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HB 7025

2018 Legislature

1 A reviser's bill to be entitled
 2 An act relating to the Florida Statutes; repealing ss.
 3 39.0011, 161.143(5) (e), 193.1552, 216.292(8), 218.417,
 4 218.418, 218.421, 218.422, 259.105(3) (m), 272.136(7),
 5 296.37(3), 322.03(1) (c), 327.4105, 328.76(1) (e) and
 6 (f), 339.135(4) (i) and (j) and (5) (b) and (c),
 7 375.075(4), 380.507(2) (h), 393.065(8), 403.7095(3),
 8 408.0436, 420.5087(10), 420.9072(10), 430.82,
 9 663.01(9), 663.041, 893.055(17), 1008.34(7), and
 10 1012.341, F.S., and amending ss. 212.08(7) (jjj) and
 11 394.462, F.S., to delete provisions which have become
 12 inoperative by noncurrent repeal or expiration and,
 13 pursuant to s. 11.242(5) (b) and (i), F.S., may be
 14 omitted from the 2018 Florida Statutes only through a
 15 reviser's bill duly enacted by the Legislature;
 16 amending ss. 39.001, 409.1666, and 663.532, F.S., to
 17 conform cross-references; providing an effective date.

18
 19 Be It Enacted by the Legislature of the State of Florida:

20
 21 Section 1. Section 39.0011, Florida Statutes, is repealed.
 22 Reviser's note.—The cited section, which authorizes
 23 establishment of a direct-support organization relating to
 24 promotion of adoption, support of adoptive families, and
 25 prevention of child abuse, abandonment, and neglect, was

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26 repealed pursuant to its own terms, effective October 1,
27 2017.

28 Section 2. Paragraph (e) of subsection (5) of section
29 161.143, Florida Statutes, is repealed.

30 Reviser's note.—The cited paragraph, which relates to the amount
31 allocated for inlet management funding for the 2016-2017
32 fiscal year only, was repealed pursuant to its own terms,
33 effective July 1, 2017.

34 Section 3. Section 193.1552, Florida Statutes, is
35 repealed.

36 Reviser's note.—The cited section, which relates to assessment
37 of properties affected by imported or domestic drywall, was
38 repealed pursuant to its own terms, effective July 1, 2017.

39 Section 4. Paragraph (jjj) of subsection (7) of section
40 212.08, Florida Statutes, is amended to read:

41 212.08 Sales, rental, use, consumption, distribution, and
42 storage tax; specified exemptions.—The sale at retail, the
43 rental, the use, the consumption, the distribution, and the
44 storage to be used or consumed in this state of the following
45 are hereby specifically exempt from the tax imposed by this
46 chapter.

47 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any
48 entity by this chapter do not inure to any transaction that is
49 otherwise taxable under this chapter when payment is made by a
50 representative or employee of the entity by any means,

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51 including, but not limited to, cash, check, or credit card, even
52 when that representative or employee is subsequently reimbursed
53 by the entity. In addition, exemptions provided to any entity by
54 this subsection do not inure to any transaction that is
55 otherwise taxable under this chapter unless the entity has
56 obtained a sales tax exemption certificate from the department
57 or the entity obtains or provides other documentation as
58 required by the department. Eligible purchases or leases made
59 with such a certificate must be in strict compliance with this
60 subsection and departmental rules, and any person who makes an
61 exempt purchase with a certificate that is not in strict
62 compliance with this subsection and the rules is liable for and
63 shall pay the tax. The department may adopt rules to administer
64 this subsection.

65 (jjj) Certain machinery and equipment.—

66 1. Industrial machinery and equipment purchased by
67 eligible manufacturing businesses which is used at a fixed
68 location in this state for the manufacture, processing,
69 compounding, or production of items of tangible personal
70 property for sale is exempt from the tax imposed by this
71 chapter. If, at the time of purchase, the purchaser furnishes
72 the seller with a signed certificate certifying the purchaser's
73 entitlement to exemption pursuant to this paragraph, the seller
74 is not required to collect the tax on the sale of such items,
75 and the department shall look solely to the purchaser for

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76 recovery of the tax if it determines that the purchaser was not
77 entitled to the exemption.

78 2. For purposes of this paragraph, the term:

79 a. "Eligible manufacturing business" means any business
80 whose primary business activity at the location where the
81 industrial machinery and equipment is located is within the
82 industries classified under NAICS codes 31, 32, 33, and 423930.

