	School Districts	shall adopt a policy	s.1003.4281(2) [Section 9]	7/1/12
2012-191	Public Education	State Board of Education	shall develop and adopt rules	s.1003.492(2) [Section 14]	7/1/12
2012-191	Public Education	State Board of Education	shall adopt rules	s.1003.4935(4) [Section 16]	7/1/12
2012-191	Public Education	State Board of Education	shall adopt rules	s.1007.271(12)(9) [Section 20]	7/1/12
2012-191	Public Education	State Board of Education	shall by rule	s.1008.22(2)(c)6. [Section 22]	7/1/12
2012-191	Public Education	State Board of Education	shall adopt rules	s.1008.22(2)(c)8. [Section 22]	7/1/12
2012-191	Public Education	State Board of Education	shall adopt rules	s.1008.25(9)(b) [Section 23]	7/1/12
2012-191	Public Education	Florida College System	authorized to adopt rules	s.1007.263 [Section 18]	7/1/12
2012-191	Public Education	Department of Education	shall adopt guidelines	s.1007.271(3) [Section 20]	7/1/12
2012-191	Public Education	Department of Economic Opportunity			7/1/12
2012-191	Public Education	Commissioner of Education			7/1/12
2012-191	Public Education	Department of Juvenile Justice			7/1/12
2012-191	Public Education	Florida Virtual School			7/1/12
2012-191	Public Education	Board of Governors			7/1/12
2012-192	Digital Learning	Florida Virtual School			7/1/12
2012-192	Digital Learning	Department of Education			7/1/12
2012-192	Digital Learning	School Districts			7/1/12
2012-192	Digital Learning	State Board of Education			7/1/12
2012-192	Digital Learning	Auditor General			7/1/12
2012-193	Property Taxes	Department of Revenue	shall require by rule	s.193.155(8)(h)(g) [Section 5]	4/27/12
2012-193	Property Taxes	Department of Revenue	shall prescribe the content of such forms by rule	s.196.121(1) [Section 23]	4/27/12
2012-194	School Improvement & Education Accountability	Department of Education			7/1/12
2012-194	School Improvement & Education Accountability	School Districts			7/1/12
2012-194	School Improvement & Education Accountability	State Board of Education	shall adopt rules	s.1001.42(18)(a) [Section 1]	7/1/12
2012-194	School Improvement & Education Accountability	State Board of Education	shall by rule	s.1008.22(3)(b)6. [Section 5]	7/1/12
2012-194	School Improvement & Education Accountability	State Board of Education	shall designate, by rule	s.1008.22(3)(b)7. [Section 5]	7/1/12

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Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-194	School Improvement & Education Accountability	State Board of Education	shall adopt rules	s.1008.22(3)(b)8. [Section 5]	7/1/12
2012-194	School Improvement & Education Accountability	State Board of Education	<del>is authorized to adopt rules</del>	s.1008.33(1) [Section 6]	7/1/12
2012-194	School Improvement & Education Accountability	State Board of Education	may adopt rules	s.1008.33(1) [Section 6]	7/1/12
2012-194	School Improvement & Education Accountability	State Board of Education	<u>shall adopt by rule</u>	s.1008.33(3)(c) [Section 6]	7/1/12
2012-194	School Improvement & Education Accountability	State Board of Education	shall adopt rules	s.1008.33(8) [Section 6]	7/1/12
2012-194	School Improvement & Education Accountability	State Board of Education	shall adopt criteria	s.1008.34(3)(c)5.i. [Section 8]	7/1/12
2012-194	School Improvement & Education Accountability	State Board of Education	shall adopt rules	s.1012.07 [Section 10]	7/1/12
2012-194	School Improvement & Education Accountability	State Board of Education	shall adopt rules	s.1008.34(8) [Section 8]	7/1/12
2012-194	School Improvement & Education Accountability	Commissioner of Education			7/1/12
2012-194	School Improvement & Education Accountability	Department of Juvenile Justice			7/1/12
2012-195	Postsecondary Education	State Board of Education	shall [s]pecify by rule	s.1001.02(4)(b) [Section 1]	4/27/12
2012-195	Postsecondary Education	State Board of Education	<u>shall be adopted in rule</u>	s.1007.25(3) [Section 10]	4/27/12
2012-195	Postsecondary Education	State Board of Education	<del>shall be adopted in rule</del>	s.1007.25(6) [Section 10]	4/27/12
2012-195	Postsecondary Education	State Board of Education	shall adopt rules	S.1007.33(6)(7) [Section 11]	4/27/12
2012-195	Postsecondary Education	Florida College System			4/27/12
2012-195	Postsecondary Education	Department of Economic Opportunity			4/27/12
2012-195	Postsecondary Education	Commissioner of Education			4/27/12
2012-195	Postsecondary Education	Board of Governors	<u>shall be adopted in regulation</u>	s.1007.25(3) [Section 10]	4/27/12
2012-195	Postsecondary Education	State University System			4/27/12
2012-195	Postsecondary Education	Higher Education Coordinating Council			4/27/12
2012-195	Postsecondary Education	Commission for Independent Education			4/27/12
2012-195	Postsecondary Education	Division of Florida Colleges			4/27/12
2012-195	Postsecondary Education	Department of Education			4/27/12
2012-195	Postsecondary Education	Governor			4/27/12
2012-195	Postsecondary Education	OPPAGA			4/27/12
2012-196	Relations with Cuba or Syria	All Agencies			7/1/12
2012-197	Motor Vehicle Insurance	Division of Insurance Fraud			7/1/12

