

**Emergent Design and Development, Inc**  
**Legislative Update**  
**June 2, 2011**

The Legislature has been gone for 28 days and we still are unable to share with you all the bills due to become law this year. In fact, the Governor still has not received 29 of the 58 education bills that we have been tracking and that passed both the Senate and the House.

The Governor did sign the budget, but chose to exercise his ability to line-item veto within the budget. The media has played up the \$615 Million that was vetoed.

<http://www.fsba.org/userfiles/File/05.26.2011-Veto-List.pdf> . There were articles that indicated that some of this money would return to the budget to diminish education cuts, this will not happen. The Legislature has passed the budget, which will remain as passed (except for the vetoed sections) and the vetoed dollars will flow to the State surplus. Indications are that the surplus is now over \$2 billion dollars, which makes one wonder if all of the budget cuts and retirement cost increases were necessary.

**COMMISSIONER SEARCH** Eric Smith's last day of work as Commissioner of Education is June 10, 2011. As of now, the application period has closed and the search firm has reported 19 applicants as of May 27th. The list of applicants can be found at [http://www.fldoe.org/board/meetings/2011\\_05\\_27/memo.pdf](http://www.fldoe.org/board/meetings/2011_05_27/memo.pdf)

It would appear that the State Board of Education will name an interim Commissioner for the day to day activities between now and the time that a new Commissioner can report to work. The State Board has scheduled a meeting via phone call for June 8<sup>th</sup> to discuss this issue.

**BUDGET** The budget passed by the Legislature was \$69.7 billion before the Governor's \$615 Million veto. This veto has been reported as a record amount of dollars ever vetoed by a Florida Governor. An interesting fact is that while the Governor ran on an anti-stimulus dollar platform, he signed a budget that included \$370 Million in Federal Stimulus dollars. Of interest is that \$387.6 Million dollars of the signed budget is the result of sweeping dollars from the Trust Funds of the State. <http://www.news-press.com/article/20110530/NEWS0107/110529036/1075/Sweeps-trusts-balance-Florida-budgets?odyssey=nav%7Chead> Since 2008, \$2.8 Billion has been swept from Trust Funds into the General Fund in order to balance the budget. The end result for schools this year was a reduction of \$144.54 in the Base Student Allocation, a reduction of \$542.03 in total funds per unweighted FTE, and an overall reduction of 7.96% in total dollars to the Districts. The Base Student Allocation is the lowest since 2002.

**EDUCATION BILLS.** We are currently tracking 58 bills which impact PreK-12 Education. The Governor has signed 29 into law (listed later). There are no bills on his desk awaiting his action. He has yet to receive 29 bills from the Legislature for action. A complete description of the 58 bills and their

progress through the 2011 Legislature can be found at [www.leg.state.fl.us](http://www.leg.state.fl.us) by clicking on **The Senate**, then entering the bill number and clicking on the bill text and highlighting the enrolled version (listed last).

**CORE COURSES** A finite number of core courses have been defined by the DOE and the list has been sent to districts. This became very important as the result of SB 2120 which mandates that the only courses required to meet the Constitutional requirements of class size are core courses. The DOE will be able to confirm the size of these classes with information received in the October FTE count. The new course code directory will have the core curriculum courses identified. Full details of the class size adjustment can be found in SB 2120, Section 14.

**FLORIDA VIRTUAL CURRICULUM MARKETPLACE** The attached press release explains in detail, the virtual curriculum marketplace. Both free and subscription materials will be available on this easy to use site. [http://www.fldoe.org/news/2011/2011\\_05\\_31.asp](http://www.fldoe.org/news/2011/2011_05_31.asp) This site will assist educators in navigating the digital curriculum landscape thru a single point of entry. Educators will be able to search for proven content aligned to Florida Next Generation Common Core Standards.

**SALES TAX HOLIDAY** There is a bit of confusion surrounding the passage of the sales tax holiday. The original bill did not pass, however, the issue was addressed in HB 143, which passed. The dates are August 12<sup>th</sup> thru August 14<sup>th</sup>.

**RETIREMENT BILL SB2100** This is a link to a Capitol News article which may help explain the details of the changes in the retirement system FRS. We have previously analyzed the bill in our updates, however, many questions remain.  
<http://floridacapitalnews.com/article/20110602/CAPITOLNEWS/106020323&theme=>

**What's Next:** We will be doing a final bill synopsis as soon as we have closure on all 58 bills. We will include in each bill a description of the expected impact of the new legislative changes. Since the Governor is out of the country all of next week, we don't expect any action on the remaining bills until later this month.

