

# 2017 Legislative Summary Report

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## Legislative Session Highlights

The 2017 Florida Legislature adjourned sine die on Monday evening, May 8, 2017. Following a contentious budget process that resulted in the extension of the legislative session by 3 days and the requisite 72-hour “cooling off period,” the Legislature approved the General Appropriations Act and an overall budget of \$83 billion. A total of 3,132 bills were filed this session with only 249 passed by both chambers, resulting in the second lowest number of bill passed in nearly two decades.

In the final days of session, two conforming bills directly tied to budget negotiations were directed towards education. The House pushed through [HB 7069](#), a massive K-12 education bill that promotes charter schools, which was narrowly passed by the Senate. In exchange for accepting the House’s education omnibus bill, [SB 374](#), a priority of Senate leadership, was also passed. SB 374 overhauled policy for both public colleges and universities and would have created significant statutory changes to the Florida College System (FCS). However, the Governor vetoed the bill following a special session in June. As it stands, the most impactful change from the legislative session will be a system-wide budget reduction of \$30.2 million attributed to changes in developmental education. For a detailed description of the potential impact of SB 374, please see the bill section of this summary.

### Special Session 2017A: [HB 1A](#) & [3A](#)

The Governor called a special session of the Legislature to address public school funding (the Florida Education Finance Program or FEFP), Medical Marijuana amendment implementation, and funding for economic incentives such Enterprise Florida and Visit Florida. Among the bills passed by the Legislature during the special session, HB 1A restored \$2,500,000 to one college’s operating budget and restored partial funding to fixed capital outlay projects at two colleges totaling \$4,572,518.

In addition, \$60,000,000 was appropriated in HB 1A for a new program within the Florida Department of Economic Opportunity entitled The Florida Job Growth Grant Fund. Workforce training grants are to support programs at state colleges and state technical centers that provide participants with transferable, sustainable workforce skills applicable to more than a single employer, and for equipment associated with these programs. The department is required to work with CareerSource Florida to ensure programs are offered to the public based on criteria established by the state college or state technical center and do not exclude applicants who are unemployed or underemployed.

Because the Governor had vetoed the FEFP portion of the General Appropriations Act, the Legislature passed HB 3A to provide funding for public schools. The General Appropriations Act would have provided an increase of \$25 per Full Time Equivalent (FTE) student. House Bill 3A provides an increase of \$100 per FTE.

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## 2017-18 General Appropriations Act (GAA)

### Statewide Funding: [SB 2500](#)

The Florida Legislature had significant additional General Revenue available to address budget issues surrounding the Florida College System (FCS). However, the House of Representatives and the Senate both decided to instead focus on reducing the FCS Program Fund (FCSPF).

Prior to the legislative session, Governor Rick Scott released his budget proposal which called for a \$9 million increase in total funding for the System. Even though it was substantially below the \$100 million increase requested by the FCS Council of Presidents, the proposal appeared to be supportive of the System.

The initial House budget recommendation proposal included, cutting \$9,866,896 to ensure public funds were not spent to support personal services of the colleges' direct support organizations. An additional cut of \$62,700,000 was also proposed to force certain colleges to have to spend down their fund balances to a level the House identified. The House explained that this cut would be a non-recurring reduction and equivalent funding would be added back in the 2018-19 budget.

Initially the Senate budget proposed a permanent reduction of \$55,130,856 to the FCSPF, explaining that colleges were no longer serving as many students in the developmental education programs as they previously had served. The Senate also proposed to suspend both the Industry Certification and the Performance categorical for the upcoming fiscal year.

Passed on May 8, 2017, the General Appropriations Act (SB 2500), reduced the FCS budget by \$30,200,000 to reflect the supposed decline in developmental education enrollment. This ignored the continued enrollment of equivalent numbers of students in redesigned college-level courses and funds redirected to newly initiated special counseling and tutoring programs. At the time of this summary, details of how the cut was taken had not been released, but it appeared that the cut was based more on a pro-rata reduction than on the change in developmental education enrollment. Because of additional funds being added to certain colleges for specific purposes, the actual difference in the total appropriation for the program fund appears to be a loss of \$29.6 million (not counting the FRS adjustment). During Special Session 1A, House Bill 1A restored \$2,500,000 to one college's operating budget.

As described elsewhere in the report, SB 374 would have created a slightly different performance-based funding method for the FCS for the third consecutive year. With the veto of SB 374, the performance measures remain the same for 2017-18. The amount of money also remained the same with a \$60 million appropriation, including \$30 million in nonrecurring state funds and \$30 million from the institutions' base funding. The Division of Florida Colleges is currently amending State Board Rule 6A-14.07621 to determine the distribution methodology for FY 2017-18.

## 2017-18 General Appropriations Act (GAA) – Cont.

The Legislature also appropriated \$10 million to be distributed based upon the number of specified industry certifications earned by each college's students (See page 11 for details). Funding for local projects of statewide interest totaling \$15.3 million at thirteen colleges and operational support projects totaling \$9.6 million at five colleges was provided. These funds are included in the individual college's program fund appropriation.

As part of this year's appropriation, the Legislature again implemented a funding source shift for the Florida College System. Funding from the Educational Enhancement Trust Fund (Lottery) was replaced with General Revenue in the amount of \$42,044,494. Historically, Lottery funds have not been available for the colleges to draw against until after the midpoint of the fiscal year, potentially causing cash flow problems. As usual, the Legislature adjusted funding in the FCSPF to reflect a change in Florida Retirement System (FRS) employer contributions and to the Health Insurance Subsidy for Retirees. The net result was an increase of \$4,942,768 in the amount to be contributed to FRS. The change reflects the employer's contribution rates to be paid by the colleges during the 2016-17 fiscal year. Both of these changes are intended by the Legislature to have no net impact on the funds available for college operations.

### Capital Outlay

This year, the Legislature provided \$38,066,518 for repair, maintenance and renovation type projects for FCS institutions. These funds are referred to as the "sum of the digits" and are distributed by formula.

The Legislature elected not to bond facilities projects and instead provided \$83,512,385 from General Revenue and the Public Education Capital Outlay and Debt Service Trust Fund (PECO) for twenty-two projects at eighteen colleges. The Governor vetoed 5 fixed capital outlay projects at 5 colleges totaling \$14.5 million. During Special Session 1A, partial funding was restored for vetoed fixed capital outlay projects at 2 colleges which totaled \$4,572,518.

### Career and Adult Education

The legislative appropriation for Career and Adult Education, which spans components of both K-12 and the Florida College System sectors, totaled \$477 million. Of that amount, \$366.3 million is designated for Workforce Development funding; another \$67.1 million provides budget authority for the (federal) Carl D. Perkins Career and Technical Education Act, and \$41.6 million is dedicated for Adult Basic Education federal flow-through funds.

## Florida College System 2016-17 and 2017-18 Funding

Issue	Funding 2016-17	Funding 2017-18
Florida College System Program Fund (FCSPF) - Lottery	\$273,796,073	\$231,751,579
Florida College System Program Fund (FCSPF) – GR	955,245,757 (includes 60m performance)	965,303,147 (includes 60m performance)
<b>TOTAL COMBINED</b>	1,229,041,830	1,196,054,726 (Reflects 30.2m developmental education reduction and Governor’s veto of 7.3m at 9 colleges)
Above includes:		
• Performance Funding	30m state / 30m base	30m state / 30m base
• Operating Cost New Facilities, Combined	575,008	0
• FRS Deduction/Health Subsidy	3,020,000	4,942,768
• “Operational Support”	0 (No system-wide dollars were provided for operational support, however individual colleges did receive specific appropriations.)	0 (No system-wide dollars were provided for operational support, however individual colleges did receive specific appropriations.)
• Special Projects/Operational Support Funding	21,965,000	15,342,950 (7,270,154 was vetoed, leaving a net appropriation of 8,072,796)
• Distinguished Colleges	2,000,000	0
<b>ADDITIONAL FUNDING</b>		
Performance Incentives/Industry Certifications	10,000,000	10,000,000
PECO, Sum-of-Digits (Maintenance)	36,155,369	38,066,518
Fixed Capital Outlay (PECO and GR)	176,023,443 (6,992,044 was vetoed leaving a net appropriation of 139,031,399)	83,512,835 (14,494,530 was vetoed leaving a net appropriation of 71,018,305)
Displaced Homemakers	\$ 2,000,000	0
College Reach Out Program	\$ 1,000,000	1,000,000
First Generation Matching Florida College System Share	\$ 1,327,166	2,654,332
<b>NON FUNDED ITEMS</b>		
Adults with Disabilities	0	6,924,676
Student Tuition/Fees	0 % increase (The distance learning fee is capped at \$15 per credit hour)	0 % increase
Phillip Benjamin Matching	0	0
Facilities Matching	0	0