83 b. "Eligible postharvest activity business" means a
84 business whose primary business activity, at the location where
85 the postharvest machinery and equipment is located, is within
86 the industries classified under NAICS code 115114.

87 c. "NAICS" means those classifications contained in the
88 North American Industry Classification System, as published in
89 2007 by the Office of Management and Budget, Executive Office of
90 the President.

91 d. "Primary business activity" means an activity
92 representing more than 50 percent of the activities conducted at
93 the location where the industrial machinery and equipment or
94 postharvest machinery and equipment is located.

95 e. "Industrial machinery and equipment" means tangible
96 personal property or other property that has a depreciable life
97 of 3 years or more and that is used as an integral part in the
98 manufacturing, processing, compounding, or production of
99 tangible personal property for sale. The term includes tangible
100 personal property or other property that has a depreciable life

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101 of 3 years or more which is used as an integral part in the
102 recycling of metals for sale. A building and its structural
103 components are not industrial machinery and equipment unless the
104 building or structural component is so closely related to the
105 industrial machinery and equipment that it houses or supports
106 that the building or structural component can be expected to be
107 replaced when the machinery and equipment are replaced. Heating
108 and air conditioning systems are not industrial machinery and
109 equipment unless the sole justification for their installation
110 is to meet the requirements of the production process, even
111 though the system may provide incidental comfort to employees or
112 serve, to an insubstantial degree, nonproduction activities. The
113 term includes parts and accessories for industrial machinery and
114 equipment only to the extent that the parts and accessories are
115 purchased before the date the machinery and equipment are placed
116 in service.

117 f. "Postharvest activities" means services performed on
118 crops, after their harvest, with the intent of preparing them
119 for market or further processing. Postharvest activities
120 include, but are not limited to, crop cleaning, sun drying,
121 shelling, fumigating, curing, sorting, grading, packing, and
122 cooling.

123 g. "Postharvest machinery and equipment" means tangible
124 personal property or other property with a depreciable life of 3
125 years or more which is used primarily for postharvest

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126 activities. A building and its structural components are not
127 postharvest industrial machinery and equipment unless the
128 building or structural component is so closely related to the
129 postharvest machinery and equipment that it houses or supports
130 that the building or structural component can be expected to be
131 replaced when the postharvest machinery and equipment is
132 replaced. Heating and air conditioning systems are not
133 postharvest machinery and equipment unless the sole
134 justification for their installation is to meet the requirements
135 of the postharvest activities process, even though the system
136 may provide incidental comfort to employees or serve, to an
137 insubstantial degree, nonpostharvest activities.

138 3. Postharvest machinery and equipment purchased by an
139 eligible postharvest activity business which is used at a fixed
140 location in this state is exempt from the tax imposed by this
141 chapter. All labor charges for the repair of, and parts and
142 materials used in the repair of and incorporated into, such
143 postharvest machinery and equipment are also exempt. If, at the
144 time of purchase, the purchaser furnishes the seller with a
145 signed certificate certifying the purchaser's entitlement to
146 exemption pursuant to this subparagraph, the seller is not
147 required to collect the tax on the sale of such items, and the
148 department shall look solely to the purchaser for recovery of
149 the tax if it determines that the purchaser was not entitled to
150 the exemption.

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151 ~~4. A mixer drum affixed to a mixer truck which is used at~~
152 ~~any location in this state to mix, agitate, and transport~~
153 ~~freshly mixed concrete in a plastic state for sale is exempt~~
154 ~~from the tax imposed by this chapter. Parts and labor required~~
155 ~~to affix a mixer drum exempt under this subparagraph to a mixer~~
156 ~~truck are also exempt. If, at the time of purchase, the~~
157 ~~purchaser furnishes the seller with a signed certificate~~
158 ~~certifying the purchaser's entitlement to exemption pursuant to~~
159 ~~this subparagraph, the seller is not required to collect the tax~~
160 ~~on the sale of such items, and the department shall look solely~~
161 ~~to the purchaser for recovery of the tax if it determines that~~
162 ~~the purchaser was not entitled to the exemption. This~~
163 ~~subparagraph is repealed April 30, 2017.~~

164 Reviser's note.—Amended to delete subparagraph 4., to conform to
165 repeal of that subparagraph pursuant to its own terms.