# 2011 Legislative Session

## Enrolled Bill Update


### Bills Signed into Law as of Friday June 3, 2011 (10 a.m.)


Num	Title	Sponsor
<a href="#">HB 0045</a> 	<b>Relating to Regulation of Firearms and Ammunition</b> Regulation of Firearms and Ammunition: Clarifies & reorganizes provisions that preempt to state entire field of regulation of firearms; prohibits knowing & willful violation of Legislature's occupation of whole field of regulation of firearms & ammunition by enactment or causation of enforcement of any local ordinance or administrative rule or regulation; provides additional intent of section; eliminates provisions authorizing counties to adopt ordinance requiring waiting period between purchase & delivery of handgun; provides injunctive relief from enforcement of invalid ordinance, regulation, or rule; provides civil penalty for knowing & willful violation of prohibitions; provides that public funds may not be used to defend or reimburse unlawful conduct of person charged with knowing & willful violation of act; provides for termination of employment or contract or removal from office of person acting in official capacity who knowingly & willfully violates any provision of act; provides for declaratory & injunctive relief for specified persons or organizations; provides for specified damages & interest; provides exceptions to prohibitions of section. Effective Date: October 1, 2011 06/02/11 Approved by Governor	<a href="#">Gaetz (M)</a>
<a href="#">HB 0097</a> 	<b>Relating to Health Insurance</b> Health Insurance: Prohibits certain health insurance policies & health maintenance contracts from providing coverage for abortions; provides exceptions; defines term "state"; provides that certain restrictions on coverage for abortions apply to certain group health insurance policies issued or delivered outside state which provide coverage to residents of state; provides that certain restrictions on coverage for abortions apply to plans under Employee Health Care Access Act. Effective Date: July 1, 2011 06/02/11 Approved by Governor	<a href="#">Gaetz (M)</a>
<a href="#">HB 0143</a> 	<b>Relating to Economic Development</b> Economic Development; Authorizes OTTED to administer corporate income tax credits for spaceflight projects; increases annual tax credit cap relating to contaminated site rehabilitation; provides tax credit for certain research & development expenses; repeals emergency excise tax & related provisions; revises criteria for awarding tax credits & increases amount of credits to be awarded under entertainment industry financial incentive program; authorizes Martin County to apply to OTTED for designation of enterprise zone, etc. APPROPRIATION: \$72,218,905 EFFECTIVE DATE: May 31, 2011, except as otherwise provided 05/31/11 Approved by Governor; Chapter No. 2011-76	<a href="#">Workman</a>
<a href="#">HB 0155</a> 	<b>Relating to Privacy of Firearms Owners</b> Privacy of Firearm Owners: Provides that licensed practitioner or facility may not record firearm ownership information in patient's medical record; provides exception; provides that unless information is relevant to patient's medical care or safety or safety of others, inquiries regarding firearm ownership or possession should not be made; provides exception for EMTs & paramedics; provides that patient may decline to provide information regarding ownership or possession of firearms; clarifies that physician's authority to choose patients is not altered; prohibits discrimination by licensed practitioners or facilities based solely on patient's firearm ownership or possession; prohibits harassment of patient regarding firearm ownership during examination; prohibits denial of insurance coverage, increased premiums, or other discrimination by insurance companies issuing policies on basis of insured's or applicant's ownership, possession, or storage of firearms or ammunition; clarifies that insurer is not prohibited from considering value of firearms or ammunition in setting personal property premiums; provides for disciplinary action. Effective Date: upon becoming a law 06/02/11 Approved by Governor	<a href="#">Brodeur</a>
<a href="#">SB 0228</a> 	<b>Relating to Code of Student Conduct</b> Code of Student Conduct; Requires the district school board to include in the code of student conduct adopted by the board an explanation of the responsibilities of each student with regard to appropriate dress and respect for self and others and the role that appropriate dress and respect for self and others has on an orderly learning environment, etc. EFFECTIVE DATE: July 1, 2011 06/02/11 Approved by Governor	<a href="#">Siplin</a>
<a href="#">HB 0331</a> 	<b>Relating to Firesafety</b> Firesafety: Revises rulemaking authority & responsibilities of State Fire Marshal relating to educational & ancillary plants; revises requirements & procedures for inspections of buildings & equipment; abolishes special state firesafety inspector classifications & certifications; provides criteria, procedures, & requirements for special state firesafety inspectors to be certified as firesafety inspectors; provides procedures, criteria, & requirements for inspections of certain charter schools; provides reporting requirements; requires educational institution boards to submit certain facility site plans to certain local governmental entities for review; authorizes such entities to review site plans for compliance with certain provisions of Florida Fire Prevention Code (FFPC); specifies that site plans are not subject to local ordinances or local amendments to FFPC; imposes additional requirements for certain boards relating to construction, renovation, or remodeling of educational facilities. Effective Date: July 1, 2011 05/31/11 Approved by Governor; Chapter No. 2011-79	<a href="#">Weinstein</a>
<a href="#">SB 0444</a> 	<b>Relating to Scrutinized Companies</b> Scrutinized Companies; Prohibits a state agency or local governmental entity from contracting for goods and services of more than a certain amount with a company that is on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List. Provides for a contract provision that allows for termination of the contract if the company is found to have been placed on such list. Provides a statute of repose. Prohibits a private right of action, etc. EFFECTIVE DATE: July 1, 2011 06/02/11 Approved by Governor	<a href="#">Bogdanoff</a>
<a href="#">HB 0469</a> 	<b>Relating to Individual Retirement Accounts</b> Individual Retirement Accounts: Clarifies exemption of inherited individual retirement accounts from legal processes; provides intent; provides for retroactive application. Effective Date: May 31, 2011 05/31/11 Approved by Governor; Chapter No. 2011-84	<a href="#">Stargel</a>
<a href="#">HB 0667</a> 	<b>Relating to Pub. Rec./Local Government Inspector General</b>	<a href="#">Clemens</a>


# 2011 Legislative Session


## Enrolled Bill Update


Pub. Rec./Local Government Inspector General: Expands exemption from public records requirements to include certain records relating to investigations in custody of inspector general of local government; provides for future review & repeal of exemption; provides statement of public necessity. Effective Date: October 1, 2011  
05/31/11 Approved by Governor; Chapter No. 2011-87


**SB 0736**  **Relating to Education Personnel** [Wise](#)  
Education Personnel; Cites this act as the "Student Success Act." Revises provisions relating to the evaluation of instructional personnel and school administrators. Requires the Department of Education to approve each school district's instructional personnel and school administrator evaluation systems. Requires the Commissioner of Education to approve or select and the State Board of Education to adopt formulas for school districts to use in measuring student learning growth. Requires school districts to administer assessments for each course offered in the district, etc. EFFECTIVE DATE: March 24, 2011 except as otherwise provided  
03/24/11 Approved by Governor; Chapter No. 2011-1