## Florida Financial Aid Summary 2016-17 and 2017-18 Funding

Issue	Funding 2016-17	Funding 2017-18
Florida's Bright Futures Scholarship Program (Lottery)	\$217,300,000	\$397,282,030
Academic Scholars	Per Credit Hour	(See Conference Report for SB 374)
• 4-year Institutions	103	
• 2- Year Institutions	63	
• Upper-division Programs at Florida Colleges	71	
• Career-technical Centers	52	
Medallion Scholars		
• 4-year Institutions	77	77
• 2- Year Institutions	63	63
• Upper-division Programs at Florida Colleges	53	53
• Career-technical Centers	39	39
Gold Seal Vocational Scholars		
• Career Certificate Program	39	39
• Applied Technology Diploma Program	39	39
• Technical Degree Education Program	48	48
• Technical Degree Education Program	44	48
Additional Stipend for Top Scholars		
Florida Student Assistance Grants (Lottery) (General Revenue)	64,869,443	59,401,461
(Trust Funds)	81,477,159	218,979,271
• Florida Student Assistance Grant – Public Full and Part-time	9,785,362	97,099
• FSAG – Private	(114,614,631)	(208,002,403)
• FSAG – Postsecondary		
• FSAG – Career Education	(18,444,354)	(33,472,777)
Maximum Award for FSAG	(12,883,854)	(23,381,592)
• Deceased/Disabled Veterans	( 2,501,237)	(4,539,240)
• Florida Work Experience	(2,610/award)	(2,610)/award
• Rosewood Family Scholarships	( 4,861,219)	( 5,755,150)
• Honorably Discharged Graduate Assistance Program	( 1,569,922)	(1,569,922)
	(256,747)	(256,747)
Florida Farmworker Scholarship Program	(1,000,000)	(1,000,000)
		(500,000)
First Generation in College Matching Grant Program	5,308,663	10,617,326
• (In 2016-17 the match was \$1 state dollar for \$2 private dollar)		
• (In 2017-18 the match was \$1 state dollar for each \$1 private dollar)		\$2,654,332
Amount Reserved for FCS in 2017-18		

## Florida Financial Aid Summary 2016-17 and 2017-18 Funding

Issue	Funding 2016-17	Funding 2017-18
<ul style="list-style-type: none"> <li>ABLE Grants (Private for-profit college students)</li> </ul>	5,056,500 (est. 1,500/student)	6,832,500 (est. 2,500 /student)
<ul style="list-style-type: none"> <li>Florida Resident Access Grants (Private not-for-profit college students)</li> </ul>	\$115,260,000 (est. 3,000/student)	\$125,449,500 (est. 3,300/student)
<ul style="list-style-type: none"> <li>Florida National Merit Scholars Incentive Program (renamed as Benacquisto Scholarship Program by Legislature in 2016)</li> </ul>	12,926,139	14,282,138
<ul style="list-style-type: none"> <li>Prepaid Tuition Scholarship</li> </ul>	7,000,000	7,000,000
<ul style="list-style-type: none"> <li>Florida ABLE, Incorporated</li> </ul>	3,166,000	2,166,000
<ul style="list-style-type: none"> <li>Minority Teacher Scholarship Program</li> </ul>	917,798	917,798
<ul style="list-style-type: none"> <li>Nursing Student Loan Reimbursement/ Scholarships</li> </ul>	1,134,006	1,233,006
Mary McLeod Bethune Scholarship ( General Revenue)	160,500	160,500
( Trust Funds)	160,500	160,500
Jose Marti Scholarship Challenge Grant ( General Revenue)		50,000
( Trust Funds)		74,000
<p>This year, the following proviso appears in the GAA for the first time.</p> <ul style="list-style-type: none"> <li>Institutions that received state funds in Fiscal Year 2016-2017 for student scholarships or grants administered by the Office of Student Financial Assistance shall create the following two reports in a format prescribed by the Department of Education; both due by December 1, 2017. A report of the following information by institution, 1) federal loan information, including the total federal loan amounts disbursed and total number of students who received federal loans; and 2) student level data for all grants, scholarships, and awards to students who applied for and/or received state-funded tuition assistance and aid.</li> </ul>		

## Appropriations Proviso and Implementing Bill Issues

The Legislature has three methods to reflect funding decisions made in the General Appropriations Act (GAA) process. “Proviso” is language in the General Appropriations Act attached to a specific appropriation which directs or authorizes how the funds can be expended. An implementing bill is a substantive bill which provides instructions to enact specific provisions for a GAA appropriation or proviso by changing the law (Florida Statutes) temporarily for one year. This is necessary because the courts have ruled the GAA cannot contradict current law; however, there may be a need to temporarily suspend some provision of law. A conforming bill is a substantive bill which may “travel” with the GAA. It differs from the implementing bill in that it makes permanent changes to Florida Statutes. Individual bills which become law permanently change the law. For the 2017-18 Session, there was no language affecting the FCS in the implementing bill. There was no conforming bill.

While the Governor may veto the entire appropriations act or exercise his veto by “line item,” he does not have “line item” veto in an implementing or conforming bill, but must act on the entire bill. If a specific appropriation or proviso language relating to a specific appropriation is vetoed, then language in an implementing bill pertaining to that item is void.

Bills which are passed by the Legislature are sent to the Governor. If the Legislature is not in Session, the Florida Constitution allows the Governor fifteen days after receiving a bill to veto, sign, or let a bill become law without his signature. If the Legislature is in Session, the Governor has seven days.

### FCS Performance Funding/Industry Certifications

An appropriation of \$10 million for industry certification performance included proviso language that identified the programs eligible for funding for 2017-18 to be: public safety, health sciences, automotive service technology, auto collision repair and refinishing, cyber security, cloud virtualization, network support services, computer programming, advanced manufacturing, electrician, welding, Federal Aviation Administration airframe mechanics, power plant mechanics, pharmacy technicians, and heating, ventilation and air conditioning technicians. These are the same programs as in 2016-17.

### FCS Performance Funding

The General Appropriations Act included \$60 million in performance funding for the Florida College System, with \$30 million in nonrecurring state funds, and \$30 million deducted from the Colleges’ base funding. Base funding could potentially be redistributed among other colleges based on individual college performance. The Division of Florida Colleges is currently amending SBE rule 6A-14.07621 to determine the distribution methodology for FY 2017-18.

## Education Bills That Passed

### Student Loan Debt: [CS/SB 0396](#)

- Defines the term “student loans” to mean federal loans disbursed to pay for education.
- Requires that colleges beginning in 2017-18 provide students an estimate of the students’ total borrowing, potential repayment amount, monthly installments, and available borrowing limit.
- Also specifies the institution shall not incur any liability for providing information to the student.

### Postsecondary Distance Education: [CS/CS/HB 0859](#)

- Authorizes the state to participate in a reciprocity agreement with other states for the delivery of postsecondary distance education
- Establishes the Postsecondary Reciprocal Distance Education Coordinating Council to administer the reciprocity agreement and establishes fees for participation in reciprocity agreement.
- Designates the Commission for Independent Education to provide administrative support, however does not authorize their jurisdiction over non-Florida participant institutions.
- Stipulates that the Council will apply for Florida to participate as a member state of a reciprocity agreement with 60 days after the effective date of the act.
- The Council must also:
  - Review and approve applications for participation from institutions
  - Ensure compliance with the reciprocity agreement
  - Develop and administer a complaint resolution process
- Provides Governor with the authority to request the Council to reconsider participation in a reciprocity agreement or to withdraw from participation
- Requires a report to the Governor, President of the Senate and Speaker of the House on revenue generated versus operational costs to administer participation
- Establishes authority of the Council to revoke participation of any institution or any institution to withdraw from participation
- Authorizes an agent to solicit prospective students for enrollment in certain postsecondary institutions
- Designates fees and fines to a specific trust fund, requires a separate account, and stipulates use of funds