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2012-197	Motor Vehicle Insurance	Department of Financial Services	shall adopt rules	s.626.9895(5)(c) [Section 7]	7/1/12
2012-197	Motor Vehicle Insurance	Office of Insurance Regulation			7/1/12
2012-197	Motor Vehicle Insurance	Agency for Health Care Administration			7/1/12
2012-197	Motor Vehicle Insurance	Department of Health	shall adopt, by rule	s.627.736(5)(b)2. [Section 10]	7/1/12
2012-197	Motor Vehicle Insurance	Chief Financial Officer			7/1/12
2012-197	Motor Vehicle Insurance	Attorney General			7/1/12
2012-197	Motor Vehicle Insurance	Financial Services Commission	shall adopt by rule	s.627.736(1)(a)6. [Section 10]	7/1/12
2012-197	Motor Vehicle Insurance	Financial Services Commission	shall adopt, by rule a form	s.627.736(5)(e)7. [Section 10]	7/1/12
2012-197	Motor Vehicle Insurance	Financial Services Commission	shall adopt a proposed rule	s.627.736(5)(e)7. [Section 10]	7/1/12
2012-197	Motor Vehicle Insurance	Department of Legal Affairs			7/1/12
2012-198	State Greenways and Trails	Department of Environmental Protection	forms adopted by department rule	s.260.0144(2)(f) [Section 2]	7/1/12
2012-198	State Greenways and Trails	Department of Environmental Protection	may adopt rules	s.260.0144(7) [Section 2]	7/1/12
2012-198	State Greenways and Trails	Department of Transportation			7/1/12
2012-199	Military Personnel and Veterans	Department of Veteran's Affairs			7/1/12
2012-199	Military Personnel and Veterans	Florida Veterans' Hall of Fame Council			7/1/12
2012-199	Military Personnel and Veterans	Department of Management Services			7/1/12
2012-199	Military Personnel and Veterans	Governor			7/1/12
2012-199	Military Personnel and Veterans	Attorney General			7/1/12
2012-199	Military Personnel and Veterans	Commissioner of Agriculture			7/1/12
2012-199	Military Personnel and Veterans	Chief Financial Officer			7/1/12
2012-199	Military Personnel and Veterans	Department of Veteran's Affairs Executive Director			7/1/12
2012-200	Open Gov't Sunset Review Act	Department of Revenue			10/1/12
2012-201	Financial Institutions	Financial Services Commission	by July 1, 2012, shall adopt rules	(3) [Section 1]	5/4/12
2012-201	Financial Institutions	Office of Financial Regulation			5/4/12
2012-202	Sovereignty Submerged Lands	Department of Environmental Protection			7/1/12