**HB 0797**  **Relating to Interscholastic and Intrascholastic Sports** [Perry](#)  
Interscholastic and Intrascholastic Sports: Removes provisions relating to pilot program in which middle school student or high school student in private school may participate in athletics at public school; provides for statewide implementation of program; requires maintenance of records of participating students; limits participation in program to students who are enrolled in non-FHSAA member private schools consisting of maximum number of students. Effective Date: upon becoming a law  
06/02/11 Approved by Governor


**HB 0965**  **Relating to Florida Tax Credit Scholarship Program** [Horner](#)  
Florida Tax Credit Scholarship Program: Revises provisions relating to amount of tax credit allowed for contribution made to eligible nonprofit scholarship-funding organization; revises provisions relating to carryforward of unused amount of tax credit & rescindment of all or part of tax credit under Florida Tax Credit Scholarship Program. Effective Date: July 1, 2011  
06/02/11 Approved by Governor


**HB 1163**  **Relating to Ad Valorem Taxation** [Dorworth](#)  
Ad Valorem Taxation: Reduces amount that any change in value of nonhomestead residential property resulting from annual reassessment may exceed assessed value of property for prior year; reduces amount that any change in value of certain residential & nonresidential real property resulting from annual reassessment may exceed assessed value of property for prior year; provides first-time Florida homesteader with additional homestead exemption; provides for calculation of exemption; provides for applicability period of exemption; provides for annual reduction in exemption during applicability period; provides application procedures; provides for applicability of specified provisions; provides for contingent effect of provisions & varying dates of application depending on adoption & adoption date of specified joint resolutions; authorizes DOR to adopt emergency rules; provides for application & renewal of emergency rules; requires Legislature to consider appropriating funds to fiscally constrained counties to offset reductions in ad valorem tax revenue as result of implementation of certain revisions to State Constitution; requires application to DOR to participate in distribution of such appropriation; provides for certain contingent effect & retroactive application. Effective Date: upon becoming a law  
06/02/11 Approved by Governor

**SB 1292**  **Relating to Chief Financial Officer** [Alexander](#)  
Chief Financial Officer; Requires the Chief Financial Officer to conduct workshops with state agencies, local governments, educational entities, and entities of higher education to gather information pertaining to uniform reporting requirements. Requires the Chief Financial Officer to accept comments from state agencies, local governments, educational entities, entities of higher education, and interested parties regarding proposed charts of account by a certain date, etc. EFFECTIVE DATE: July 1, 2011  
05/26/11 Approved by Governor; Chapter No. 2011-44

**HB 1329**  **Relating to John M. McKay Scholarships for Students with Disabilities Program** [Bileca](#)  
John M. McKay Scholarships for Students with Disabilities Program: Makes scholarships available to students with disabilities who have 504 accommodation plan issued under federal law; allows parent to request & receive scholarship for student to enroll in & attend private school if student has 504 accommodation plan; provides that students with certain temporary 504 accommodation plans are ineligible for scholarship; provides that parent may choose to enroll student in public school in adjacent district under certain conditions; provides for scholarship amounts. Effective Date: July 1, 2011  
06/02/11 Approved by Governor










**HB 1331**  **Relating to School Choice** [Bileca](#)  
School Choice: Revises requirements for eligibility to participate in Opportunity Scholarship Program; deletes provisions that authorize opportunity scholarship for attendance at private school; revises school district obligations & deletes provisions to conform; deletes obsolete provision relating to John M. McKay Scholarships for Students with Disabilities Program. Effective Date: July 1, 2011  
06/02/11 Approved by Governor

**HB 1355**  **Relating to Elections** [Baxley](#)  
Elections: Expands list of responsibilities of Secretary of State when acting in his or her capacity as chief election officer; requires that third-party voter registration organizations register with Division of Elections and provide division with certain information; requires that division or supervisor of elections make voter registration forms available to third-party voter registration organizations; requires that such forms contain certain information, etc. Effective Date: upon becoming a law  
05/19/11 Approved by Governor; Chapter No. 2011-40

**SB 1430**  **Relating to Regulation of Smoking** [Altman](#)  
Regulation of Smoking; Authorizes school districts to restrict smoking on school district property. EFFECTIVE DATE: July 1, 2011  
06/02/11 Approved by Governor