## Education Bills That Passed (Continued)

### Regulation of Nursing: [CS/CS/HB 0543](#)

- Authorizes the Board of Nursing (BON) to grant a one-year extension to a nursing education program that is on probation for failure to meet the graduate passage rate, if the program shows progress. The BON retains authority to terminate a program after the two-year probation period. A program on probation must notify its students and applicants of that status and its implications in writing.
- Removes a requirement that a nursing student who does not take the licensure examination within six months of graduation must successfully complete a licensure examination preparatory course.
- Prohibits a program that was terminated or closed from reapplying for approval for three years and authorizes the BON to adopt rules related to nursing education programs, and to perform an on-site evaluation of a nursing education program applicant.
- Eliminates annual reports by the Office of Program Policy Analysis and Government Accountability on the status of nursing education programs, but requires the Florida Center for Nursing to issue the annual reports and include an assessment progress accreditation status for certain nursing programs.
- In addition, the bill:
  - Authorizes DOH to request a date of birth on a licensure application and removes requirements for the size and forms of licenses;
  - Requires DOH to deny license renewal of an applicant who owes fines and costs imposed in a licensure disciplinary proceeding unless the applicant has received an extension of time to pay;
  - Authorizes a regulatory board or DOH, if there is no board, to transfer funds from a profession's operating trust fund to cover a deficit related to prosecuting unlicensed activity and to waive licensure or renewal fees under certain circumstances;
  - Authorizes DOH to administer the Conrad 30 Waiver program, which allows a limited number international physicians, employed by a facility in an underserved area, to apply for a federal waiver for the 2-year residence requirement upon completion of the J-1 exchange visitor program (Section 214(l) of the Immigration Nationality Act (INA)).
  - Requires certain pain management clinics to register with DOH at no cost;
  - Authorizes any entity approved by the BON to offer the required 3-hour continuing education class on the safe and efficient prescription of controlled substances;

## Education Bills That Passed (Continued)

- Requires an ARNP to maintain a copy of his or her protocol at the location the ARNP practices and if the ARNP works with multiple supervising physicians in a group practice, the ARNP has to enter into a protocol with at least one physician;
- Establishes standards for permitting and regulating in-state sterile compounding pharmacies and outsourcing facilities;
- Authorizes DOH to issue a single license to a prosthetist-orthoptist and establishes a path to licensure for certain students enrolled in physical therapist assistant programs
- Updates national licensure examinations for marriage and family therapists.

### Public Records and Meetings/Information Technology/ Postsecondary Education Institutions: [CS/CS/HB 0501](#)

- States that records and meetings held by state universities (SUS) and Florida College System institutions regarding information security incidents, such as investigations into security breaches, security technologies, processes and practices as well as security risk assessments are subject to Florida open record laws.
  - Since public disclosure of this information may present a significant security risk because such information could reveal weaknesses within the State University System and Florida College System computer networks, this bill provides that the following records held by a state university or Florida College System institution are confidential and exempt from public record requirements:
- Records that identify detection, investigation, or response practices for suspected or confirmed information technology security incidents, including suspected or confirmed breaches, if the disclosure of such records would facilitate unauthorized access to, or unauthorized modification, disclosure, or destruction of, information or data, or information technology resources; and
- Those portions of risk assessments, evaluations, audits, and other reports of the institution's information technology security program for its data, information, and information technology resources, if the disclosure of such records would facilitate unauthorized access to or unauthorized modification, disclosure, or destruction of information or data or information technology resources.
- Exempts from public meeting requirements. Those portions of a public meeting that would reveal data or information that is made confidential and exempt by this bill. The meeting must be recorded and transcribed, but the recording and

transcript of such a meeting must remain confidential and exempt from public disclosure.

## Education Bills That Passed (Continued)

- Provides that such confidential and exempt information must be provided to specified entities.
- Provides for repeal of the exemption on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

### Public Records and Meetings/Campus Emergency Response for Public Postsecondary Education Institutions: [CS/HB 1079](#)

- Creates an exemption from public record and public meeting requirements for information associated with a campus emergency response of a public postsecondary educational institution.
- Defines “Campus emergency response” as a public postsecondary educational institution’s response to or plan for responding to an act of terrorism or other public safety crisis or emergency.
- Provides that any portion of a campus emergency response held by a public postsecondary educational institution, a state or local law enforcement agency, a county or municipal emergency management agency, the Executive Office of the Governor, the Department of Education, the Board of Governors of the State University System, or the Division of Emergency Management is exempt from public record requirements.
- This exemption applies to plans held by a custodial agency before, on, or after the effective date of the bill.
- Provides that the portion of a public meeting which would reveal information related to a campus emergency response is exempt from public meeting requirements.
- Provides for repeal of the exemptions on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

### Assistive Technology Devices: [HB 0371](#)

- Revises provisions related to the use of assistive technology devices by students with disabilities and recognizes that access to and use of the assistive technology device is essential for a student moving from school to home and community;
- Allows an individualized plan for employment to be one of the plans that may serve as the basis for a student to retain an assistive technology device through a transition.



## Education Bills That Passed (Continued)

### Educational Options: [CS/CS/CS/HB 0015](#)

- Expands the Gardiner Scholarship program by expanding the pool of applicants with additional disabilities and the use of scholarship funds for equine, art, or music therapy services.
- Stops payments to the scholarship accounts if accounts have been inactive for two fiscal years and provides for closure of account the inactivity for three consecutive years.
- Revises the Florida Tax Credit Scholarship Program by increasing the base annual scholarship amount and allowing a dependent child of a parent who is a member of the U.S. Armed Forces to apply for a scholarship at any time.
- Prohibits a student enrolled at the Florida School for the Deaf and Blind from being eligible for the scholarship.

### Education: [CS/HB 7069](#)

- Redirects more than \$400 million in state money from traditional public schools to charter schools, requiring school districts to share construction money with charters.
- Creates financial incentives for new charters to open "Schools of Hope" that compete with low-performing public schools.
- Requires all traditional (not charter) public elementary schools to provide at least 20 minutes of recess daily
- Adds \$30 million to a voucher program for students with disabilities to pay for private school tuition.
- Totally eliminates the state's required Algebra 2 end-of-course exam for graduation and pushes the state testing program back to the last four weeks of the school year.
- Further calls for a study that would help lawmakers determine if the SAT or ACT could in the future, substitute for end-of-course exams.
- Additionally expands the state's "Best and Brightest" bonus program for teachers and principals by recognizing those rated "highly effective" by their district and having scored in the 80th percentile on either the SAT or ACT as eligible for the bonus.

Postsecondary Education: [CS/CS/SB 0374](#)

**“The Florida Excellence in Higher Education Act” – Vetoed by the Governor on June 14, 2017**

SB 374 would have renamed the Florida College System (FCS) as the Florida Community College System (FCCS); created the State Board of Community Colleges; prohibited citizen members of the State Board of Community Colleges or Florida Community College System institution boards of trustees from having an employment or contractual relationship as specified lobbyists; capped growth of baccalaureate programs, strengthened transfer articulation, revised the governance of the Florida K-20 education system; and provided clarification about the primary mission of a career center operated by a district school board, etc.

Specifically, SB 374 became a 292-page budget conforming bill which would have revised the following if not vetoed:

- Would have removed state/community colleges from the oversight of the State Board of Education and place them under a new State Board of Community Colleges which would have appointed the Chancellor and assumed all current State Board of Education responsibilities and duties.
- Charged Governor with appointing 13 members to the new State Board of Community Colleges (SBCC); 12 citizen members, (staggered 4-year terms) including one current Florida Community College System student (1 year term) and one faculty member, in addition to the Commissioner of Education.
- Renamed the Florida College System as the Florida Community College System.
- On the effective date of bill, no direct support organization (DSO) funds could have been used for travel and also would have prohibited, beginning July 1, 2022, a state college or university DSO from using appropriated funds for personal services or contributing directly or indirectly to a political committee.
- Allowed Florida Community College institutions to use auxiliary funds for public relations and related purposes in an amount not to exceed a threshold established by the new State Board of Community Colleges.
- Revised performance metrics for colleges to include:
  - 100% of normal-time program completion and graduation rate for full-time, first-time-in-college students but is not applicable to non-degree students;
  - Continuing education or post-graduation job placement rate for workforce education programs;
  - Graduation rate for first-time-in-college students enrolled in an associate of arts degree program who graduate with a baccalaureate degree in 4 years after initially enrolling in an associates of arts degree program; and
  - One performance metric based on college affordability.

The new SBCC would have been additionally charged with including measures for student retention, and workforce education programs.