## 2012 Chapter Law Report

Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-202	Sovereignty Submerged Lands	Board of Trustees of the Internal Improvement Trust Fund			7/1/12
2012-203	Premises Liability	Fish and Wildlife Conservation Commission			7/1/12
2012-204	Public Fairs and Expositions	Department of State			7/1/12
2012-204	Public Fairs and Expositions	Department of Agriculture and Consumer Services	shall <del>adopt</del> prescribe forms and rules	s.616.12(1) [Section 11]	7/1/12
2012-204	Public Fairs and Expositions	Department of Agriculture and Consumer Services	shall <del>adopt</del> is authorized to make and <del>publish</del> rules	s.616.15(2) [Section 14]	7/1/12
2012-204	Public Fairs and Expositions	Department of Transportation			7/1/12
2012-204	Public Fairs and Expositions	Florida State Fair Authority			7/1/12
2012-204	Public Fairs and Expositions	Local Governments			7/1/12
2012-205	Environmental Regulation	Department of Environmental Protection	by rule, shall establish	s.403.061(1)(c) [Section 12]	7/1/12
2012-205	Environmental Regulation	Department of Environmental Protection	may by rule	s.403.707(1) [Section 17]	7/1/12
2012-205	Environmental Regulation	Department of Environmental Protection	shall adopt a rule	s.403.707(1) [Section 17]	7/1/12
2012-205	Environmental Regulation	Department of Environmental Protection	<u>may adopt rules</u>	s.403.707(3)(d) [Section 17]	7/1/12
2012-205	Environmental Regulation	Department of Environmental Protection	<u>shall by rule require</u>	s.403.7125(5) [Section 18]	7/1/12
2012-205	Environmental Regulation	Department of Environmental Protection	shall adopt rules	s.403.7125(6)( <del>5</del> ) [Section 18]	7/1/12
2012-205	Environmental Regulation	Water Management Districts			7/1/12
2012-205	Environmental Regulation	Fish and Wildlife Conservation Commission			7/1/12
2012-205	Environmental Regulation	Local Governments			7/1/12
2012-205	Environmental Regulation	Department of Highway Safety and Motor Vehicles			7/1/12
2012-205	Environmental Regulation	Department of Economic Opportunity			7/1/12
2012-205	Environmental Regulation	Department of Transportation			7/1/12
2012-205	Environmental Regulation	Department of Agriculture and Consumer Services			7/1/12
2012-205	Environmental Regulation	Regional Planning Councils			7/1/12
2012-206	Title Insurance	Office of Insurance Regulation			5/4/12
2012-206	Title Insurance	Financial Services Commission	<u>shall adopt rules</u>	s.627.782(8) [Section 5]	5/4/12
2012-206	Title Insurance	Financial Services Commission	may, by rule, require	s.627.782(8) [Section 5]	5/4/12
2012-206	Title Insurance	Department of Financial Services			5/4/12
2012-207	Public Records	Office of Insurance Regulation			7/1/12

## 2012 Chapter Law Report

Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-208	Business and Professional Regulation	Department of Business and Professional Regulation			5/4/12
2012-208	Business and Professional Regulation	Division of Alcoholic Beverages and Tobacco	<del>shall prescribe and promulgate rules</del>	s.210.07(1)(a) [Section 3]	5/4/12
2012-208	Business and Professional Regulation	Division of Alcoholic Beverages and Tobacco	may prescribe necessary rules	s.210.11 [Section 4]	5/4/12
2012-208	Business and Professional Regulation	Florida Real Estate Commission	may adopt rules necessary	s.475.180(2)(b)(e) [Section 10]	5/4/12
2012-208	Business and Professional Regulation	Florida Real Estate Commission	shall adopt rules	s.475.180(2)(b)(e)3. [Section 10]	5/4/12
2012-208	Business and Professional Regulation	Division of Real Estate			5/4/12
2012-208	Business and Professional Regulation	Florida Real Estate Appraisal Board	may adopt rules	s.475.631(b)(e) [Section 13]	5/4/12
2012-208	Business and Professional Regulation	DBPR: Boards			5/4/12
2012-209	Insurance Agents and Adjusters	Department of Financial Services	may adopt by rule	s.626.171(1) [Section 3]	10/1/12
2012-209	Insurance Agents and Adjusters	Department of Financial Services	shall adopt rules	s.626.221(2)(i)(f) [Section 5]	10/1/12
2012-209	Insurance Agents and Adjusters	Department of Financial Services	shall adopt rules	s.626.221(2)(i)(k) [Section 5]	10/1/12
2012-209	Insurance Agents and Adjusters	Department of Financial Services	<del>may exempt by rule</del>	s.626.2815(2) [Section 10]	10/1/12
2012-209	Insurance Agents and Adjusters	Department of Financial Services	may adopt rules	s.626.536 [Section 17]	10/1/12
2012-209	Insurance Agents and Adjusters	Department of Financial Services	<del>may adopt rules</del>	s.626.551 [Section 18]	10/1/12
2012-209	Insurance Agents and Adjusters	Department of Financial Services	must adopt rules	s.626.8419(1)(a) & (b) [Section 25]	10/1/12
2012-209	Insurance Agents and Adjusters	Department of Financial Services	<del>shall adopt rules necessary</del>	s.626.869(4)(e) [Section 37]	10/1/12
2012-209	Insurance Agents and Adjusters	Chief Financial Officer			10/1/12
2012-209	Insurance Agents and Adjusters	Office of Insurance Regulation			10/1/12
2012-209	Insurance Agents and Adjusters	Financial Services Commission			10/1/12
2012-210	Hiring/Leasing with Intent to Defraud	Courts			7/1/12
2012-210	Hiring/Leasing with Intent to Defraud	Law Enforcement Agencies			7/1/12
2012-211	Construction Contracting	Secretary of Management Services			10/1/12