# 2011 Legislative Session

## Enrolled Bill Update

<a href="#">SB 2002</a> 	<b>Relating to Implementing 2011-2012 General Appropriations Act</b>	<a href="#">Budget</a>
Implementing 2011-2012 General Appropriations Act; Incorporates by reference certain calculations of the Florida Education Finance Program for the 2011-2012 fiscal year. Authorizes the use of funds from the Workers' Compensation Administration Trust Fund for the Ready to Work Program. Provides allocation requirements for specified funds appropriated for forensic mental health services. Revises the expiration of provisions authorizing certain flexibility for the Department of Children and Family Services with respect to its organizational structure, etc. EFFECTIVE DATE: May 26, 2011 except as otherwise provided 05/26/11 Approved by Governor; Chapter No. 2011-47		
<a href="#">SB 2096</a> 	<b>Relating to State Financial Information</b>	<a href="#">Budget</a>
State Financial Information; Requires that the Auditor General annually provide to the Legislature and the Department of Financial Services a list of specified entities that have failed to comply with certain financial transparency requirements. Adds additional governmental entities to those for which the Legislative Auditing Committee recommends a format for collecting and displaying financial information. Requiring the Chief Financial Officer to provide public access to a state contract management system, etc. EFFECTIVE DATE: July 1, 2011 05/26/11 Approved by Governor; Chapter No. 2011-49		
<a href="#">SB 2100</a> 	<b>Relating to Retirement</b>	<a href="#">Budget</a>
Retirement; Requires that a local governmental entity or the governing body of a charter school or charter technical career center make certain elections regarding benefits at the time the entity or governing body joins the Florida Retirement System. Requires employer and employee contributions to the retirement system. Modifies the early retirement benefit calculation for those members retiring on or after a certain date or before the normal retirement date to reflect the change in normal retirement age, etc. APPROPRIATION: \$238,254 EFFECTIVE DATE: May 26, 2011 except as otherwise provided 05/26/11 Approved by Governor; Chapter No. 2011-68		
<a href="#">SB 2110</a> 	<b>Relating to Auditor General</b>	<a href="#">Budget</a>
Auditor General; Requires that the Auditor General conduct operational audits at least every 3 years of certain additional state entities and district school boards and report on the activities of the ad valorem tax program of the Department of Revenue. Revises the duties of the Auditor General with respect to responsibilities for auditing certain reports made to the State Supreme Court and the operations of the Florida Clerks of Court Operations Corporation, respectively. Revises requirements to issue rules for surplus property, etc. EFFECTIVE DATE: July 1, 2011 05/26/11 Approved by Governor; Chapter No. 2011-52		
<a href="#">SB 2120</a> 	<b>Relating to K-12 Education Funding</b>	<a href="#">Budget</a>
K-12 Education Funding; Authorizes the Department of Revenue to provide certain information regarding the gross receipts tax to the State Board of Education, the Division of Bond Finance, and the Office of Economic and Demographic Research. Requires that, for purposes of servicing public education capital outlay bonds, the State Board of Education disregard the effects on the gross receipts tax revenues collected during a tax period of a refund resulting from a specified settlement agreement, etc. EFFECTIVE DATE: May 26, 2011 except as otherwise provided 05/26/11 Approved by Governor; Chapter No. 2011-55		
<a href="#">SB 2150</a> 	<b>Relating to Postsecondary Education Funding</b>	<a href="#">Budget</a>
Postsecondary Education Funding; Authorizes the Department of Revenue to provide certain information regarding the gross receipts tax to the State Board of Education, the Division of Bond Finance, and the Office of Economic and Demographic Research. Requires that, for purposes of servicing public education capital outlay bonds, the State Board of Education disregard the effects on the gross receipts tax revenues collected during a tax period of a refund resulting from a specified settlement agreement, etc. EFFECTIVE DATE: July 1, 2011 05/26/11 Approved by Governor; Chapter No. 2011-63		
<a href="#">HB 7001</a> 	<b>Relating to Growth Management</b>	<a href="#">Community &amp; Military Affairs Subcommittee</a>
Growth Management: Reenacts provisions of law relating to growth management, portions of which were amended, created, or repealed by ch. 2009-96, Laws of Florida; provides for retroactive operation with respect to such portions. Effective Date: April 27, 2011 04/27/11 Approved by Governor; Chapter No. 2011-14		
<a href="#">HB 7087</a> 	<b>Relating to Education Law Repeals</b>	<a href="#">K-20 Innovation Subcommittee</a>
Education Law Repeals: Repeals provisions relating to creation of Digital Divide Council in DOE, false claims of academic degree or title, pilot project for discounted computers & Internet access for low-income students, Institute on Urban Policy & Commerce, adult literacy centers, Florida Literacy Corps, Preteacher & Teacher Education Pilot Programs & Teacher Education Pilot Programs for High-Achieving Students, Critical Teacher Shortage Program, Florida Teacher Scholarship & Forgivable Loan Program, critical teacher shortage tuition reimbursement program, Critical Teacher Shortage Student Loan Forgiveness Program, Merit Award Program for Instructional Personnel & School-Based Administrators, professional service contracts for instructional staff, & middle school student requirement relating to end-of-course assessment. Effective Date: May 5, 2011 05/05/11 Approved by Governor; Chapter No. 2011-37		
<a href="#">HB 7155</a> 	<b>Relating to State Financial Matters</b>	<a href="#">Government Operations Subcommittee</a>
State Financial Matters: Revises provisions which authorize SBA to invest specified funds pursuant to enrollment requirements of local government investment authority; authorizes SBA to invest specified funds in Local Government Surplus Funds Trust Fund without trust agreement upon completion of enrollment materials provided by board; provides that investments made by board under trust agreement are subject only to restrictions & limitations contained in trust agreement. Effective Date: July 1, 2011 05/31/11 Approved by Governor; Chapter No. 2011-100		

## 2011 Legislative Session


### Enrolled Bill Update

<a href="#">HB 7197</a> 	Relating to Digital Learning	<a href="#">K-20 Innovation Subcommittee</a>
Digital Learning: Creates Digital Learning Now Act; requires school districts to establish virtual instruction options; authorizes establishment of virtual charter schools & provides requirements; authorizes blended learning courses; provides additional requirements for Florida Virtual School; requires full-time & part-time school district virtual instruction program options; provides funding & accountability requirements; requires online learning course for high school graduation; redefines FTE student for purposes of virtual instruction. Effective Date: July 1, 2011 06/02/11 Approved by Governor		
<a href="#">HB 7207</a> 	Relating to Growth Management	<a href="#">Select Committee on Government Reorganization</a>
Growth Management: Redesignates "Local Government Comprehensive Planning & Land Development Regulation Act" as "Community Planning Act"; revises & provides intent & purpose of act; revises definitions; revises scope of act; revises & provides duties of local governments & municipalities relating to comprehensive plans; deletes retroactive effect; encourages local governments to apply for certain innovative planning tools; authorizes state land planning agency & other appropriate state & regional agencies to use direct & indirect technical assistance, etc. Effective Date: upon becoming a law 06/02/11 Approved by Governor		
<a href="#">HB 7223</a> 	Relating to OGSR/Competitive Solicitations	<a href="#">Government Operations Subcommittee</a>
OGSR/Competitive Solicitations: Provides exemption from public records requirements for bids, proposals, or replies submitted to an agency in response to competitive solicitation; expands exemption by extending its duration; provides for future review & repeal; revises provisions that provide exemption from public meetings requirements for meetings at which negotiation with vendor is conducted & which provides exemption from public records requirements for recordings of exempt meetings; expands public meetings exemption to include specified meetings; expands public records exemption to include any records presented at exempt meeting; provides for future review & repeal of exemptions; provides statement of public necessity. Effective Date: upon becoming a law 06/02/11 Approved by Governor		


#### Bills Approved without Signature

No bills.

