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A reviser's bill to be entitled 1 2 An act relating to the Florida Statutes; amending ss. 3 322.091, 334.351, 414.1251, 440.491, 445.024, 468.304, 4 478.45, 480.035, 480.041, 944.1905, 944.275, 944.801, 5 958.045, 985.601, 1001.42, 1003.21, 1003.51, 1003.52, 6 1004.02, 1004.65, 1004.93, 1008.345, and 1009.21, 7 F.S.; to conform to the directive of the Legislature to the Division of Law Revision and Information in 8 9 section 38 of chapter 2013-51, Laws of Florida, to change the terms "General Educational Development 10 11 test" or "GED test" to "high school equivalency 12 examination" and the terms "general education 13 diploma," "graduate equivalency diploma," or "GED" to "high school equivalency diploma" wherever those terms 14 15 appear in the Florida Statutes; providing an effective 16 date. 17 18 Be It Enacted by the Legislature of the State of Florida: 19 20 Section 1. Paragraph (c) of subsection (1) of section 21 322.091, Florida Statutes, is amended to read: 22 322.091 Attendance requirements.-23 ELIGIBILITY REQUIREMENTS FOR DRIVING PRIVILEGES.-A (1)24 minor is not eligible for driving privileges unless that minor: 25 Is enrolled in a study course in preparation for the (C) high school equivalency examination Test of General Educational 26 Page 1 of 21

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29 30	The department may not issue a driver license or learner's
30 31	driver license to, or shall suspend the driver license or
32	learner's driver license of, any minor concerning whom the department receives notification of noncompliance with the
32 33	requirements of this section.
	-
34	Section 2. Paragraph (b) of subsection (3) of section
35	334.351, Florida Statutes, is amended to read:
36	334.351 Youth work experience program; findings and
37	intent; authority to contract; limitation
38	(3) When selecting a nonprofit youth organization to
39	perform work on transportation-related facilities and before
40	awarding a contract under this section, the department must
41	consider the following criteria:
42	(b) The number of participants receiving high school
43	diplomas or <u>high school equivalency diplomas</u> GEDs;
44	Section 3. Subsection (1) of section 414.1251, Florida
45	Statutes, is amended to read:
46	414.1251 Learnfare program
47	(1) The department shall reduce the temporary cash
48	assistance for a participant's eligible dependent child or for
49	an eligible teenage participant who has not been exempted from
50	education participation requirements, if the eligible dependent
51	child or eligible teenage participant has been identified either
52	as a habitual truant, pursuant to s. 1003.01(8), or as a
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53 dropout, pursuant to s. 1003.01(9). For a student who has been 54 identified as a habitual truant, the temporary cash assistance 55 must be reinstated after a subsequent grading period in which 56 the child's attendance has substantially improved. For a student 57 who has been identified as a dropout, the temporary cash 58 assistance must be reinstated after the student enrolls in a 59 public school, receives a high school diploma or its 60 equivalency, enrolls in preparation for the high school equivalency examination General Educational Development Tests, 61 or enrolls in other educational activities approved by the 62 63 district school board. Good cause exemptions from the rule of unexcused absences include the following: 64 65 (a) The student is expelled from school and alternative 66 schooling is not available. 67 (b) No licensed day care is available for a child of teen

68 parents subject to Learnfare.

69 (c) Prohibitive transportation problems exist (e.g., to70 and from day care).

72 Within 10 days after sanction notification, the participant 73 parent of a dependent child or the teenage participant may file 74 an internal fair hearings process review procedure appeal, and 75 no sanction shall be imposed until the appeal is resolved. 76 Section 4. Paragraph (a) of subsection (6) of section 77 440.491, Florida Statutes, is amended to read: 78 440.491 Reemployment of injured workers; rehabilitation.-

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(6) TRAINING AND EDUCATION.-