## Education Legislation Vetoed by the Governor: SB 374 (Continued)

- Established a Distinguished Florida Community College System Institution Program with excellence standards comprehending five (5) of the seven (7) measures noted above. Excellence standards would have included:
  - A 100 percent-of-normal-time completion rate for full-time, first-time-in-college students of 50 percent or higher, as calculated by the State Board of Community Colleges.
  - A 100 percent-of-normal-time completion rate for full-time, first-time-in-college Pell Grant recipients of 40 percent or higher, as calculated by the State Board of Community Colleges.
  - A retention rate of 70 percent or higher, as calculated by the State Board of Community Colleges.
  - A continuing education, or transfer, rate of 72 percent or higher for students graduating with an associate of arts degree, as reported by the Florida Education and Training Placement Information Program (FETPIP).
  - A licensure passage rate on the National Council Licensure Examination for Registered Nurses (NCLEX-RN) of 90 percent or higher for first-time exam takers, as reported by the Board of Nursing.
  - A job placement or continuing education or job placement rate of 88 percent or higher for workforce programs, as reported by FETPIP, with wage thresholds that reflect the added value of the applicable certificate or degree. This paragraph does not apply to associate of arts degrees.
  - An excess hours rate of 40 percent or lower for associate in arts degree recipients who graduate with 72 or more credit hours, as calculated by the State Board of Community Colleges.
- Required that each student in the FCCS, prior to registering for classes, have electronic access to employment and earnings outcomes prepared by the Department of Economic Opportunity.
- Added within the Preeminent State Research Universities Program a 4-year graduation rate of 60% percent or higher for full-time, first-time-in-college students effective for the 2018-19 fiscal year.
- Required a 4-year graduation metric for universities (SUS) and added a metric regarding access rates at or above 50%. New metrics would have been applied in 2018-19.
- Established and funded a World Class Faculty and Scholars Program within the state university system. (SUS)
- Increased student financial aid and tuition assistance for Florida Bright Futures Academic Scholars in fall and spring terms and added support to these students in the summer term.
- Revised the state-to-private match requirements for contributions to the First Generation Matching Grant Program from 1:1 to 2:1.

## Education Legislation Vetoed by the Governor: SB 374 (Continued)

- Required SUS boards of trustees to adopt a student block tuition policy for adoption in the fall 2018 semester. A report of the adopted policies to the Legislature would have been required for the Board of Governor's review and approval process and the BOG recommendations for improvement of the block tuition policies.
- Amended the focus of "2+2" articulation by establishing the "2+2" targeted pathway program.
- Removed statute pertaining to St. Petersburg College process for approving baccalaureate degree programs and eligibility for continuing contract after 5 years for upper division faculty.
- Required colleges to submit a notice of interest to propose a baccalaureate degree program 180 days prior to submitting a notice of intent. The notice of interest would have needed to be submitted to a shared postsecondary database to allow other institutions to preview and provide feedback. A written notice of intent must have been submitted to the Chancellor of the FCCS 100 days prior to submission of the proposed baccalaureate program. This revised process would have increased the approval timeline from a minimum of 130 days to 280 days overall.
- Required new baccalaureate degree program proposals to indicate the institution's efforts to keep tuition for the entire degree program at a level not to exceed \$10,000.
- Prohibited Florida Community College institutions from offering a Bachelor of Arts degree program.
- Capped total upper-level full-time equivalent baccalaureate program enrollment at 15% of the total combined upper and lower-level full-time equivalent (FTE) enrollment. Colleges at or above 10% of total combined upper & lower level FTE could have grown by 4% and those under 10% may have grown by 8%. Growth exceeding these levels would have had to be approved by Legislature.
- Required an annual review and report of each baccalaureate degree program with justification for continuation of the program. Programs that failed to demonstrate continued need might have been terminated by the SBCC.
- Changed the name of the Florida Resident Access Grant (FRAG) to "The William L. Boyd, IV, Effective Access to State Education Grant (EASE)."
- Required the Board of Governors to conduct a study of state investment allocation methodologies for the performance-based funding model. The study must have included various options, including options in which each university may be eligible to receive some portion of the state investment based on benchmarks that reflect the institutional mission of each university and irrespective of their performance-based funding model score relative to other university scores. The Board of Governors was to submit a report describing the study, and any action taken by the Board of Governors relative to the study, to the chairs of the House and Senate Education Appropriations Subcommittees by December 31, 2017.
- Required school districts to provide notification to students and parents about

- applying acceleration mechanism credit to a postsecondary degree.
- Created a scholarship program for students from farmworker families.

### Other Education Bills That Failed

#### Postsecondary Educational Institution Affordability: [SB 1276/HB 1073](#)

- Would have prohibited FCS institution boards of trustees from increasing statutorily authorized student fees after July 1, 2017.
- Would have specifically prohibited the Santa Fe College District Board of Trustees from increasing its transportation access fee.
- Required the Chancellor of the FCS to submit a report annually by November 1 to the Governor and the Legislature about the revenue generated by the distance learning fee and how the revenue was expended system-wide as well as per institution.

#### Postsecondary Fee Waivers: [CS/HB 0509](#)

- Would have authorized FCS institutions to waive any portion of specified fees for a US Armed Forces active duty member that are not covered under the US Department of Defense Military Tuition Assistance program.
- Required each FCS institution to report to the State Board of Education the number and value of all fee waivers granted annually as provided in the bill.

#### Honesty in Postsecondary Education: [HB 0869/SB 1356](#)

- Would have required each state university, Florida College System institution and independent nonprofit college or university that receives state funds and offers a baccalaureate or higher degree to post information and statistics relating to each of its baccalaureate or higher degree programs on its website. The information would include, but not be limited to the average salary for an individual 1 year, 5 years, 10 years and 20 years after earning such degree and entering the workforce.
- Outcome: Indefinitely postponed and withdrawn from consideration in both the House and Senate.

#### Florida Keys Community College: [HB 1085](#)

- Would have changed the name of Florida Keys Community College to College of the Florida Keys effective July 1, 2017.
- While the bill was passed unanimously in the House of Representatives by the Post-Secondary Education Subcommittee (13-0), Higher Education Appropriations Subcommittee (11-0), Education Committee (16-0) and on the floor of the House of Representatives (116-0), it died in the Senate Education Committee.

## Other Education Bills That Failed (Continued)

### Education: [SB 1252](#)

- Would have added the Chancellor of Career & Adult Education to the Higher Education Coordinating Council.

### Excess Credit Hour Surcharges: [SB 1462/HB 0153](#)

- Would have exempted first-time-in-college students who had completed the requirements for their BA degree program within 4 years from not paying an excess hour surcharge for each additional credit hour taken beyond what is required to complete a baccalaureate program.
- Credit hours earned in upper-division-level courses that would be repeated to meet the requirements for a BA degree in a science, technology, engineering, or mathematics discipline would not have been calculated as hours required to earn a baccalaureate degree.

### Postsecondary Education Tuition and Fee Waivers: [SB 0082](#)

- Would have deleted requirements that state universities, Florida College System institutions, career centers operated by a school district, or charter technical career centers waive out-of-state fees for certain students, including certain undocumented students, who met specified requirements.

### Postsecondary Education Tuition and Fees: [SB 1732/HB 1341](#)

- Would have ensured that certain individuals would not be denied classification as residents for tuition purposes. Out-of-state fees for certain individuals who are undocumented for federal immigration purposes would have been waived if certain criteria were met.

### Computer Coding Instruction: [SB 0104](#) & [HB 0265](#)

#### House Bill

- Would have the Articulation Coordinating Committee develop recommendations and standards that identify, high school courses in computer science, including computer coding and computer programming, which may be used to satisfy state university admissions requirements for math and science.

## Other Education Bills That Failed (Continued)

### Senate Bill

- Would have provided that beginning in the 2019-2020 school year, high schools could offer opportunities for students to take computer coding courses allowing that two credits in those courses and the earning of a related industry certification satisfies two credits in sequential foreign language instruction.

### Public Records and Meetings/Postsecondary Education Executive

Search: [CS/HB 0351](#) & [SB 0478](#)

- Would have provided exemption from public records requirements for personal identifying information of applicant for president, vice president, provost, or dean of state university or FCS institution;
- Would have provided exemption from public meeting requirements for meeting held for specified purposes relating to postsecondary executive search;
- Would have provided for future legislative review & repeal; provides statement of public necessity.