#### Bills Vetoed

Num	Title	Sponsor
<a href="#">SB 2106</a> 	Relating to Florida Energy and Climate Commission	<a href="#">Budget</a>
Florida Energy and Climate Commission; Eliminates the Florida Energy and Climate Commission and transfers its duties with respect to a tax credit, an incentive program, and the state's renewable energy policy to the Department of Environmental Protection. Repeals provisions relating to Florida Energy and Climate Commission. Transfers the duties of the Florida Energy and Climate Commission with respect to planning and developing the state's energy policy and its duties under the Florida Energy and Climate Protection Act to the Department of Environmental Protection, etc. EFFECTIVE DATE: July 1, 2011 05/26/11 Vetoed by Governor		

#### Bills Signed into Law with Appropriation Veto

Num	Title	Sponsor
<a href="#">SB 2000</a> 	Relating to Appropriations	<a href="#">Budget</a>
Appropriations; Provides moneys for the annual period beginning July 1, 2011, and ending June 30, 2012, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government. APPROPRIATION: \$69,676,639,159 EFFECTIVE DATE: July 1, 2011, except as otherwise provided 05/26/11 Approved by Governor with Line Item Veto; Chapter No. 2011-69		




# 2011 Legislative Session

## Enrolled Bill Update

Bills Enrolled not yet received by Gov		
Num	Title	Sponsor
<a href="#">SB 0002</a> 	Relating to Health Care Services	<a href="#">Haridopolos</a>
Health Care Services; Proposes an amendment to the State Constitution to prohibit laws or rules from compelling any person or employer to purchase, obtain, or otherwise provide for health care coverage. Permits a person or an employer to purchase lawful health care services directly from a health care provider. Permits a health care provider to accept direct payment from a person or an employer for lawful health care services, etc. 05/05/11 SENATE Enrolled Text (ER) Filed		
<a href="#">HB 0075</a> 	Relating to Offense of Sexting	<a href="#">Abruzzo</a>
Offense of Sexting:Provides that minor commits offense of sexting if he or she knowingly uses computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any photograph or video of any person which depicts nudity & is harmful to minors; provides noncriminal & criminal penalties; provides that transmission, distribution, or possession of multiple photographs or videos is single offense if transmission occurs within 24-hour period, etc. Effective Date: October 1, 2011 05/03/11 HOUSE Enrolled Text (ER) Filed		
<a href="#">SB 0088</a> 	Relating to Public Employee Compensation	<a href="#">Gaetz (D)</a>
Public Employee Compensation; Revises provisions relating to the prohibition against the payment of extra compensation. Authorizes the payment of bonuses and severance pay to officers, agents, employees, and contractors of a public hospital under certain circumstances. Provides for bonuses. Specifies the conditions for paying bonuses. Deletes provisions relating to the power of a county to pay extra compensation. Repeals provisions relating to a prohibition against severance pay for officers or employees of water management districts, etc. EFFECTIVE DATE: July 1, 2011 05/06/11 SENATE Enrolled Text (ER) Filed		
<a href="#">SB 0224</a> 	Relating to Local Government Accountability	<a href="#">Dean</a>
Local Government Accountability; Amends provisions relating to the Legislative Auditing Committee to clarify when the Department of Community Affairs may institute procedures for declaring that a special district is inactive. Specifies the level of detail required for each fund in the sheriff's proposed budget. Authorizes certain municipalities to levy and collect special assessments to fund special security and crime prevention services and facilities, etc. EFFECTIVE DATE: October 1, 2011 05/12/11 Bill to Be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 05/19/11, 9:30am, 301 C (No Votes Will Be Taken)		
<a href="#">SB 0234</a> 	Relating to Firearms	<a href="#">Evers</a>
Firearms; Provides that a person who is licensed to carry a concealed firearm is not in violation of law if the firearm is briefly and openly displayed under certain circumstances. Allows the Division of Licensing of the DOACS to take fingerprints from concealed carry license applicants. Provides that a person may not openly carry a weapon or firearm or carry a concealed weapon or firearm into specified locations. Provides that concealed carry licensees shall not be prohibited from carrying or storing a firearm in a vehicle for lawful purposes, etc. EFFECTIVE DATE: upon becoming a law 05/04/11 SENATE Enrolled Text (ER) Filed		
<a href="#">HB 0251</a> 	Relating to Sexual Offenses	<a href="#">Dorworth</a>
Sexual Offenses: Cites act as "Walk in Their Shoes Act"; permits admission of evidence of defendant's commission of other crimes, wrongs, or acts of sexual nature in criminal case in which defendant is charged with crime of sexual nature; revises offenses considered "child molestation" for such purposes; authorizes use of service or therapy animals in courts hearing sexual offense cases under certain circumstances; requires property or material constituting child pornography used in criminal proceeding to remain in care, custody, & control of state attorney or court; prohibits reproduction of such property or material by defendant when specified criteria are met by state attorney; permits access by defendant; requires emergency room to arrange for gathering of forensic medical evidence from victims who desire evidence for possible future report of sexual battery; requires law enforcement officer to provide or arrange for transportation of victim of sexual violence to facility for medical treatment or forensic examination; provides for review of officer's final report by victim & opportunity for statement; provides for prosecution for video voyeurism within 1 year after victim of video voyeurism obtains actual knowledge of recording or recording is confiscated by law enforcement agency; requires additional court cost in cases of certain criminal offenses to be deposited into Rape Crisis Program Trust Fund; provides for hepatitis testing of persons charged with certain offenses; provides appropriation to Department of Legal Affairs for purpose of funding nonprofit organization for specified purposes; requires that public schools provide health education addressing Internet safety; prohibits controlling or intentionally viewing any photograph, motion picture, exhibition, show, image, data, computer depiction, representation, or other presentation that includes sexual conduct by child; provides exception & penalties, & conforms provisions of offense severity ranking chart of Criminal Punishment Code. Effective Date: July 1, 2011 05/12/11 HOUSE Enrolled Text (ER) Filed		
<a href="#">HB 0279</a> 	Relating to Certification of Child Welfare Personnel	<a href="#">Davis</a>
Training and Certification of Child Welfare Personnel: Provides required criteria for approval of credentialing entities that develop & administer certification programs for persons who provide child welfare services; revises use of Child Welfare Training Trust Fund within DCFS; requires persons who provide child welfare services to be certified by third-party credentialing entity; allows entities to add to or augment preservice curriculum & allows entities to contract for training; provides for recognition for currently certified persons; authorizes approval of third-party credentialing entities. Effective Date: October 1, 2011 05/02/11 HOUSE Enrolled Text (ER) Filed		