80 Upon referral of an injured employee by the carrier, (a) or upon the request of an injured employee, the department shall 81 82 conduct a training and education screening to determine whether it should refer the employee for a vocational evaluation, 83 approve training and education, or approve other vocational 84 85 services for the employee. At the time of such referral, the carrier shall provide the department a copy of any reemployment 86 assessment or reemployment plan provided to the carrier by a 87 rehabilitation provider. The department may not approve formal 88 89 training and education programs unless it determines, after 90 consideration of the reemployment assessment, that the 91 reemployment plan is likely to result in return to suitable 92 gainful employment. The department may expend moneys from the Workers' Compensation Administration Trust Fund, established by 93 s. 440.50, to secure appropriate training and education at a 94 95 Florida public college or at a career center established under s. 1001.44, or to secure other vocational services when 96 97 necessary to satisfy the recommendation of a vocational 98 evaluator. As used in this paragraph, "appropriate training and 99 education" includes securing a high school equivalency general 100 education diploma (GED), if necessary. The department shall by 101 rule establish training and education standards pertaining to 102 employee eligibility, course curricula and duration, and associated costs. For purposes of this subsection, training and 103 education services may be secured from additional providers if: 104

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105 1. The injured employee currently holds an associate 106 degree and requests to earn a bachelor's degree not offered by a 107 Florida public college located within 50 miles from his or her 108 customary residence;

109 2. The injured employee's enrollment in an education or 110 training program in a Florida public college or career center 111 would be significantly delayed; or

3. The most appropriate training and education program is available only through a provider other than a Florida public college or career center or at a Florida public college or career center located more than 50 miles from the injured employee's customary residence.

Section 5. Paragraph (k) of subsection (1) of section445.024, Florida Statutes, is amended to read:

119

445.024 Work requirements.-

(1) WORK ACTIVITIES.—The Department of Economic
Opportunity may develop activities under each of the following
categories of work activities. The following categories of work
activities, based on federal law and regulations, may be used
individually or in combination to satisfy the work requirements
for a participant in the temporary cash assistance program:

126 (k) Satisfactory attendance at a secondary school or in a
127 course of study leading to a <u>high school</u> graduate equivalency
128 diploma.

Section 6. Paragraph (b) of subsection (3) of section468.304, Florida Statutes, is amended to read:

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PCB RCC 14-05 ORIGINAL 2014 131 468.304 Certification.-The department shall certify any 132 applicant who meets the following criteria: 133 Submits satisfactory evidence, verified by oath or (3) 134 affirmation, that she or he: Is a high school, vocational school, technical school, 135 (b) 136 or college graduate or has successfully completed the requirements for a high school graduate equivalency diploma 137 (GED) or its equivalent; 138 139 The department may not certify any applicant who has committed 140 141 an offense that would constitute a violation of any of the provisions of s. 468.3101 or applicable rules if the applicant 142 143 had been certified by the department at the time of the offense. 144 An application for a limited computed tomography certificate may not be accepted. A person holding a valid computed tomography 145 146 certificate as of October 1, 1984, is subject to s. 468.309. Section 7. Paragraph (c) of subsection (1) of section 147 478.45, Florida Statutes, is amended to read: 148 149 478.45 Requirements for licensure.-150 An applicant applying for licensure as an (1)151 electrologist shall file a written application, accompanied by 152 the application for licensure fee prescribed in s. 478.55, on a form provided by the board, showing to the satisfaction of the 153 154 board that the applicant: 155 Possesses a high school diploma or a high school (C)

156 graduate equivalency diploma.

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157 Section 8. Subsection (2) of section 480.035, Florida158 Statutes, is amended to read:

159

480.035 Board of Massage Therapy.-

160 (2)Five members of the board shall be licensed massage therapists and shall have been engaged in the practice of 161 162 massage for not less than 5 consecutive years prior to the date 163 of appointment to the board. The Governor shall appoint each 164 member for a term of 4 years. Two members of the board shall be 165 laypersons. Each board member shall be a high school graduate or shall have received a high school graduate equivalency diploma. 166 167 Each board member shall be a citizen of the United States and a 168 resident of this state for not less than 5 years. The 169 appointments will be subject to confirmation by the Senate.