166 Section 5. Subsection (8) of section 216.292, Florida
167 Statutes, is repealed.

168 Reviser's note.—The cited subsection, which relates to
169 authorization of a transfer of funds for the 2016-2017
170 fiscal year only, expired pursuant to its own terms,
171 effective July 1, 2017.

172 Section 6. Sections 218.417, 218.418, 218.421, and
173 218.422, Florida Statutes, are repealed.

174 Reviser's note.—Section 218.417, which created the Fund B
175 Surplus Funds Trust Fund, provides that the "trust fund

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176 shall be terminated upon self-liquidation, if not
 177 terminated sooner by law." The fund has self-liquidated.
 178 Section 11, ch. 2008-59, Laws of Florida, provides for
 179 expiration of ss. 218.418, 218.421, and 218.422, which
 180 relate to the trust fund, "at the time the Fund B Surplus
 181 Funds Trust Fund is terminated by law or self-liquidates as
 182 determined and announced by the executive director of the
 183 State Board of Administration, whichever occurs first."
 184 Since the sections were not repealed by a "current session"
 185 of the Legislature, they may be omitted from the 2018
 186 Florida Statutes only through a reviser's bill duly enacted
 187 by the Legislature. See s. 11.242(5)(b) and (i).

188 Section 7. Paragraph (m) of subsection (3) of section
 189 259.105, Florida Statutes, is repealed.

190 Reviser's note.—The cited paragraph, which relates to
 191 distribution of proceeds for the 2016-2017 fiscal year
 192 only, expired pursuant to its own terms, effective July 1,
 193 2017.

194 Section 8. Subsection (7) of section 272.136, Florida
 195 Statutes, is repealed.

196 Reviser's note.—The cited subsection, which provided for an
 197 exemption from open government requirements for certain
 198 identifying information relating to a direct-support
 199 organization for the Florida Historic Capitol Museum, was
 200 repealed pursuant to its own terms, effective October 2,

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201 2017.

202 Section 9. Subsection (3) of section 296.37, Florida

203 Statutes, is repealed.

204 Reviser's note.—The cited subsection, which relates to

205 contributions for maintenance and support from residents of

206 veterans' nursing homes, was repealed pursuant to its own

207 terms, effective July 1, 2017.

208 Section 10. Paragraph (c) of subsection (1) of section

209 322.03, Florida Statutes, is repealed.

210 Reviser's note.—The cited paragraph, which relates to licenses

211 issued to part-time residents under s. 322.03(1)(b) as it

212 existed before November 1, 2009, expired pursuant to its

213 own terms, effective June 30, 2017.

214 Section 11. Section 327.4105, Florida Statutes, is

215 repealed.

216 Reviser's note.—The cited section, which relates to a pilot

217 program for regulation of mooring vessels outside of public

218 mooring fields, expired pursuant to its own terms,

219 effective July 1, 2017.

220 Section 12. Paragraphs (e) and (f) of subsection (1) of

221 section 328.76, Florida Statutes, are repealed.

222 Reviser's note.—The cited paragraphs, which relate to specific

223 transfers of funds after all administrative costs are

224 funded and distributions in paragraphs (a)-(d) have been

225 made, expired pursuant to their own terms, effective July

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226 1, 2017.

227 Section 13. Paragraphs (i) and (j) of subsection (4) and
228 paragraphs (b) and (c) of subsection (5) of section 339.135,
229 Florida Statutes, are repealed.

230 Reviser's note.—The cited paragraphs, which relate to specified
231 use of funds for the 2016-2017 fiscal year only, expired
232 pursuant to their own terms, effective July 1, 2017.

233 Section 14. Subsection (4) of section 375.075, Florida
234 Statutes, is repealed.

235 Reviser's note.—The cited subsection, which relates to specified
236 use of funds for the 2016-2017 fiscal year only, expired
237 pursuant to its own terms, effective July 1, 2017.

238 Section 15. Paragraph (h) of subsection (2) of section
239 380.507, Florida Statutes, is repealed.

240 Reviser's note.—The cited paragraph, which relates to projects
241 providing for accessibility, availability, or adaptability
242 of conservation and recreation lands for individuals with
243 unique abilities, expired pursuant to its own terms,
244 effective July 1, 2017.