# 2011 Legislative Session

## Enrolled Bill Update

 <a href="#">HB 0281</a>	Relating to Value Adjustment Boards	<a href="#">Logan</a>
<p>Value Adjustment Boards: Requires petitioner challenging assessed value of property before value adjustment board to pay specified percentage of taxes by certain date; requires petitioner challenging denial of classification or exemption, or assessment on specified grounds, before value adjustment board to pay amount of tax which taxpayer admits in good faith to be owing by certain date; provides for penalty if good faith payment is grossly disproportionate to amount of tax found to be due &amp; taxpayer's admission was not made in good faith; requires board to deny petition in writing by certain date if required amount of taxes is not timely paid; requires payment of interest on certain unpaid taxes; requires payment of interest on certain overpayments of taxes; provides for discount for ad valorem taxes paid within 30 days after mailing of corrected tax notice resulting from action of value adjustment board when corrected tax notice is issued before taxes become delinquent. Effective Date: July 1, 2011, and shall apply to petitions filed with value adjustment boards on or after July 1, 2011 05/05/11 HOUSE Enrolled Text (ER) Filed</p>		
 <a href="#">HB 0381</a>	Relating to Additional Homestead Exemption; Property Value Decline; Reduction for Nonhomestead Assessment Increases; Abrogation of Scheduled Repeal	<a href="#">Dorworth</a>
<p>Additional Homestead Exemption; Property Value Decline; Reduction for Nonhomestead Assessment Increases; Abrogation of Scheduled Repeal: Proposes amendments to State Constitution to allow Legislature by general law to prohibit increases in assessed value of homestead &amp; specified nonhomestead property if just value of property decreases, reduce limitation on annual assessment increases applicable to nonhomestead real property, provide additional homestead exemption for owners of homestead property who have not owned homestead property for specified time before purchase of current homestead property, &amp; application &amp; limitations with respect thereto, delete future repeal of provisions limiting annual assessment increases for specified nonhomestead real property, &amp; provide effective dates. Effective Date: Not Specified 05/12/11 Bill to Be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 05/19/11, 9:30am, 301 C (No Votes Will Be Taken)</p>		
 <a href="#">SB 0404</a>	Relating to Transition-to-adulthood Services	<a href="#">Wise</a>
<p>Transition-to-adulthood Services; Provides legislative intent concerning transition-to-adulthood services for youth in the custody of the Department of Juvenile Justice (DJJ). Provides for eligibility for services for youth served by the DJJ who are legally in the custody of the Department of Children and Family Services (DCFS). Provides that an adjudication of delinquency does not disqualify a youth in foster care from certain services from the DCFS. Creates the College-Preparatory Boarding Academy Pilot Program for dependent or at-risk students, etc. EFFECTIVE DATE: July 1, 2011 05/10/11 SENATE Enrolled Text (ER) Filed</p>		
 <a href="#">SB 0410</a>	Relating to Impact Fees	<a href="#">Bennett</a>
<p>Impact Fees; Reenacts a provision relating to the burden of proof required by the government in an action challenging an impact fee. Provides a legislative finding of important state interest. Provides for retroactive operation of the act. Provides for an exception under specified circumstances. EFFECTIVE DATE: upon becoming a law, and shall operate retroactively to July 1, 2009 05/12/11 Bill to Be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 05/19/11, 9:30am, 301 C (No Votes Will Be Taken)</p>		
 <a href="#">HB 0445</a>	Relating to Wellness or Health Improvement Programs	<a href="#">Ingram</a>
<p>Wellness or Health Improvement Programs: Authorizes insurers &amp; HMOs to offer voluntary wellness or health improvement program &amp; encourage or reward participation in program by offering rewards or incentives to members; authorizes insurers &amp; HMOs to require plan members not participating in said programs to provide verification that their medical condition warrants nonparticipation in order for nonparticipants to receive rewards or incentives; requires that reward or incentive be disclosed in policy or certificate; provides that act does not prohibit insurers or HMOs from offering other incentives or rewards for adherence to wellness or health improvement program. Effective Date: July 1, 2011 CS/CS/HB 445 - Wellness or Health Improvement Programs GENERAL BILL by Insurance &amp; Banking Subcommittee and Health &amp; Human Services Quality Subcommittee and Ingram (CO-SPONSORS) Corcoran; Jones; Passidomo Wellness or Health Improvement Programs: Authorizes insurers &amp; HMOs to offer voluntary wellness or health improvement program &amp; encourage or reward participation in program by offering rewards or incentives to members; authorizes insurers &amp; HMOs to require plan members not participating in said programs to provide verification that their medical condition warrants nonparticipation in order for nonparticipants to receive rewards or incentives; requires that reward or incentive be disclosed in policy or certificate; provides that act does not prohibit insurers or HMOs from offering other incentives or rewards for adherence to wellness or health improvement program. Effective Date: July 1, 2011 Wellness or Health Improvement Programs; Authorizes insurers &amp; HMOs to offer voluntary wellness or health improvement program &amp; encourage or reward participation in program by offering rewards or incentives to members; authorizes insurers &amp; HMOs to require plan members not participating in said programs to provide verification that their medical condition warrants nonparticipation in order for nonparticipants to receive rewards or incentives; requires that reward or incentive be disclosed in policy or certificate, etc. EFFECTIVE DATE: July 1, 2011 05/04/11 HOUSE Enrolled Text (ER) Filed</p>		
 <a href="#">HB 0557</a>	Relating to Parental Rights Amendment	<a href="#">Coley</a>
<p>Parental Rights Amendment: Urges Congress to propose to states for ratification amendment to U.S. Constitution relating to parental rights. Effective Date: Not Specified 05/06/11 HOUSE Enrolled Text (ER) Filed</p>		
 <a href="#">SB 0592</a>	Relating to Veteran's Property Tax Discount	<a href="#">Bennett</a>
<p>Veteran's Property Tax Discount; Proposes amendments to the State Constitution to expand the availability of the property tax discount on the homesteads of veterans who became disabled as the result of a combat injury to veterans who were not Florida residents when they entered the military and to provide an effective date.</p>		