Section 9. Paragraph (a) of subsection (1) of section480.041, Florida Statutes, is amended to read:

480.041 Massage therapists; qualifications; licensure;
endorsement.-

174 (1) Any person is qualified for licensure as a massage175 therapist under this act who:

(a) Is at least 18 years of age or has received a high
school diploma or high school graduate equivalency diploma;

Section 10. Paragraph (b) of subsection (2) of section944.1905, Florida Statutes, is amended to read:

944.1905 Initial inmate classification; inmate
reclassification.-The Department of Corrections shall classify
inmates pursuant to an objective classification scheme. The

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PCB RCC 14-05 ORIGINAL 2014 183 initial inmate classification questionnaire and the inmate 184 reclassification questionnaire must cover both aggravating and 185 mitigating factors. 186 (2)In scoring the initial inmate classification 187 questionnaire, points may be deducted from the inmate's overall 188 score for factors indicating the inmate's stability. Such factors may include: 189 190 (b) High school diploma or high school equivalency diploma 191 GED received; and 192 Section 11. Paragraph (d) of subsection (4) of section 193 944.275, Florida Statutes, is amended to read: 944.275 Gain-time.-194 195 (4) 196 Notwithstanding subparagraphs (b)1. and 2., the (d) 197 education program manager shall recommend, and the Department of 198 Corrections may grant, a one-time award of 60 additional days of 199 incentive gain-time to an inmate who is otherwise eligible and 200 who successfully completes requirements for and is awarded a high school equivalency diploma general educational development 201 202 certificate or vocational certificate. Under no circumstances 203 may an inmate receive more than 60 days for educational 204 attainment pursuant to this section. 205 Section 12. Paragraphs (g) and (j) of subsection (3) of 206 section 944.801, Florida Statutes, are amended to read: 207 944.801 Education for state prisoners.-The responsibilities of the Correctional Education 208 (3) Page 8 of 21

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209 Program shall be to:

210 Develop and maintain complete and reliable statistics (q) 211 on the number of high school equivalency diplomas general 212 educational development (GED) certificates and vocational 213 certificates issued by each institution in each skill area, the change in inmate literacy levels, and the number of inmate 214 admissions to and withdrawals from education courses. The 215 216 compiled statistics shall be summarized and analyzed in the 217 annual report of correctional education activities required by paragraph (f). 218

(j) Recommend the award of additional incentive gain-time for inmates who receive a <u>high school equivalency diploma</u> general educational development certificate or a vocational certificate.

223 Section 13. Paragraph (a) of subsection (1) and paragraph 224 (b) of subsection (6) of section 958.045, Florida Statutes, are 225 amended to read:

226

958.045 Youthful offender basic training program.-

(1) The department shall develop and implement a basic
training program for youthful offenders sentenced or classified
by the department as youthful offenders pursuant to this
chapter. The period of time to be served at the basic training
program shall be no less than 120 days.

(a) The program shall include marching drills,
calisthenics, a rigid dress code, manual labor assignments,
physical training with obstacle courses, training in

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(6)

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235 decisionmaking and personal development, <u>high school equivalency</u> 236 <u>diploma</u> general educational development and adult basic 237 education courses, and drug counseling and other rehabilitation 238 programs.

239

240 (b) While in the community residential program, as 241 appropriate, the offender shall engage in gainful employment, 242 and if any, shall pay restitution to the victim. If appropriate, 243 the offender may enroll in substance abuse counseling, and if suitable, shall enroll in a high school equivalency diploma 244 245 general educational development or adult basic education class 246 for the purpose of attaining a high school diploma. Upon release 247 from the community residential program, the offender shall 248 remain on probation, or other postrelease supervision, and abide by the conditions of the offender's probation or postrelease 249 250 supervision. If, upon transfer from the community residential 251 program, the offender has not completed the enrolled educational 252 program, the offender shall continue the educational program 253 until completed. If the offender fails to complete the program, 254 the department may request the court or the control release 255 authority to execute an order returning the offender back to the 256 community residential program until completion of the program. 257 Section 14. Subsection (4) of section 985.601, Florida