## 2012 Chapter Law Report

Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-211	Construction Contracting	Department of Management Services	shall adopt rules	s.255.05(1)(f)(b) [Section 2]	10/1/12
2012-211	Construction Contracting	Construction Industry Licensing Board			10/1/12
2012-211	Construction Contracting	Courts			10/1/12
2012-212	Legal Notices	Chief Financial Officer			7/1/12
2012-212	Legal Notices	Department of Business and Professional Regulation			7/1/12
2012-212	Legal Notices	Local Governments			7/1/12
2012-212	Legal Notices	Florida Land and Water Adjudicatory Commission			7/1/12
2012-212	Legal Notices	Governor			7/1/12
2012-212	Legal Notices	Attorney General			7/1/12
2012-212	Legal Notices	Division of Bond Finance			7/1/12
2012-212	Legal Notices	State Board of Administration			7/1/12
2012-212	Legal Notices	Office of Insurance Regulation			7/1/12
2012-212	Legal Notices	Board of Trustees of the Internal Improvement Trust Fund			7/1/12
2012-212	Legal Notices	Division of Marketing and Development			7/1/12
2012-212	Legal Notices	Department of Agriculture and Consumer Services			7/1/12
2012-212	Legal Notices	Department of Financial Services			7/1/12
2012-213	Insurance	Department of Financial Services			7/1/12
2012-213	Insurance	Office of Insurance Regulation			7/1/12
2012-213	Insurance	Division of Corporations			7/1/12
2012-213	Insurance	Department of State			7/1/12
2012-214	Public Records	Department of Business and Professional Regulation			5/4/12
2012-214	Public Records	Law Enforcement Agencies			5/4/12
2012-214	Public Records	Department of Children and Family Services			5/4/12
2012-214	Public Records	Department of Health			5/4/12
2012-214	Public Records	Department of Revenue			5/4/12
2012-214	Public Records	Local Governments			5/4/12
2012-214	Public Records	Courts			5/4/12
2012-214	Public Records	State Attorneys			5/4/12
2012-214	Public Records	Division of Administrative Hearings			5/4/12
2012-214	Public Records	Water Management Districts			5/4/12
2012-214	Public Records	Department of Juvenile Justice			5/4/12
2012-215	State Employment	Department of Management Services	shall adopt rules	s.110.131(3) [Section 6]	7/1/12
2012-215	State Employment	Department of Management Services	shall establish <u>rules</u>	s.110.2035(7)(e) [Section 10]	7/1/12