# 2011 Legislative Session

## Enrolled Bill Update

05/04/11 SENATE Enrolled Text (ER) Filed

[HB 0647](#)

### Relating to Protection of Volunteers

[McBurney](#)

Protection of Volunteers: Clarifies that in order to fall under protection of Florida Volunteer Protection Act, person performing service for nonprofit organization may not receive compensation from nonprofit organization for that service, regardless of whether person is receiving compensation from another source; provides exception; provides immunity for source of any other such compensation; provides application of act. Effective Date: July 1, 2011

05/05/11 HOUSE Enrolled Text (ER) Filed

[HB 0689](#)

### Relating to Driver Education and Testing

[Berman](#)

Driver Education and Testing: Requires curricula of driver improvement courses & traffic law & substance abuse education courses to include instruction on risks associated with using handheld electronic communication device while operating motor vehicle; provides requirements for driver's license examination questions pertaining to traffic regulations relating to blind pedestrians; provides for written examination for learner's driver's license to be available from third-party providers, etc. Effective Date: July 1, 2011

05/03/11 HOUSE Enrolled Text (ER) Filed

[HB 0849](#)

### Relating to Building Construction and Inspection

[Davis](#)

Building Construction and Inspection: Exempts rules that adopt federal standards & certain updates of or amendments to Florida Building Code or Florida Fire Prevention Code from requirement that Legislature ratify any rule that has adverse impact or regulatory costs which exceed certain criteria; specifies national codes to form foundation for state building standards & codes; revises provisions for amendment or modification of foundation code; revises criteria for approval by Florida Building Commission of technical amendments to code, etc. Effective Date: July 1, 2011

05/05/11 HOUSE Enrolled Text (ER) Filed

[SB 0958](#)

### Relating to State Revenue Limitation

[Budget Subcommittee on Finance and Tax](#)

State Revenue Limitation; Proposes amendments to the State Constitution to replace the existing state revenue limitation with a new state revenue limitation based on inflation and population changes.

05/12/11 Bill to Be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 05/19/11, 9:30am, 301 C (No Votes Will Be Taken)

[HB 0993](#)

### Relating to Rulemaking

[Roberson](#)

Rulemaking: Requires that agency include in its notice of intended rulemaking statement whether proposed rule will require legislative ratification; provides for withdrawal of adopted rule that is not ratified by Legislature; clarifies that certain proposed rules are effective only when ratified by Legislature; reduces time before agency files rule for adoption within which agency must notify person who submitted lower cost alternative & Administrative Procedures Committee; excludes rules adopting federal standards & emergency rulemaking from certain provisions; reduces time in which substantially affected person may seek administrative determination of invalidity of rule after statement or revised statement of estimated regulatory costs is available; provides for agency reporting of certain annual regulatory plans; requires that agency complete enhanced biennial review of its existing rules; requires report; provides for future review & repeal; provides that Legislature may establish & maintain Internet-based public survey of regulatory impacts; provides certain immunities; provides that nonapplicant who petitions to challenge agency's issuance of license, permit, or conceptual approval in certain circumstances has burden of ultimate persuasion & burden of going forward with evidence. Effective Date: upon becoming a law

05/06/11 HOUSE Enrolled Text (ER) Filed

[HB 1179](#)

### Relating to Abortion/Public Funding/Construction of Rights

[Baxley](#)

Abortion/Public Funding/Construction of Rights; Proposes creation of s. 28, Art. I of State Constitution; prohibits public funding of abortions; provides exceptions; prohibits State Constitution from being interpreted to create broader rights to abortion than those contained in U.S. Constitution. Effective Date: Not Specified

05/06/11 HOUSE Enrolled Text (ER) Filed

[HB 1255](#)

### Relating to Education Accountability

[Adkins](#)

Education Accountability: Revises numerous provisions relating to K-12 public education system; revises provisions relating to virtual instruction courses & school board member acceptance of gifts; adds auditory-oral education programs to list of public school choice options; revises provisions relating to Opportunity Scholarship Program, McKay Scholarships, Voluntary Prekindergarten Education Program, special education services, requirements for middle grades promotion & high school graduation, digital curriculum, career & professional academies, use of restraint & seclusion on students with disabilities, assistive technology, statewide assessments, college readiness, school improvement, designation of school grades, education budgets, funding for exceptional student education, & teacher qualifications. Effective Date: July 1, 2011

05/13/11 HOUSE Engrossed Text (E2) Filed

[SB 1312](#)