### Criminal History Records in Applications for Public Employment and Admission to Public Postsecondary Educational Institutions:

[SB 0244](#) & [HB 0553](#)

- Would have prohibited a public employer from inquiring into or considering an applicant's criminal history on an initial employment application unless required to do so by law; prohibiting public postsecondary educational institutions from inquiring into or considering the criminal history of an applicant seeking admission, etc.

### Postsecondary Educational Institutions: [SB 0186](#)

- Would have required certain institutions to provide each student a specified disclosure statement developed by the Commission for Independent Education
- Would have revised the commission's evaluation standards for licensure of an institution and requires the commission to determine whether certain personnel of licensed institutions are qualified and to require certain personnel to complete continuing education and training.

## Other Education Bills That Failed (Continued)

### Education: [CS/HB 0079](#) & [SB 0656](#)

- Would have required Just Read, Florida! Office to provide training in explicit, systematic, and multisensory reading strategies, the integration of content-rich texts from other core subject areas into reading instruction, and identify instructional and intervention programs that incorporate those strategies.
- Would have required periodic reviews of Next Generation Sunshine State Standards, teacher certification requirements and examinations in areas that involve reading instruction and recommend changes to improve training and instruction.
- Would have required teacher preparation programs to provide instruction in explicit, systematic, and multisensory reading instructional strategies.
- Would have required district school boards to prioritize the allocation of remedial and instructional resources to students in K-3 who have a substantial deficiency in reading, and revised intervention requirements as well as providing additional information to parents of students with substantial reading deficiencies.

### STEM Teacher Loan Forgiveness Program: [SB 0274](#) & [HB 0403](#)

- Would have created the STEM Teacher Loan Forgiveness Program and would have required the Department of Education to administer the program.

### Charter School Funding: [SB 0376](#)

*(See also [HB 5103](#) and [CS/HB 7069](#))*

- Would have restructured public school capital outlay funding by requiring each school district to share its discretionary millage revenue with eligible charter schools on a monthly basis. Additionally, the bill would have:
  - Prohibited charter schools from receiving capital outlay funds unless the charter school could demonstrate that the funds will not be used for personal financial enrichment and limited the ability of a charter school governing board to only use charter school capital outlay funds at the charter school that generated the funding.
  - Clarified the criteria by which charter schools could demonstrate that seventy-five percent of their student population was eligible for free or reduced-price school lunch.



## Other Education Bills That Failed (Continued)

### Education: [CS/CS/HB 0773](#)

Would have:

- Deleted the requirement that students take the statewide, standardized, Algebra II end-of-course (EOC) assessment;
- Allowed a student to satisfy the online course requirement through an online or blended learning course and deletes passage of an online content assessment as an option to fulfill the online course requirement;
- Revised requirements related to the administration, format, and reporting requirements of assessment results of statewide student assessments;
- Required a third-party, independent of the assessment developer, analyze student learning growth data calculated using a formula approved by the commissioner;
- Required the commissioner to contract an independent study to determine whether the SAT and ACT may be used in lieu of the grade 10 ELA and the Algebra I end-of-course assessment;
- Eliminated the middle grades career and education planning requirement;
- Allowed a school board member the ability to visit district-operated schools without an appointment;
- Removed the eligibility requirements for part-time K-5 students through the Florida Virtual School;
- Designated all students, including home education and private school students, as eligible to participate in full-time or and part-time virtual instruction programs;
- Deleted the requirement that at least 50 percent of the annual allocation for instructional materials must be used to purchase digital or electronic instructional materials;
- Revised provisions related to the issuance of and expiration of a temporary educator certificate;
- Revised requirements and pathways to obtain or renew a professional educator certificate to include a competency-based mentorship pathway;
- Required the Just Read, Florida! Office to provide training in effective, evidence-based reading instruction and intervention strategies;
- Required teacher preparation programs to integrate research-based reading instructional strategies and reading in the content area instructional strategies into teacher preparation programs;

## Other Education Bills That Failed (Continued)

- Authorized the DOE to recommend consolidation of endorsement areas and requirements for endorsements for teacher certificates;
- Revised duties and requirements for implementation of the School Community Professional Development Act;
- Authorized a charter school to be exempt from provisions related to controlled open enrollment if the school is open to any student covered in an inter-district agreement and any student residing in the school district in which the charter school is located;
- Deleted provisions related to caps imposed on the amounts of bonuses awarded to teachers based on student performance on certain course examinations;
- Removed the requirement that an eligible dual enrollment program be located and chartered in Florida and that institutions must be accredited by a regional or national accrediting agency recognized by the US DOE;
- Removed the requirement that the DOE promulgate rules regarding the Competency-Based Education Pilot Program;
- Revised requirements for annual and sick leave payouts in a specified circumstance;
- Allowed a high-performing charter school to establish more than one school under specified conditions.

### K-12 Public Schools: [CS/CS/SB 0796](#)

(See also [HB 5103](#); [HB 5105](#); and [CS/HB 7069](#))

- Would have created the high-impact school operator designation, specified eligibility requirements, and defined related terms.
- Outlined the State Board of Education's role and duties regarding the oversight and implementation of the high-impact school and high-impact operator requirements.
- Established a revolving loan program to assist high-impact operators meet school building construction needs, pay for expenses related to the start-up of a new high-impact school, and support the performance-based contract components of high-impact schools.

### Teacher Certification [CS/HB 1111](#)

(See also [SB 0656](#); [CS/HB 0757](#); [SB 1474](#); [SB 1598](#); and [CS/HB 7069](#))

Would have:

- Revised provisions relating to educator certifications, professional development certification & education competency programs, school community professional development act, school district professional development systems, & DOE duties

### Other Education Bills That Failed (Continued)

relating to specified professional development programs.

- Revised the requirements for a district professional development certification and educator competence program. Under the bill, a temporary certificate holder who completes a Florida Department of Education (DOE) approved program and earns a highly effective rating will qualify for a renewable professional certificate without having to complete additional classwork or pass the Professional Education Test.
- Allowed charter schools and charter management organizations to offer a professional development certification and educator competence program and requires the mentorship and induction component of the program to, at a minimum, provide weekly opportunities for mentoring and induction activities, including:
  - Common planning time;
  - Ongoing professional development targeted to the teacher's needs;
  - Opportunities to observe other teachers;
  - Co-teaching experiences; and
  - Reflection and follow-up discussions.
- Required the DOE to adopt standards for approving a professional development certification and educator competence program, including the mentorship and induction component.
- With respect to professional development, the bill allowed mentoring activities, including serving as a mentor, to count towards a teacher's in-service requirements for certification renewal.
- Streamlined the temporary certificate application process and revised provisions related to the expiration of a temporary certificate.

### Education [CS/CS/HB 1331](#)

Would have:

- Created Schools of Excellence Program; provided for designation as School of Excellence, school requirements, redesignation, specified school flexibility, & loss of designation; revised provisions relating to educator certifications, professional development certification & education competency programs, school community professional development act, school district professional development systems, & DOE duties relating to specified professional development programs.

- Required the State Board of Education to designate a school as a School of Excellence if it has a school grades score in the 80th percentile or higher, statewide, for schools of its type (elementary, middle, high, or combination) for 2 of the last 3 school years. A school retains its designation for 3 years unless it earns a school grade lower than a “B” during that span.

### Other Education Bills That Failed (Continued)

- Provided broad administrative flexibilities to a School of Excellence relative to required time for reading instruction, personnel and budgetary decisions, school starting and stopping times, renewal of professional certificates and calculation for maximum class size at the school, rather than classroom level.
- Would have revised requirements for temporary certificate holders renewal process, mentorships and induction components related to professional development.

### K-12 Education: [CS/CS/SB 1362](#)

Would have:

- Created the designation of High-Impact Charter Network (HICN), defines related terms, provides incentives for HICN entities to operate in Florida, and establishes application and review processes for the designation.
- Eliminated the requirement for the Department of Education to compare student performance data of charter schools within a school district with public schools within that district, and with the other charter schools in Florida as well as the posting of such information on each charter school’s Internet website.
- Allowed a collocated school to receive a school improvement rating if all the schools at the site are eligible for a school improvement rating and do not elect to be graded.
- Replaced statutory reference to the ACT Aspire test with the Preliminary ACT.
- Required that each public high school, including, but not limited to, schools and alternative sites and centers of the Department of Juvenile Justice, shall provide for the administration of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) or the preliminary ACT to all enrolled 10th grade students.