258 Statutes, is amended to read:

259 260 985.601 Administering the juvenile justice continuum.-(4) The department shall maintain continuing cooperation

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261 with the Department of Education, the Department of Children and 262 Family Services, the Department of Economic Opportunity, and the 263 Department of Corrections for the purpose of participating in 264 agreements with respect to dropout prevention and the reduction of suspensions, expulsions, and truancy; increased access to and 265 266 participation in high school equivalency diploma GED, 267 vocational, and alternative education programs; and employment 268 training and placement assistance. The cooperative agreements between the departments shall include an interdepartmental plan 269 to cooperate in accomplishing the reduction of inappropriate 270 271 transfers of children into the adult criminal justice and 272 correctional systems.

273 Section 15. Paragraph (b) of subsection (18) of section 274 1001.42, Florida Statutes, is amended to read:

275 1001.42 Powers and duties of district school board.—The 276 district school board, acting as a board, shall exercise all 277 powers and perform all duties listed below:

278 IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.-(18)Maintain a state system of school improvement and education 279 280 accountability as provided by statute and State Board of 281 Education rule. This system of school improvement and education 282 accountability shall be consistent with, and implemented 283 through, the district's continuing system of planning and budgeting required by this section and ss. 1008.385, 1010.01, 284 285 and 1011.01. This system of school improvement and education accountability shall comply with the provisions of ss. 1008.33, 286

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287 1008.34, 1008.345, and 1008.385 and include the following: 288 Public disclosure.- The district school board shall (b) 289 provide information regarding the performance of students and 290 educational programs as required pursuant to ss. 1008.22 and 291 1008.385 and implement a system of school reports as required by 292 statute and State Board of Education rule which shall include 293 schools operating for the purpose of providing educational 294 services to youth in Department of Juvenile Justice programs, 295 and for those schools, report on the elements specified in s. 296 1003.52(19). Annual public disclosure reports shall be in an 297 easy-to-read report card format and shall include the school's 298 grade, high school graduation rate calculated without high 299 school equivalency diploma recipients GED tests, disaggregated 300 by student ethnicity, and performance data as specified in state 301 board rule.

302 Section 16. Paragraph (c) of subsection (1) of section 303 1003.21, Florida Statutes, is amended to read:

1003.21 School attendance.-

305 (1)

304

(c) A student who attains the age of 16 years during the school year is not subject to compulsory school attendance beyond the date upon which he or she attains that age if the student files a formal declaration of intent to terminate school enrollment with the district school board. Public school students who have attained the age of 16 years and who have not graduated are subject to compulsory school attendance until the

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formal declaration of intent is filed with the district school 313 314 board. The declaration must acknowledge that terminating school 315 enrollment is likely to reduce the student's earning potential 316 and must be signed by the student and the student's parent. The 317 school district shall notify the student's parent of receipt of the student's declaration of intent to terminate school 318 enrollment. The student's certified school counselor or other 319 school personnel shall conduct an exit interview with the 320 321 student to determine the reasons for the student's decision to terminate school enrollment and actions that could be taken to 322 323 keep the student in school. The student's certified school 324 counselor or other school personnel shall inform the student of 325 opportunities to continue his or her education in a different 326 environment, including, but not limited to, adult education and 327 high school equivalency examination GED test preparation. 328 Additionally, the student shall complete a survey in a format 329 prescribed by the Department of Education to provide data on student reasons for terminating enrollment and actions taken by 330 331 schools to keep students enrolled.

332 Section 17. Subsection (4) of section 1003.51, Florida333 Statutes, is amended to read:

334

1003.51 Other public educational services.-

(4) The Department of Education shall ensure that district school boards notify students in juvenile justice residential or nonresidential facilities who attain the age of 16 years of the provisions of law regarding compulsory school attendance and

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339 make available the option of enrolling in a program to attain a 340 Florida high school diploma by taking the high school 341 equivalency examination General Educational Development test 342 prior to release from the facility. District school boards or 343 Florida College System institutions, or both, shall waive high 344 school equivalency examination GED testing fees for youth in 345 Department of Juvenile Justice residential programs and shall, 346 upon request, designate schools operating for the purpose of 347 providing educational services to youth in Department of Juvenile Justice programs as high school equivalency examination 348 349 GED testing centers, subject to high school equivalency 350 examination GED testing center requirements. The administrative 351 fees for the high school equivalency examination General 352 Educational Development test required by the Department of 353 Education are the responsibility of district school boards and 354 may be required of providers by contractual agreement.