245 Section 16. Subsection (8) of section 393.065, Florida
246 Statutes, is repealed.

247 Reviser's note.—The cited subsection, which relates to waivers
248 for individuals with developmental disabilities in Category
249 6 during the 2016-2017 fiscal year, was repealed by s. 41,
250 ch. 2016-62, Laws of Florida, effective July 1, 2017. Since

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251 the subsection was not repealed by a "current session" of
252 the Legislature, it may be omitted from the 2018 Florida
253 Statutes only through a reviser's bill duly enacted by the
254 Legislature. See s. 11.242(5)(b) and (i).

255 Section 17. Section 394.462, Florida Statutes, is amended
256 to read:

257 394.462 Transportation.—A transportation plan shall be
258 developed and implemented by each county ~~by July 1, 2017,~~ in
259 collaboration with the managing entity in accordance with this
260 section. A county may enter into a memorandum of understanding
261 with the governing boards of nearby counties to establish a
262 shared transportation plan. When multiple counties enter into a
263 memorandum of understanding for this purpose, the counties shall
264 notify the managing entity and provide it with a copy of the
265 agreement. The transportation plan shall describe methods of
266 transport to a facility within the designated receiving system
267 for individuals subject to involuntary examination under s.
268 394.463 or involuntary admission under s. 397.6772, s. 397.679,
269 s. 397.6798, or s. 397.6811, and may identify responsibility for
270 other transportation to a participating facility when necessary
271 and agreed to by the facility. The plan may rely on emergency
272 medical transport services or private transport companies, as
273 appropriate. The plan shall comply with the transportation
274 provisions of this section and ss. 397.6772, 397.6795, 397.6822,
275 and 397.697.

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276 (1) TRANSPORTATION TO A RECEIVING FACILITY.—

277 (a) Each county shall designate a single law enforcement
 278 agency within the county, or portions thereof, to take a person
 279 into custody upon the entry of an ex parte order or the
 280 execution of a certificate for involuntary examination by an
 281 authorized professional and to transport that person to the
 282 appropriate facility within the designated receiving system
 283 pursuant to a transportation plan ~~or an exception under~~
 284 ~~subsection (4), or to the nearest receiving facility if neither~~
 285 ~~apply.~~

286 (b)1. The designated law enforcement agency may decline to
 287 transport the person to a receiving facility only if:

288 a. The jurisdiction designated by the county has
 289 contracted on an annual basis with an emergency medical
 290 transport service or private transport company for
 291 transportation of persons to receiving facilities pursuant to
 292 this section at the sole cost of the county; and

293 b. The law enforcement agency and the emergency medical
 294 transport service or private transport company agree that the
 295 continued presence of law enforcement personnel is not necessary
 296 for the safety of the person or others.

297 2. The entity providing transportation may seek
 298 reimbursement for transportation expenses. The party responsible
 299 for payment for such transportation is the person receiving the
 300 transportation. The county shall seek reimbursement from the

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301 following sources in the following order:

302 a. From a private or public third-party payor, if the
303 person receiving the transportation has applicable coverage.

304 b. From the person receiving the transportation.

305 c. From a financial settlement for medical care,
306 treatment, hospitalization, or transportation payable or
307 accruing to the injured party.

308 (c) A company that transports a patient pursuant to this
309 subsection is considered an independent contractor and is solely
310 liable for the safe and dignified transport of the patient. Such
311 company must be insured and provide no less than \$100,000 in
312 liability insurance with respect to the transport of patients.

313 (d) Any company that contracts with a governing board of a
314 county to transport patients shall comply with the applicable
315 rules of the department to ensure the safety and dignity of
316 patients.

317 (e) When a law enforcement officer takes custody of a
318 person pursuant to this part, the officer may request assistance
319 from emergency medical personnel if such assistance is needed
320 for the safety of the officer or the person in custody.

321 (f) When a member of a mental health overlay program or a
322 mobile crisis response service is a professional authorized to
323 initiate an involuntary examination pursuant to s. 394.463 or s.
324 397.675 and that professional evaluates a person and determines
325 that transportation to a receiving facility is needed, the

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326 service, at its discretion, may transport the person to the
327 facility or may call on the law enforcement agency or other
328 transportation arrangement best suited to the needs of the
329 patient.