### Home Education: [CS/HB 1391](#)

Would have:

- Exempted a home education program student from the grade point average requirement for admission to a dual enrollment program if the student meets the minimum score on a college placement test;

- Exempted dual enrollment students from paying postsecondary institution technology fees and explicitly exempts public school, private school or home education dual enrollment students from payment of registration, tuition, technology and laboratory fees and clarified that private school and a home education program students are not required to reimburse tuition for dual enrollment.

## Other Education Bills That Failed (Continued)

### Education: [SB 1556](#)

Would have:

- Exempted dual enrollment students from paying technology fees; prohibiting dual enrollment course and program limitations for home education students from exceeding limitations for other students; providing an exemption from the grade point average requirement for initial enrollment in a dual enrollment program for certain home education students; providing an effective date.
- Stated public school, private school, or home education program students who choose to participate in dual enrollment programs are exempt from the payment of registration, tuition, technology, and laboratory fees.
- Stated that a high school grade point average may not be required for home education students who meet the minimum score on a common placement test adopted by the State Board of Education which indicates that the student is ready for college-level coursework; however, home education student eligibility requirements for continued enrollment in college credit dual enrollment courses must include the maintenance of the minimum postsecondary grade point average established by the postsecondary institution.

### Education Funding: [SB 2516](#) & [HB 5101](#)

Would have:

- Conformed various education funding statutes to the policies used to implement the funding decisions contained in SB 2500, the Senate General Appropriations Act for Fiscal Year 2017-2018.
- Modified the policy regarding the “extra hour of reading” at the 300 lowest-performing elementary schools by permanently codifying the program in statute and expanding program requirements as well as codifying the methodology for calculating the allocation of supplemental Academic Instruction funds.
- Modified the small, isolated high schools provision of the Florida Education Finance Program (FEFP) by expanding its application to elementary schools and establishing the criteria by which elementary schools may qualify.
- Permanently codified the sparsity supplement calculation used to compute the sparsity supplement for eligible districts with a full-time equivalent (FTE) student membership of between 20,000 and 24,000.
- Modified the federally connected student supplement.
- Permanently codified a provision that prohibits a school district from seeking a positive allocation adjustment in the current fiscal year because of an under allocation for a prior fiscal year caused by district error.

## Other Education Bills That Failed (Continued)

- Modified the qualification requirements and funding methodology for the High Growth District Capital Outlay Assistance Grant Program.
- Required the Auditor General to conduct an annual financial audit of the Florida School for the Deaf and the Blind.
- Extended the repeal date for the Florida Endowment Foundation for Vocational Rehabilitation, which serves as the direct-support organization of the Division of Vocational Rehabilitation within the Florida Department of Education by one year, to October 1, 2018.

### K-12 Education: [CS/CS/HB 7101](#)

Would have:

- Removed the requirement that an eligible dual enrollment program be located and chartered in Florida and revises eligibility requirements for postsecondary institutions to participate in dual enrollment by requiring that the institution be accredited by any regional or national accrediting agency recognized by the U.S. DOE rather than only the Commission of Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Independent Colleges and Schools.

### Civic Literacy: [CS/CS/HB 7057](#) & [SB 1710](#)

- This legislation fosters the development of civic literacy by authorizing the Governor to designate the month of September as “American Founders’ Month;” establishing civic literacy as a priority of the K-20 education system.
- Requires the Just Read, Florida! Office to develop curricular programming to help build student background knowledge and literacy skills.
- Requires public postsecondary students to demonstrate civic literacy through successful completion of a civic literacy course or by achieving a passing score on an assessment.
- While both SB 1710 and HB 7057 died, language from these two bills was added to HB 7069 during conference and passed the legislature on the last day of Session.

## Other Bills That Passed

### Public Employees: [SB 7022](#)

- This bill impacts state health insurance offerings and some retirement issues in the Florida Retirement Services (FRS).
- Amends provisions of the State Group Health Insurance Program (Program) for plan year 2020 and thereafter, by requiring the Department of Management Services (DMS) offer four health insurance coverage levels of at least a certain actuarial value under the Program as follows: Platinum – 90 percent, Gold – 80 percent, Silver – 70 percent, and Bronze – 60 percent.
- States that if the state’s contribution is more than the premium cost of the health plan selected by the employee, that the employee will be permitted to allocate unused state health insurance contributions to other benefits or as salary.
- Beginning with plan year 2018, the DMS is authorized to procure new types of health care products and services. For plan year 2018, the DMS must contract with an entity to provide enrollees with an online cost comparison for health care services and providers and at least one entity that provides comprehensive pricing and inclusive services for surgery and other medical procedures. Enrollees may access these services and share in any savings to the plan. The DMS must report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on certain criteria, including cost-savings to both enrollees and the state resulting from implementation of the Internet-based platform and the comprehensive services.
- FRS renewed membership to be permitted in the investment plan or one of the optional annuity retirement plans for certain former participants of those plans. The survivor benefit for investment plan members killed in the line of duty was expanded to include all members of the investment plan and made the provisions, including those pertaining to the Special Risk Class, retroactive to 2002. The Senior Management Service Optional Annuity Program is closed to new members.
- The default for members failing to elect participation after nine months of employment in either the pension plan or the investment plan is set to the pension plan for enrollees in positions within the Special Risk Class and the investment plan for all other members.



## Other Bills That Passed (Continued)

### Public Records: [CS/CS/SB 0080](#)

- Requires a court to award attorney fees and enforcement costs in actions to enforce public records laws if the court determines that an agency unlawfully refused access to a public record and the plaintiff provided written notice identifying the public records request to an agency records custodian at least 5 business days before filing the action. The 5 day notice period excludes holidays and weekends.
- Stipulates that advance written notice is not required if the agency does not prominently post contact information for its records custodian in the agency's primary administrative building in which public records are kept and on the agency's website, if the agency has a website. However, if the court determines that a plaintiff requested records or filed the enforcement action based on an improper purpose, the court must award reasonable costs and attorney fees against the Plaintiff. An improper purpose is one in which a person requests records mainly to harass an agency, cause a violation of the public records law, or for frivolous purpose.
- Further specifies that monetary damages are not available in an action to enforce the public records laws.

### Autism Awareness Training for Law Enforcement Officers: [CS/CS/HB 0039](#)

- Requires The Florida Department of Law Enforcement (FDLE) to establish a continuing employment course (CET) component relating to Autism Spectrum Disorder (ASD). Completion of the training may count toward a law enforcement officer's required 40 hours of CET.
- The training must include, but is not limited to, instruction on the recognition of the symptoms and characteristics of an individual on the autism disorder spectrum and appropriate responses to such individuals.

### Body Cameras: [CS/HB 305](#)

- Requires a law enforcement agency that permits the use of body cameras to have a provision permitting an officer using a body camera to review the recorded footage from the body camera before writing a report or providing a statement regarding any event.
- An officer would still have an inherent duty to immediately disclose information necessary to secure an active crime scene or to identify suspects or witnesses.

## Other Bills That Passed (Continued)

### Public Records/Firefighters and their Spouses and Children:

#### [CS/SB 1108](#)

- Expands an existing public records exemption in s. 119.071(4)(d) 2.b., F.S., for the personal identifying information of current firefighters, their spouses, and children. The expansion will extend the public records exemption to former fire fighters and their families. The records exempted are the names of the spouses and children, home addresses, telephone numbers, dates of birth, photographs, places of employment, and the names and locations of schools and day care facilities attended by the children of firefighters.
- The public records exemption is subject to the Open Government Sunset Review Act in accordance with s. 119.15, F.S. The exemption will stand repealed on October 2, 2022, unless the Legislature reviews the exemption and saves it from repeal through reenactment.

### Public Records/Victim of Alleged Sexual Harassment/ Identifying Information: [CS/CS/HB 0397](#)

- Amends s. 119.071, F.S., to provide that personal identifying information of the alleged victim in an allegation of sexual harassment is confidential and exempt from public record requirements.
- Specifies that such information may be disclosed to another governmental entity in the furtherance of its official duties and responsibilities.
- Provides for repeal of the exemption on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

### Self-defense Immunity: [CS/SB 0128](#)

- Revises “Stand Your Ground” self-defense immunity by allowing a defendant to file a pre-trial motion for immunity from prosecution and shifts burden of proof to state prosecution at a pretrial immunity hearing.
- Shifts the burden of proof by clear and convincing evidence on the state to overcome the immunity from criminal prosecution.
- Requires that a defendant present a prima facie claim means that the defendant must introduce as evidence facts supporting the claim of a justifiable use of force. The Senate pushed for “beyond a reasonable doubt” proof by the prosecution. The House amendment and the engrossed Senate bill entitle a defendant to an immunity hearing once he or she files a motion that states the reasons the defendant is immune from prosecution and which also alleges the facts on which the claim of immunity is based.