355 Section 18. Paragraph (a) of subsection (3) and subsection 356 (6) of section 1003.52, Florida Statutes, are amended to read:

357 1003.52 Educational services in Department of Juvenile 358 Justice programs.-

359 (3) The district school board of the county in which the 360 residential or nonresidential care facility or juvenile assessment facility is located shall provide appropriate 361 362 educational assessments and an appropriate program of 363 instruction and special education services.

364 The district school board shall make provisions for (a)

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365 each student to participate in basic, career education, and 366 exceptional student programs as appropriate. Students served in 367 Department of Juvenile Justice programs shall have access to the 368 appropriate courses and instruction to prepare them for the high 369 school equivalency examination GED test. Students participating 370 in high school equivalency diploma GED preparation programs 371 shall be funded at the basic program cost factor for Department 372 of Juvenile Justice programs in the Florida Education Finance 373 Program. Each program shall be conducted according to applicable law providing for the operation of public schools and rules of 374 375 the State Board of Education. School districts shall provide the high school equivalency diploma GED exit option for all juvenile 376 377 justice programs.

378 Participation in the program by students of compulsory (6) 379 school-attendance age as provided for in s. 1003.21 shall be 380 mandatory. All students of noncompulsory school-attendance age 381 who have not received a high school diploma or its equivalent 382 shall participate in the educational program, unless the student 383 files a formal declaration of his or her intent to terminate school enrollment as described in s. 1003.21 and is afforded the 384 385 opportunity to take the high school equivalency examination 386 general educational development test and attain a Florida high 387 school diploma prior to release from a facility. A youth who has 388 received a high school diploma or its equivalent and is not 389 employed shall participate in workforce development or other 390 career or technical education or Florida College System

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391 institution or university courses while in the program, subject 392 to available funding.

393 Section 19. Subsections (5) and (17) of section 1004.02, 394 Florida Statutes, are amended to read:

1004.02 Definitions.—As used in this chapter:

(5) "Adult secondary education" means courses through which a person receives high school credit that leads to the award of a high school diploma or courses of instruction through which a student prepares to take the <u>high school equivalency</u> <u>examination General Educational Development test</u>.

(17) "<u>High school equivalency examination</u> General
 Educational Development (GED) test preparation" means courses of
 instruction designed to prepare adults for success on <u>high</u>
 <u>school equivalency diploma</u> GED subject area tests leading to
 qualification for a State of Florida high school diploma.

406 Section 20. Paragraph (b) of subsection (6) and paragraph 407 (c) of subsection (8) of section 1004.65, Florida Statutes, are 408 amended to read:

409 1004.65 Florida College System institutions; governance, 410 mission, and responsibilities.-

411 (6) A separate and secondary role for Florida College412 System institutions includes the offering of programs in:

(b) Adult education services, including adult basic
education, adult general education, adult secondary education,
and <u>high school equivalency examination</u> General Educational
Development test instruction.

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PCB RCC 14-05 ORIGINAL 2014 417 Florida College System institutions are authorized to: (8) 418 Make provisions for the high school equivalency (C) 419 examination General Educational Development test. 420 421 Authority to offer one or more baccalaureate degree programs 422 does not alter the governance relationship of the Florida College System institution with its district board of trustees 423 424 or the State Board of Education. 425 Section 21. Paragraph (a) of subsection (1) and paragraph 426 (c) of subsection (2) of section 1004.93, Florida Statutes, are 427 amended to read: 1004.93 Adult general education.-428 429 (1)(a) The intent of this section is to encourage the 430 provision of educational services that will enable adults to 431 acquire: 432 The basic skills necessary to attain basic and 1. 433 functional literacy. A high school diploma or successfully complete the high 434 2. school equivalency examination General Educational Development 435 436 test. 437 3. An educational foundation that will enable them to 438 become more employable, productive, and self-sufficient 439 citizens. 440 (2) The adult education program must provide academic services to students in the following priority: 441 Students who are earning credit required for a high 442 (C) Page 17 of 21 PCB RCC 14-05