330 (g) When any law enforcement officer has custody of a
331 person based on either noncriminal or minor criminal behavior
332 that meets the statutory guidelines for involuntary examination
333 pursuant to s. 394.463, the law enforcement officer shall
334 transport the person to the appropriate facility within the
335 designated receiving system pursuant to a transportation plan ~~or~~
336 ~~an exception under subsection (4), or to the nearest receiving~~
337 ~~facility if neither apply.~~ Persons who meet the statutory
338 guidelines for involuntary admission pursuant to s. 397.675 may
339 also be transported by law enforcement officers to the extent
340 resources are available and as otherwise provided by law. Such
341 persons shall be transported to an appropriate facility within
342 the designated receiving system pursuant to a transportation
343 plan ~~or an exception under subsection (4), or to the nearest~~
344 ~~facility if neither apply.~~

345 (h) When any law enforcement officer has arrested a person
346 for a felony and it appears that the person meets the statutory
347 guidelines for involuntary examination or placement under this
348 part, such person must first be processed in the same manner as
349 any other criminal suspect. The law enforcement agency shall
350 thereafter immediately notify the appropriate facility within

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351 the designated receiving system pursuant to a transportation
352 plan ~~or an exception under subsection (4), or to the nearest~~
353 ~~receiving facility if neither apply~~. The receiving facility
354 shall be responsible for promptly arranging for the examination
355 and treatment of the person. A receiving facility is not
356 required to admit a person charged with a crime for whom the
357 facility determines and documents that it is unable to provide
358 adequate security, but shall provide examination and treatment
359 to the person where he or she is held.

360 (i) If the appropriate law enforcement officer believes
361 that a person has an emergency medical condition as defined in
362 s. 395.002, the person may be first transported to a hospital
363 for emergency medical treatment, regardless of whether the
364 hospital is a designated receiving facility.

365 (j) The costs of transportation, evaluation,
366 hospitalization, and treatment incurred under this subsection by
367 persons who have been arrested for violations of any state law
368 or county or municipal ordinance may be recovered as provided in
369 s. 901.35.

370 (k) The appropriate facility within the designated
371 receiving system pursuant to a transportation plan ~~or an~~
372 ~~exception under subsection (4), or the nearest receiving~~
373 ~~facility if neither apply~~, must accept persons brought by law
374 enforcement officers, or an emergency medical transport service
375 or a private transport company authorized by the county, for

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376 involuntary examination pursuant to s. 394.463.

377 (l) The appropriate facility within the designated
378 receiving system pursuant to a transportation plan ~~or an~~
379 ~~exception under subsection (4), or the nearest receiving~~
380 ~~facility if neither apply,~~ must provide persons brought by law
381 enforcement officers, or an emergency medical transport service
382 or a private transport company authorized by the county,
383 pursuant to s. 397.675, a basic screening or triage sufficient
384 to refer the person to the appropriate services.

385 (m) Each law enforcement agency designated pursuant to
386 paragraph (a) shall establish a policy that reflects a single
387 set of protocols for the safe and secure transportation and
388 transfer of custody of the person. Each law enforcement agency
389 shall provide a copy of the protocols to the managing entity.

390 (n) When a jurisdiction has entered into a contract with
391 an emergency medical transport service or a private transport
392 company for transportation of persons to facilities within the
393 designated receiving system, such service or company shall be
394 given preference for transportation of persons from nursing
395 homes, assisted living facilities, adult day care centers, or
396 adult family-care homes, unless the behavior of the person being
397 transported is such that transportation by a law enforcement
398 officer is necessary.

399 (o) This section may not be construed to limit emergency
400 examination and treatment of incapacitated persons provided in

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401 accordance with s. 401.445.

402 (2) TRANSPORTATION TO A TREATMENT FACILITY.—

403 (a) If neither the patient nor any person legally
404 obligated or responsible for the patient is able to pay for the
405 expense of transporting a voluntary or involuntary patient to a
406 treatment facility, the transportation plan established by the
407 governing board of the county or counties must specify how the
408 hospitalized patient will be transported to, from, and between
409 facilities in a safe and dignified manner.

410 (b) A company that transports a patient pursuant to this
411 subsection is considered an independent contractor and is solely
412 liable for the safe and dignified transportation of the patient.
413 Such company must be insured and provide no less than \$100,000
414 in liability insurance with respect to the transport of
415 patients.