## Other Bills That Failed – Gun Legislation

Initially rolled out in an “omnibus” guns bill (SB 140) including open carry, airport carry, K-12 carry and public meeting carry and more, Sen. Greg Steube (R-Sarasota) broke his gun package into multiple parts. However, by the end of the session, no guns bills passed. Legislation to allow concealed-weapons permit holders to carry their guns on college campuses, SB 622, did not have any leadership support in the Senate, which is a great relief for the FCS.

### Concealed Weapons or Firearms (Campus Carry): [SB 0622](#)

- Would have amended s.790.06, F.S. and prohibited concealed or open carry of firearms into any professional, K-12, college, and university athletic events not related to firearms.
- Removed concealed weapons carry exemptions that disallowed registered student, employee, or faculty of college or university stun guns, non-lethal electric weapons, or defensive device that does not fire a dart or projectile.
- Also excluded universities and colleges from concealed weapons carry exemption provisions that apply to “schools” under 790.01 (13)

### License to Carry Concealed Weapons or Firearms: [HB 6005](#)

- As a repeat of the 2016 campus carry bill, it would have removed the provision prohibiting concealed carry licensees from openly carrying handgun or carrying concealed weapon or firearm into college or university facility.

### Concealed Weapons or Firearms: [SB 0616](#)

- Would have allowed concealed permit carriers to check their weapon at a courthouse security point. Prior, one could not enter a courthouse with a firearm.

### Concealed Weapons or Firearms: [SB 0620](#)

- Would have removed concealed carry exemption under 790.06 for “Any meeting of the Legislature or Committee thereof.”

### Safe Storage of Loaded Firearms: [SB 0142/HB 0835](#)

- This bill covered storage of weapons penalties and would have defined a minor as a person under the age of 16.

## Other Bills That Failed – Gun Legislation (Cont.)

- Specified keeping a weapon securely in a lock box or container with a trigger lock changes to the locations and circumstances in which a loaded firearm is required to be kept or secured with a trigger lock.
- Also would have deleted provisions relating to conditions for committing the crime of failing to safely store, leave, or secure a loaded firearm in a specified manner.

### Firearms: [SB 0610/HB 0819](#)

- Would have required a business, organization, or entity that prohibits a concealed weapon or firearm licensee from carrying a weapon or firearm onto its property to assume certain responsibility for the safety and defense of such licensee by displaying a sign assuming the responsibility of the licensee.
- Also would have provided a cause of action for a concealed weapon or firearm licensee who incurs injury, death, damage, or loss as the result of certain acts or attacks occurring on the property of such business, organization, or entity or on other specified properties.

### Openly Carrying a Handgun: [SB 0644](#)

- Would have allowed for Open Carry of handguns for any person with a concealed carry license. It did not remove exemption for colleges under Section 12(a) of s. 790.06, F.S.

### Weapons and Firearms: [SB 0646/HB 0779](#)

- Would have removed penalties for temporarily or openly displaying a firearm in a prohibited space.
- Would have permitted Cabinet members who do not have security to carry a concealed weapon in any space not prohibited by federal law.
- The amendments go further to de-criminalize illegal carry in prohibited spaces such as our colleges.

### Licenses to Carry Concealed Weapons or Firearms: [HB 0803](#)

- This bill would have removed restrictions on concealed carry almost everywhere.

## Other Bills That Failed – Gun Legislation (Cont.)

### Concealed Weapons and Firearms on Private School Property:

#### [CS/HB 0849 & CS/CS/SB1330](#)

- Would have allowed a person who is licensed to carry a concealed weapon or firearm under Florida law to not be prohibited from carrying a concealed weapon or firearm on private school property during non-school hours, or during an event on that property that is not sanctioned by the school, if a religious institution is located on the property.

### Concealed Weapons and Firearms: [HB 6001/SB 0618](#)

- The bill would have amended FS 790.06 and removed prohibitions of concealed carry of a firearm in Section 12A-14, related to airport passenger terminals. Does not amend Section 12A-12, related to college carry.

## Other Bills That Failed

### Labor Organizations: [HB 0011](#) & [SB 1292](#)

Would have:

- Revised required information to be included in application for renewal of registration of employee organization; provides for revocation of certification under certain conditions; requires certain employee organizations to recertify as certified bargaining agents; provides non-applicability with respect to employee organizations that represent or seek to represent certain employees.

### Annual Sales Tax Holiday for Veterans of the United States Armed Forces: [HB 0025](#) & [SB 0768](#)

- Created annual sales tax holiday for veterans of US Armed Forces and specifies eligible items eligible for sales tax and tax treatment.
- Specifies reporting requirements of retailers and authorizes the Department of Revenue to adopt emergency rules.

### Background Screening: [HB 0031](#)

- Prohibited employers from excluding applicant from initial interview for employment under certain conditions; provides applicability; provides exceptions; requires DEO to enforce act.

### Cardiac Programs: [CS/SB 0058](#) & [CS/HB 0059](#)

- Required the Agency for Health Care Administration (AHCA) to establish a technical advisory panel to adopt rules and develop standards for certain pediatric cardiac programs offered in licensed facilities.
- Established additional criteria that must be included by AHCA in rules relating to adult cardiovascular services at hospitals seeking licensure.

### Internship Tax Credit Program: [HB 0099](#) & [SB 0846](#)

- Created the “Florida Internship Tax Credit Program” and authorizes a corporate income tax credit of up to a specified amount for a degree-seeking student hired by a qualified business after a completed internship by the degree-seeking student.
- Authorized a business to carry forward the tax credit for a specified period.

## Other Bills That Failed (Continued)

### Transfer of Vetoed Appropriations to the Budget Stabilization Fund:

#### [SJR 0116](#)

- Would have proposed the amendment of Article III, Section 8 of the Florida Constitution, to provide that a vetoed specific appropriation from the General Revenue fund shall be transferred to the Budget Stabilization Fund. The amount transferred was not be used in calculating the fund's principle balance limitation. Further, if the Legislature overrides the veto, the amount transferred would be returned to the General Revenue Fund for expenditure in accordance with the specific appropriation.

### Minimum Wage: [SB 0160 & HB 0945](#)

- Would have revised the formula for the adjusted state minimum wage.

### Public Records: [SB 0246](#)

- Revised the circumstances under which a court must assess and award the reasonable costs of enforcement against an agency in a civil action to enforce Ch. 119, F.S.
- Prohibited a court from assessing and awarding the reasonable costs of enforcement against an agency if certain conditions exist; specifying circumstances under which a complainant is not required to provide certain written notice of a public records request, etc.

### Criminal Justice Standards and Training Commission: [HB 0345/SB 0350](#)

- Would have required the Criminal Justice Standards and Training Commission (CJSTC) to implement, administer, maintain, and revise a basic abilities examination for all applicants for basic recruit training in law enforcement and corrections.

### Legislative Reauthorization of Agency Rulemaking Authority: [HB 0365](#)

- Provided for suspension of certain rulemaking authority after specified period until reauthorized by general law and provided for expiration of reauthorization after specified period.
- Required legislative ratification of rules adopted while rulemaking authority is suspended

## Other Bills That Failed (Continued)

- Authorized Governor to delay suspension of rulemaking authority for specified period upon declaration of public necessity and revises circumstances for renewal of emergency rules.

### Refugee Assistance Program: [CS/HB 427](#)

- Would have directed the state refugee coordinator to provide notice to the Director of the Office of Refugee Resettlement that Florida would withdraw from the federal refugee resettlement program.

### Government Accountability: [CS/CS/CS/HB 0479](#) & [CS/CS/SB 880](#)

- Would have provided that employees should be reimbursed for actual lodging expenses associated with attendance of meetings and conferences and establishing that no state funds could be used to purchase alcoholic beverages or events related to state agency employee, board member, or vendor appreciation or recognition and established audit requirements to address fraud, waste and abuse.