## 2012 Chapter Law Report

Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-215	State Employment	Department of Management Services	shall develop uniform rules	s.110.217(1)(a) [Section 12]	7/1/12
2012-215	State Employment	Department of Management Services	<del>shall adopt any rules necessary</del>	s.110.217(6) [Section 12]	7/1/12
2012-215	State Employment	Department of Financial Services	<u>may adopt rules necessary</u>	s.110.1315(2) [Section 7]	7/1/12
2012-215	State Employment	Division of Treasury			7/1/12
2012-215	State Employment	Department of Law Enforcement			7/1/12
2012-215	State Employment	Governor			7/1/12
2012-215	State Employment	Chief Justice			7/1/12
2012-215	State Employment	Administration Commission			7/1/12
2012-215	State Employment	Legislative Budget Commission			7/1/12
2012-215	State Employment	Executive Office of the Governor			7/1/12
2012-215	State Employment	Board of Governors			7/1/12
2012-215	State Employment	Florida School for the Deaf and the Blind			7/1/12
2012-215	State Employment	Division of Blind Services			7/1/12
2012-215	State Employment	Courts			7/1/12
2012-215	State Employment	Criminal Justice Agencies			7/1/12
2012-215	State Employment	Department of Children and Families			7/1/12
2012-215	State Employment	Agency for Health Care Administration			7/1/12
2012-215	State Employment	Department of Juvenile Justice			7/1/12
2012-215	State Employment	Agency for Persons with Disabilities			7/1/12
2012-215	State Employment	All Agencies			7/1/12
2012-216	Open Gov't Sunset Review Act	All Agencies			5/4/12
2012-217	Open Gov't Sunset Review Act	Division of Historical Resources			10/1/12
2012-218	Open Gov't Sunset Review Act	Division of Historical Resources			10/1/12
2012-218	Open Gov't Sunset Review Act	University of Florida			10/1/12
2012-218	Open Gov't Sunset Review Act	Auditor General			10/1/12
2012-218	Open Gov't Sunset Review Act	City of St. Augustine			10/1/12
2012-219	Open Gov't Sunset Review Act	Department of Highway Safety and Motor Vehicles			10/1/12
2012-220	Open Gov't Sunset Review Act	Department of Health			10/1/12
2012-221	Open Gov't Sunset Review Act	Sunshine State One-Call of Florida			10/1/12
2012-222	State Retirement	Department of Management Services	<u>may adopt rules</u>	s.121.055(6)(e)1. [Section 4]	7/1/12
2012-222	State Retirement	Department of Management Services	shall adopt rules	s.121.091 [Section 6]	7/1/12
2012-222	State Retirement	Department of Management Services	<u>may adopt rules</u>	s.121.35(5)(a) [Section 6]	7/1/12
2012-222	State Retirement	Department of Management Services	shall adopt rules	s.121.591 [Section 10]	7/1/12
2012-222	State Retirement	Department of Management Services	may adopt rules necessary	s.121.591(2)(n) [Section 10]	7/1/12

## 2012 Chapter Law Report

Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-222	State Retirement	State University System			7/1/12
2012-222	State Retirement	College Boards of Trustees	may adopt rules	s.1012.875(5)(b) [Section 11]	7/1/12
2012-222	State Retirement	State Board of Administration	may authorize by rule	s.121.591(1)(a)4. [Section 10]	7/1/12
2012-223	Open Gov't Sunset Review Act	Department of Economic Opportunity <sup>1</sup>			10/1/12
2012-224	Open Gov't Sunset Review Act	Department of Revenue			10/1/12
2012-224	Open Gov't Sunset Review Act	Financial Services Commission			10/1/12
2012-224	Open Gov't Sunset Review Act	Department of Financial Services			10/1/12
2012-225	Open Gov't Sunset Review Act	Department of Financial Services			10/1/12
2012-225	Open Gov't Sunset Review Act	Office of Insurance Regulation			10/1/12
2012-226	Open Gov't Sunset Review Act	Public Service Commission			10/1/12
2012-227	Open Gov't Sunset Review Act	Department of Financial Services			5/4/12
2012-228	Transportation Facilities	Department of Transportation			7/1/12
2012-229	Relief	Department of Financial Services			3/1/12
2012-229	Relief	Chief Financial Officer			3/1/12
2012-230	Relief	Broward County Sheriff's Office			3/29/12
2012-231	East Naples Fire Control and Rescue District	East Naples Fire Control and Rescue District			3/23/12
2012-231	East Naples Fire Control and Rescue District	Collier County			3/23/12
2012-232	Gilchrist County	Gilchrist County			4/6/12
2012-232	Gilchrist County	Gilchrist County School Board			4/6/12
2012-233	Relief	North Broward Hospital District			3/29/12
2012-234	Hillsborough County Aviation Authority	Hillsborough County Aviation Authority	may [a]dopt and amend rules	(2)(II) [Section 6]	4/13/12
2012-234	Hillsborough County Aviation Authority	Hillsborough County			4/13/12
2012-234	Hillsborough County Aviation Authority	Division of Alcoholic Beverages and Tobacco			4/13/12
2012-234	Hillsborough County Aviation Authority	Governor			4/13/12
2012-235	City of Tampa	City of Tampa			10/1/12
2012-235	City of Tampa	Hillsborough County			10/1/12
2012-236	Relief	Miami-Dade County			3/29/12
2012-237	North St. Lucie River Water Control District	North St. Lucie River Water Control District			5/4/12
2012-237	North St. Lucie River Water Control District	St. Lucie County			5/4/12
2012-238	Sebastian Inlet Tax District	Sebastian Inlet Tax District			4/13/12
2012-238	Sebastian Inlet Tax District	Brevard County			4/13/12
2012-238	Sebastian Inlet Tax District	Indian River County			4/13/12
2012-239	Hillsborough County	Hillsborough County			4/6/12