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443 school diploma or who are preparing for the high school 444 equivalency examination General Educational Development test. 445 Paragraph (d) of subsection (6) of section Section 22. 446 1008.345, Florida Statutes, is amended to read: 447 1008.345 Implementation of state system of school 448 improvement and education accountability.-(6) 449 450 The commissioner shall assign a community assessment (d) 451 team to each school district or governing board with a school 452 that earned a grade of "F" or three consecutive grades of "D" 453 pursuant to s. 1008.34 to review the school performance data and 454 determine causes for the low performance, including the role of 455 school, area, and district administrative personnel. The 456 community assessment team shall review a high school's 457 graduation rate calculated without high school equivalency 458 diploma recipients GED tests for the past 3 years, disaggregated 459 by student ethnicity. The team shall make recommendations to the 460 school board or the governing board and to the State Board of 461 Education which address the causes of the school's low 462 performance and may be incorporated into the school improvement 463 plan. The assessment team shall include, but not be limited to, 464 a department representative, parents, business representatives, educators, representatives of local governments, and community 465 466 activists, and shall represent the demographics of the community 467 from which they are appointed. Section 23. Paragraph (c) of subsection (3) of section 468

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469 1009.21, Florida Statutes, is amended to read:

470 1009.21 Determination of resident status for tuition 471 purposes.—Students shall be classified as residents or 472 nonresidents for the purpose of assessing tuition in 473 postsecondary educational programs offered by charter technical 474 career centers or career centers operated by school districts, 475 in Florida College System institutions, and in state 476 universities.

477 (3)

478 Each institution of higher education shall (C) 479 affirmatively determine that an applicant who has been granted admission to that institution as a Florida resident meets the 480 481 residency requirements of this section at the time of initial 482 enrollment. The residency determination must be documented by 483 the submission of written or electronic verification that 484 includes two or more of the documents identified in this paragraph. No single piece of evidence shall be conclusive. 485

486 1. The documents must include at least one of the 487 following:

488 a. A Florida voter's registration card.

489 b. A Florida driver's license.

490 c. A State of Florida identification card.

491 d. A Florida vehicle registration.

e. Proof of a permanent home in Florida which is occupied
as a primary residence by the individual or by the individual's
parent if the individual is a dependent child.

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495 f. Proof of a homestead exemption in Florida. 496 Transcripts from a Florida high school for multiple q. 497 years if the Florida high school diploma or high school 498 equivalency diploma GED was earned within the last 12 months. 499 Proof of permanent full-time employment in Florida for h. 500 at least 30 hours per week for a 12-month period. 501 The documents may include one or more of the following: 2. 502 A declaration of domicile in Florida. a. 503 A Florida professional or occupational license. b. Florida incorporation. 504 с. 505 d. A document evidencing family ties in Florida. 506 Proof of membership in a Florida-based charitable or e. 507 professional organization. 508 Any other documentation that supports the student's f. 509 request for resident status, including, but not limited to, 510 utility bills and proof of 12 consecutive months of payments; a lease agreement and proof of 12 consecutive months of payments; 511 or an official state, federal, or court document evidencing 512 legal ties to Florida. 513 514 Reviser's note.-Amended to conform to the directive of the 515 Legislature to the Division of Law Revision and Information 516 in s. 38, ch. 2013-51, Laws of Florida, to change the terms "General Educational Development test" or "GED test" to 517 "high school equivalency examination" and the terms 518 "general education diploma," "graduate equivalency 519

520 diploma," or "GED" to "high school equivalency diploma"

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521wherever those terms appear in the Florida Statutes.522Section 24. This act shall take effect on the 60th day523after adjournment sine die of the session of the Legislature in

524 which enacted.

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