### Relating to School Nutrition Programs

[Siplin](#)

School Nutrition Programs; Cites this act as the "Healthy Schools for Healthy Lives Act." Transfers and reassigns functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources for the administration of the school food and nutrition programs from the Department of Education to the Department of Agriculture and Consumer Services. Requires the Department of Agriculture and Consumer Services to conduct, supervise, and administer all school food and nutrition programs, etc. EFFECTIVE DATE: upon becoming a law, except as otherwise provided

05/04/11 SENATE Enrolled Text (ER) Filed

# 2011 Legislative Session

## Enrolled Bill Update

<a href="#">HB 1471</a> 	<b>Relating to Religious Freedom</b>	<a href="#">Plakon</a>
Religious Freedom: Proposes amendment to s. 3, Art. I of State Constitution to provide that no individual or entity may be discriminated against or barred from receiving funding on basis of religious identity or belief; deletes prohibition against using revenues from public treasury directly or indirectly in aid of any church, sect, or religious denomination or in aid of any sectarian institution. Effective Date: Not Specified 05/06/11 HOUSE Enrolled Text (ER) Filed		
<a href="#">SB 1546</a> 	<b>Relating to School Choice</b>	<a href="#">Thrasher</a>
School Choice; Establishes criteria for high-performing charter schools. Authorizes a high-performing charter school to increase enrollment, expand grade levels served, submit a quarterly financial statement, consolidate the charters of certain charter schools, and receive certain modification or renewal of its charter. Establishes criteria for high-performing charter school systems. Provides that student capacity of a high-performing charter school shall be determined annually by the governing board. Deletes provisions relating to the Charter School Review Panel, etc. EFFECTIVE DATE: July 1, 2011 05/05/11 SENATE Enrolled Text (ER) Filed		
<a href="#">SB 1992</a> 	<b>Relating to Background Screening</b>	<a href="#">Children, Families and Elder Affairs</a>
Background Screening; Provides that mental health personnel working in a facility licensed under ch. 395, F.S., who work on an intermittent basis for less than 15 hours per week of direct, face-to-face contact with patients are exempt from the fingerprinting and screening requirements. Adds law enforcement officers who have a good moral character to the list of professionals who are not required to be refingerprinted or rescreened. Requires the Board of Nursing to waive background screening requirements for certain certified nursing assistants, etc. EFFECTIVE DATE: July 1, 2011 05/12/11 Bill to Be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 05/19/11, 9:30am, 301 C (No Votes Will Be Taken)		
<a href="#">SB 2156</a> 	<b>Relating to Governmental Reorganization</b>	<a href="#">Budget</a>
Governmental Reorganization; Transfers the functions and trust funds of the Agency for Workforce Innovation to other agencies. Transfers the Office of Early Learning Services to the Department of Education. Transfers the Office of Unemployment Compensation to the Department of Economic Opportunity. Transfers the Unemployment Appeals Commission to the Department of Economic Opportunity. Transfers the Office of Workforce Services to the Department of Economic Opportunity. Requires the Auditor General to conduct an audit of the Office of Early Learning, etc. APPROPRIATION: \$10,000,000 EFFECTIVE DATE: July 1, 2011 05/12/11 SENATE Enrolled Text (ER) Filed		
<a href="#">HB 7005</a> 	<b>Relating to Unemployment Compensation</b>	<a href="#">Economic Development &amp; Tourism Subcommittee</a>
Unemployment Compensation: Increases number of employer payroll service providers who qualify for access to unemployment tax information; revises provisions relating to statutory construction; requires that individual claiming benefits report certain information & participate in initial skills review; provides exception; clarifies "good cause" for voluntarily leaving employment; disqualifies certain person for benefits; revises number of available weeks of unemployment benefits available; revises employer's unemployment compensation contribution rate by certain factors; provides employer payment schedule for 2012, 2013, & 2014 contributions; revises allowable forms of evidence in benefit appeals; revises judicial venue for reviewing commission orders; specifies that evidence of mailing agency document is based on date stated on document; revives, readopts, & amends provision relating to temporary extended benefits; provides for retroactive application; establishes temporary state extended benefits for weeks of unemployment; provides for state extended benefits for certain weeks & for periods of high unemployment; provides severability; provides applicability; provides appropriations for purposes of implementation; provides that act fulfills important state interest. Effective Date: upon becoming a law 05/09/11 HOUSE Enrolled Text (ER) Filed		
<a href="#">HB 7111</a> 	<b>Relating to Supreme Court</b>	<a href="#">Civil Justice Subcommittee</a>
Judiciary: Proposes revision of Article V of State Constitution, relating to judiciary, consisting of amendments to ss. 2, 11, & 12, Art. V, of State Constitution; revises provisions relating to repeal of court rules, limits readoption of repealed court rule; provides for Senate confirmation of Supreme Court justices; requires JQC to make all of its files available to House Speaker; provides for confidentiality of records provided to House of Representatives until impeachment is initiated; makes other conforming & modernizing changes. Effective Date: Not Specified 05/06/11 HOUSE Enrolled Text (ER) Filed		
<a href="#">HB 7151</a> 	<b>Relating to Postsecondary Education</b>	<a href="#">K-20 Innovation Subcommittee</a>
Postsecondary Education: Revises various provisions relating to postsecondary education, including disposal of personal property lost or abandoned on university or Florida College System institution campus & disposition of proceeds from sale of such property, duties of Florida College System institution boards of trustees, Higher Education Coordinating Council, use of test scores & procedures for assessment of certain skills, articulation policies, requirements for postsecondary degrees, & requirements relating to common placement testing; repeals provisions relating to University Concurrency Trust Fund, etc. Effective Date: July 1, 2011 05/06/11 HOUSE Enrolled Text (ER) Filed		

### Bills Presented to the Governor

No bills.