## 2012 Chapter Law Report

Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-240	Fort Pierce Farms Water Control District	Fort Pierce Farms Water Control District			4/27/12
2012-240	Fort Pierce Farms Water Control District	St. Lucie County			4/27/12
2012-241	Citrus County	Citrus County			3/23/12
2012-241	Citrus County	Division of Alcoholic Beverages and Tobacco			3/23/12
2012-242	Gasparilla Island Bridge Authority	Gasparilla Island Bridge Authority			4/27/12
2012-242	Gasparilla Island Bridge Authority	Charlotte County			4/27/12
2012-242	Gasparilla Island Bridge Authority	Lee County			4/27/12
2012-242	Gasparilla Island Bridge Authority	Commission on Ethics			4/27/12
2012-243	East Lake Tarpon Community	Pinellas County			4/13/12
2012-244	City of Clearwater	City of Clearwater			4/6/12
2012-244	City of Clearwater	Pinellas County			4/6/12
2012-244	City of Clearwater	Division of Alcoholic Beverages and Tobacco			4/6/12
2012-245	Pinellas Planning Council	Pinellas County			4/27/12
2012-245	Pinellas Planning Council	Pinellas County Metropolitan Planning Organization			4/27/12
2012-245	Pinellas Planning Council	Tampa Bay Area Regional Transportation Authority			4/27/12
2012-245	Pinellas Planning Council	Tampa Bay Regional Planning Council			4/27/12
2012-245	Pinellas Planning Council	Department of Transportation			4/27/12
2012-245	Pinellas Planning Council	Department of Economic Opportunity			4/27/12
2012-245	Pinellas Planning Council	Pinellas Suncoast Transit Authority			4/27/12
2012-245	Pinellas Planning Council	Pinellas County School Board			4/27/12
2012-245	Pinellas Planning Council	Pinellas County Tax Collector			4/27/12
2012-245	Pinellas Planning Council	Division of Administrative Hearings			4/27/12
2012-245	Pinellas Planning Council	Pinellas Planning Council			4/27/12
2012-246	Relief	Public Health Trust of Miami-Dade County			3/29/12
2012-247	Hillsborough County	Hillsborough County			4/14/12
2012-247	Hillsborough County	Hillsborough County Public Transportation Commission	may by rule specify	(3) [Section 1]	4/14/12
2012-247	Hillsborough County	Hillsborough County Public Transportation Commission	shall create by rule	(4) [Section 1]	4/14/12
2012-248	Relief	Miami-Dade County School Board			3/29/12
2012-249	Relief	Lee Memorial Health System of Lee County			3/29/12
2012-250	Relief	North Broward Hospital District			3/29/12

## 2012 Chapter Law Report

Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-251	Lealman Special Fire Control District	Lealman Special Fire Control District			4/20/12
2012-251	Lealman Special Fire Control District	Pinellas County			4/20/12
2012-252	Relief	Miami-Dade County			3/29/12
2012-253	Broward County	Broward County			4/6/12
2012-253	Broward County	Broward County Supervisor of Elections			4/6/12
2012-254	East County Water Control District	East County Water Control District			4/6/12
2012-254	East County Water Control District	Lee County			4/6/12
2012-254	East County Water Control District	Hendry County			4/6/12
2012-255	City of Jacksonville	Duval County			4/19/12
2012-255	City of Jacksonville	City of Jacksonville			4/19/12
2012-255	City of Jacksonville	Jacksonville Economic Development Commission			4/19/12
2012-256	Acme Improvement District & Lake Worth Drainage District	Acme Improvement District			4/6/12
2012-256	Acme Improvement District & Lake Worth Drainage District	Lake Worth Drainage District			4/6/12
2012-256	Acme Improvement District & Lake Worth Drainage District	Palm Beach County			4/6/12
2012-257	City of Dania Beach	City of Dania Beach			4/6/12
2012-257	City of Dania Beach	Broward County			4/6/12
2012-258	North Lake County Hospital District	North Lake County Hospital District	may [a]dopt and promulgate rules	<u>Section 5, A., 9.</u> <u>[Section 3]</u>	4/27/12
2012-258	North Lake County Hospital District	Lake County			4/27/12
2012-258	North Lake County Hospital District	Lake County Circuit Court			4/27/12
2012-258	North Lake County Hospital District	Lake County Supervisor of Elections			4/27/12
2012-258	North Lake County Hospital District	Lake County Tax Collector			4/27/12
2012-258	North Lake County Hospital District	Agency for Health Care Administration			4/27/12
2012-258	North Lake County Hospital District	Lake County Legislative Delegation			4/27/12
2012-259	City of West Palm Beach	City of West Palm Beach			5/4/12
2012-259	City of West Palm Beach	Palm Beach County			5/4/12
2012-259	City of West Palm Beach	State Board of Administration			5/4/12
2012-260	City of West Palm Beach	City of West Palm Beach			5/4/12