### Law Enforcement Body Cameras: [SB 0828/HB 0513](#)

- Would have mandated every law enforcement agency that has officers who engage in routine traffic stops to require that the officers engaging in such stops wear and use body cameras.

### Public Meetings/Meetings Between Two Members of Board of Commission: [CS/SB 0843](#) & [CS/SB 1004](#)

Would have:

- Authorized two members of any board or commission, including persons elected or appointed to such board or commission who have not yet taken office, of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision with a total membership of at least five members to meet in private and discuss public business without providing notice of such meeting or recording the meeting. Such meetings are exempt from open meetings requirements if:
  - The members do not adopt a resolution or rule to take any other formal action, or agree to do so at a future meeting, at such meeting. A resolution or rule adopted, or any other formal action taken, in violation of this prohibition is void.



## Other Bills That Failed (Continued)

- The members do not discuss an appropriation, a contract, or any other public business that involves the direct expenditure of public funds to a private vendor.
- The meeting is not intended to frustrate or circumvent the purpose of the open meetings laws.

### Public Notices by Local Governmental Entities: [SB 0897](#) & [SB 1444](#)

- Authorized counties and municipalities to publish legally required notices and advertisements on their official websites if the county or municipality:
  - Expressly authorized publication via its publicly accessible website by ordinance;
  - Included a public library or other governmental facility providing free internet access during regular business hours;
  - Published notice at least once a year in a newspaper of general circulation, a county or municipality newsletter or periodical, or other publication mailed and delivered to all residents and property owners in the county that the resident or property owner may receive legally required notices or advertisements via first class mail or email by registration of their name, address, and email address with the county or municipality; and
  - Maintained a registry of names, addresses, and email addresses of residents and property owners who have requested in writing that they receive legally required notices and advertisements from the county or municipality by first-class mail or email.
- Required any legally required notice or advertisement published on the local government's official website to be placed conspicuously on the website or made accessible through a direct link on the homepage.
  - The website must contain a searchable index of current legal notices with full text. The bill requires the local government to maintain an affidavit of posting the notice containing the date of initial publication and a statement that notice was posted until the latter of the applicable period required by law or the date of the noticed event.
- The bill made conforming changes to statutes which require local governments to give notice.

## Other Bills That Failed (Continued)

### Building Code Administrators and Inspectors: [CS/CS/HB 0909](#) & [CS/CS/CS/SB 860](#)

- Would have allowed a person to sit for the plans examiner or building inspector exam by completing a four year internship with a building official, while being employed full time by the city, county, or local jurisdiction; passing an exam administered by the International Code Council (ICC), passing a principles and practice exam, and passing an approved 40 hour training course; and obtaining a favorable recommendation from the supervising building official after completion of the internship.
- Would have allowed building officials and inspectors to also include any contracted person in addition to a local government employee.
- Would have allowed county, municipal governments, school boards, community college boards, state universities, or state agencies not prohibited by the statutes governing building officials and inspectors to enter into a contract with any person for building code inspections and building official services.
- Would have provided for an internship certification as a qualification for the building inspector or plans examiner examination in addition to the other eligibility procedures.
- Would have required the Board to establish by rule reciprocity of certification with any other state that requires an examination administered by the ICC.

### Public Meetings: [SB 0914](#) & [HB 0919](#)

Would have:

- Created s. 286.011(1)(a), F.S., codifying judicial interpretation and application of the terms: de facto meeting, discussion, meeting, official act, and public business.  
Other Bills That Failed
- The bill also specified that members of a board may participate in fact-finding exercises or excursion to research public business, and may participate in meetings with a member of the Legislature if:
  - The board provides reasonable notice;
  - A vote, official act, or an agreement regarding a future action does not occur;
  - There is no discussion of public business that occurs; and
  - There are appropriate records, minutes, audio recordings, or video recordings made and retained as a public record.

## Other Bills That Failed (Continued)

- Finally, the bill provided that, if there is a gathering of two or more board members where no official acts are taken and no public business is discussed, then no public notice or access is required.

### Law Enforcement Certification: [SB 0960](#) & [HB 0037](#)

- Required law enforcement, correctional, and correctional probation officers to pass a job-related psychological evaluation performed by a mental health professional before initial employment or appointment;
- Required all officers to pass such psychological evaluation every 4 years as a condition of continued employment or appointment, etc.

### Use of State Funds: [CS/CS/HB 1137](#) & [CS/SB 1668](#)

- Would have expressly prohibited the use of state funds for the purchase of alcoholic beverages.
- Would have required colleges to establish and maintain internal controls to prevent fraud, promote efficiency and compliance, ensure reliable financial reports and safeguard assets.

### Agency Rulemaking: [CS/HB 1163](#) & Administrative Procedures [SB 1640](#)

- Would have required colleges to prepare a statement of regulatory costs before the adoption, amendment or repeal of any college rule (policy) other than an emergency rule, as provided by s. 120.541, F.S.

### Public Records: [SB 1448](#)

- Created an exception to the amount of time that a law enforcement agency is required to retain body camera recordings if a specified complaint is filed in a court of law or with the law enforcement agency, etc.

## Other Bills That Failed (Continued)

### Public Records/Audit or Investigation/Inspector Generals: [CS/SB 1480](#)

(See also [CS/HB 1285](#); [CS/SB 1478](#); [CS/CS/HB 1283](#))

- Provided exemptions from public records requirements for audit or investigative work papers, records, reports, reviews, inquiries, or other documentation obtained or created during or in relation to any audit or investigation by the Chief Inspector General or an agency inspector general until completion of such audit or investigation or issuance of a final report;
- Provides for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.

### Public Meetings: [SB 1514](#)

- Specifies that a board or commission of any entity created by general or special law is subject to public meetings requirements; providing that a member of the public has the right to speak at a public meeting of a board or commission; providing civil and criminal penalties for violations of the act, etc.

### Displaced Homemakers: [HB 5501](#)

- Repeals the Displaced Homemaker Program from statute and terminates the Displaced Homemaker Trust Fund within the Department of Economic Opportunity.
- Eliminates a portion of the fees that provided program revenue by reducing the surcharge on marriage license applications by \$7.50 (from \$59.50 to \$52.00) with the balance of the revenue deposited into the General Revenue Fund.
- Institutes comprehensive transparency and accountability measures and provides a \$25 million recurring appropriation for Visit Florida
- Institutes comprehensive transparency and accountability measures and provides a \$16 million recurring appropriation for Enterprise Florida
- Redirects \$75 million of revenue from the State Economic Enhancement and Development Trust Fund to the General Revenue Fund.

## Glossary of Abbreviations and/Definitions

<b>ACC</b>	Articulation Coordinating Council
<b>BOG</b>	Board of Governors for the State University System
<b>BOT</b>	Board of Trustees
<b>CAPE</b>	Career and Professional Education
<b>CIE</b>	Council for Independent Education
<b>CS</b>	Committee Substitute
<b>CPT</b>	Common/College Placement Test
<b>DBPR</b>	Department of Business and Professional Regulation
<b>DCF</b>	Department of Children and Families
<b>DMS</b>	Department of Management Services
<b>DOE</b>	Department of Education
<b>EOC</b>	End of Course (exam)
<b>FCCS</b>	Florida Community College System
<b>FCS</b>	Florida College System
<b>FCSPF</b>	Florida College System Program Fund
<b>FCO</b>	Fixed Capital Outlay
<b>FAFSA</b>	Free Application for Federal Student Assistance
<b>FERPA</b>	Family Educational Rights and Privacy Act
<b>FS</b>	Florida Statute
<b>GAA</b>	General Appropriations Act, also referred to as the budget
<b>HB</b>	House Bill
<b>HECC</b>	Higher Education Coordinating Council
<b>ICUF</b>	Independent Colleges and Universities of Florida
<b>Line Item</b>	The number attached to an appropriation or proviso in the GAA
<b>MOOC</b>	Massive Open Online Course
<b>PECO</b>	Public Education Capital Outlay
<b>PECO Sum of Digits</b>	Funds provided to the colleges for maintenance that is based upon square feet of facility space at the institution
<b>Proviso</b>	Language that directs specific instructions regarding an appropriation in the GAA
<b>PERT</b>	Postsecondary Education Readiness Test
<b>SACS</b>	Southern Association of Colleges and Schools (accreditation body)
<b>SB</b>	Senate Bill
<b>SBCC</b>	State Board of Community Colleges
<b>SBE</b>	State Board of Education
<b>VTC</b>	Vocational Technical Center

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