## 2012 Chapter Law Report

Chapter Law	Subject	Entity/Official	Rulemaking Language	Citation	Effective Date
2012-260	City of West Palm Beach	Palm Beach County			5/4/12
2012-260	City of West Palm Beach	State Board of Administration			5/4/12
2012-261	West Palm Beach Downtown Development Authority	West Palm Beach Downtown Development Authority			4/6/12
2012-261	West Palm Beach Downtown Development Authority	Palm Beach County			4/6/12
2012-262	Loxahatchee Groves Water Control District	Loxahatchee Groves Water Control District			4/6/12
2012-262	Loxahatchee Groves Water Control District	Palm Beach County			4/6/12
2012-262	Loxahatchee Groves Water Control District	Palm Beach County Supervisor of Elections			4/6/12
2012-263	Alachua County	Alachua County			5/4/12
2012-264	Spring Lake Improvement District	Spring Lake Improvement District			4/6/12
2012-264	Spring Lake Improvement District	Highlands County			4/6/12
2012-264	Spring Lake Improvement District	Highlands County Supervisor of Elections			4/6/12
2012-265	Spring Hill Fire Rescue and Emergency Medical Services District	Spring Hill Fire Rescue and Emergency Medical Services District			4/13/12
2012-265	Spring Hill Fire Rescue and Emergency Medical Services District	Hernando County			4/13/12
2012-266	Charlotte County	Charlotte County			4/27/12
2012-267	Palm Beach County	Palm Beach County			4/27/12
2012-268	Relief	City of Tallahassee			3/29/12





**FLORIDA HOUSE OF REPRESENTATIVES**  
**Rules & Calendar Committee**  
**Rulemaking Oversight & Repeal Subcommittee**

**Will Weatherford**  
*Speaker*

**John Tobia**  
*Chair*

**MEMORANDUM**

To: Rulemaking Oversight & Repeal Subcommittee  
From: Eric Miller, Committee Attorney  
Date: February 19, 2013  
Re: Statutory Rulemaking Mandates

**Executive Summary**

On February 18, 2013, the Joint Administrative Procedures Committee (JAPC) heard presentations from a number of administrative agencies about their noncompliance with certain statutes mandating rulemaking to implement specific programs. This memorandum provides brief information on the creation of rulemaking mandates and their role under the Administrative Procedure Act (APA),<sup>1</sup> the monitoring of compliance with such mandates, a brief summary of the presentations to JAPC, and the potential resolutions considered by the Joint Committee.

**Statutory Rulemaking Mandates**

**Creation of Mandates**

Legislation creating or amending a program often includes language delegating to the agency responsible for administering the statute the ability to adopt rules implementing the program. For example, the Agency for Health Care Administration (AHCA) *may* adopt rules to implement the Drug-Free Workplace Act.<sup>2</sup> However, the license fees under that act *shall* be established by rule.<sup>3</sup> Use of the word “shall” connotes the Legislature intended the latter provision as a requirement, not a matter left to agency discretion, hence mandatory rulemaking.

Not all legislation is drafted with the specificity and direction of the Drug-Free Workplace Act, leading to differing interpretations about when rulemaking is truly mandatory. The Office of

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<sup>1</sup> Ch. 120, F.S.

<sup>2</sup> Section 112.0455(13), F.S. (2012).

<sup>3</sup> Section 112.0455(17), F.S. (2012).

Early Learning, created in the Department of Education in 2011,<sup>4</sup> “...shall adopt any rules necessary for the implementation and administration...” of the Child Care Executive Partnership Act.<sup>5</sup> This language mandates rulemaking but only if such additional specificity is needed to implement the statutory requirements.

### **APA Requirements**

Regardless of the terms used in a particular bill, the APA mandates the publication of proposed rules actually necessary to implement the resulting law within 180 days of the law taking effect, unless the enactment provides a different time.<sup>6</sup> This emphasizes the function of the law and the program created: if full implementation of the act requires additional details provided by the agency, and the agency is delegated sufficient authority in the same or other law, or existing statute, and with proper guidance, the agency must act through APA rulemaking.<sup>7</sup>

### **Monitoring Agency Compliance with Rulemaking Mandates**

At present there is no comprehensive catalog of new laws requiring rules or publicly accessible information identifying rulemaking necessitated by new laws and tracking the affected agency’s compliance with the 180 day requirement.<sup>8</sup> For a number of years JAPC staff has prepared a “Session Law Report” summarizing the rulemaking language in each law passed during the immediate past session. This information is distributed to the various agencies but not included in the annual report of the Committee to the Speaker and the President.<sup>9</sup>

JAPC staff interprets legislation stating the agency “shall adopt rules” or similar language as a legislative mandate for rulemaking. Staff corresponds with each agency under such an apparent mandate after the end of session and then as the 180 day deadline approaches. Occasionally an agency disagrees with JAPC staff about the necessity or practicality of rulemaking within the 180 day requirement or even whether rulemaking is necessary to implement the particular statute.

Prior to JAPC’s 2/4/2013 meeting, staff prepared and submitted a report of statutory rulemaking mandates enacted during 2007 – 2011 for which the affected agencies had not complied with

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<sup>4</sup> Chapter 2011-142, s. 305, Laws of Florida, now s. 411.01(4), F.S. (2012).

<sup>5</sup> Section 411.0102(6), F.S. (2012). This program was administered by the Department of Children and Family Services until 2008 (Ch. 2008-196, s. 4, Laws of Florida) and then by the Agency for Workforce Innovation until the 2011 reassignment to OEL and DOE.

<sup>6</sup> Section 120.54(1)(b), F.S. (2012).

<sup>7</sup> Sections 120.52(16), 120.536, 120.54(1)(a), F.S. (2012).

<sup>8</sup> However, the APA provides means for substantially affected parties to petition for an agency to commence rulemaking or to challenge agency statements operating as unadopted rules. Sections 120.54(7), 120.56(4), 120.57(1)(e), F.S. (2012).

<sup>9</sup> Information drawn from reports available through JAPC’s webpage at <http://japc.state.fl.us/publications.cfm> (accessed 2/19/2013).



proposing rules within the required 180 days. JAPC requested a response from each agency about the apparent noncompliance and scheduled 13 for presentations on 2/18/2013.

### **2/18 JAPC Meeting with Agencies**

The number of unmet mandates ranged from 31 for a single agency (AHCA) to 1 (Dept. of Juvenile Justice, Dept. of Management Services). The responses fell into several categories:

- **Rules were adopted.** Rules existing when the mandate was created already met the requirements of the law and further rulemaking was not necessary. This was the initial written response of AHCA for 14 of the cited mandates. (AHCA receded from this response at the hearing and stated new rulemaking would be initiated.) Other agencies such as OEL (2 rules) and DCF (2 rules) stated they previously adopted rules responsive to a cited mandate.
- **Complexities in Rulemaking.** Some agencies responded they attempted to comply with the 180 day requirement of the APA but the complexity of the issues involved caused unavoidable delays. (DBPR, DCF, DJJ).
- **Rulemaking delayed or overturned by litigation.** (DCF, DOE)
- **Difficulties in achieving consensus among competing interests.** (DFS, Agency for Persons with Disabilities, DEP, Northwest Florida Water Management District). The members of the Joint Committee singled out this type of response for close questioning, pointing out a legislative directive should not be delayed for an agency's desire for political agreement.
- **Rulemaking Initiated.** Many agencies (AHCA, DBPR, DCF, DFS, DOS, OEL) responded they had initiated rule development and expected to adopt final rules by the end of this summer. JAPC took this to be the agencies agreement that they failed to comply with mandatory rulemaking and would now follow the statutes.

Chair Fasano informed the several agencies the Committee would look for them to complete the required rulemaking prior to an anticipated meeting of JAPC later this fall.

### **Unwarranted Rulemaking Mandates**

One agency (DEP) stated the law requiring rulemaking (on carbon sequestration) imposed technical requirements for which current science was inadequate. Others, such as OEL and DFS, stated the agency was able to fully implement the statutory requirements without additional rulemaking, even if required. JAPC discussed these issues and directed staff to prepare proposals requiring agencies to communicate when rulemaking was unwarranted or unneeded.