416 (c) A company that contracts with one or more counties to
417 transport patients in accordance with this section shall comply
418 with the applicable rules of the department to ensure the safety
419 and dignity of patients.

420 (d) County or municipal law enforcement and correctional
421 personnel and equipment may not be used to transport patients
422 adjudicated incapacitated or found by the court to meet the
423 criteria for involuntary placement pursuant to s. 394.467,
424 except in small rural counties where there are no cost-efficient
425 alternatives.

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426 (3) TRANSFER OF CUSTODY.—Custody of a person who is
427 transported pursuant to this part, along with related
428 documentation, shall be relinquished to a responsible individual
429 at the appropriate receiving or treatment facility.

430 ~~(4) EXCEPTIONS. An exception to the requirements of this~~
431 ~~section may be granted by the secretary of the department for~~
432 ~~the purposes of improving service coordination or better meeting~~
433 ~~the special needs of individuals. A proposal for an exception~~
434 ~~must be submitted to the department after being approved by the~~
435 ~~governing boards of any affected counties.~~

436 ~~(a) A proposal for an exception must identify the specific~~
437 ~~provision from which an exception is requested; describe how the~~
438 ~~proposal will be implemented by participating law enforcement~~
439 ~~agencies and transportation authorities; and provide a plan for~~
440 ~~the coordination of services.~~

441 ~~(b) The exception may be granted only for:~~

442 ~~1. An arrangement centralizing and improving the provision~~
443 ~~of services within a district, which may include an exception to~~
444 ~~the requirement for transportation to the nearest receiving~~
445 ~~facility;~~

446 ~~2. An arrangement by which a facility may provide, in~~
447 ~~addition to required psychiatric or substance use disorder~~
448 ~~services, an environment and services which are uniquely~~
449 ~~tailored to the needs of an identified group of persons with~~
450 ~~special needs, such as persons with hearing impairments or~~

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451 ~~visual impairments, or elderly persons with physical frailties;~~
452 ~~or~~

453 ~~3. A specialized transportation system that provides an~~
454 ~~efficient and humane method of transporting patients to~~
455 ~~receiving facilities, among receiving facilities, and to~~
456 ~~treatment facilities.~~

457
458 ~~The exceptions provided in this subsection shall expire on June~~
459 ~~30, 2017, and no new exceptions shall be granted after that~~
460 ~~date. After June 30, 2017, the transport of a patient to a~~
461 ~~facility that is not the nearest facility must be made pursuant~~
462 ~~to a plan as provided in this section.~~

463 Reviser's note.—Amended to conform to the expiration of
464 subsection (4) pursuant to its own terms, effective June
465 30, 2017.

466 Section 18. Subsection (3) of section 403.7095, Florida
467 Statutes, is repealed.

468 Reviser's note.—The cited subsection, which awarded \$3 million
469 in grants in the 2016-2017 fiscal year equally to counties
470 having fewer than 110,000 persons for waste tire and litter
471 prevention, recycling education, and general solid waste
472 programs, expired pursuant to its own terms, effective July
473 1, 2017.

474 Section 19. Section 408.0436, Florida Statutes, is
475 repealed.

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476 Reviser's note.—The cited section, which relates to a limitation
477 on nursing home certificates of need, was repealed pursuant
478 to its own terms, effective July 1, 2017.

479 Section 20. Subsection (10) of section 420.5087, Florida
480 Statutes, is repealed.

481 Reviser's note.—The cited subsection, which relates to
482 reservation of funds for tenant groups for the 2016-2017
483 fiscal year relating to the State Apartment Incentive Loan
484 Program, expired pursuant to its own terms, effective July
485 1, 2017.

486 Section 21. Subsection (10) of section 420.9072, Florida
487 Statutes, is repealed.

488 Reviser's note.—The cited subsection, which relates to funds for
489 rental assistance and subsidies for the 2016-2017 fiscal
490 year relating to the State Housing Initiatives Partnership
491 Program, expired pursuant to its own terms, effective July
492 1, 2017.

493 Section 22. Section 430.82, Florida Statutes, is repealed.

494 Reviser's note.—The cited section, which establishes a direct-
495 support organization to provide assistance to the
496 Department of Elderly Affairs, was repealed pursuant to its
497 own terms, effective October 1, 2017.

498 Section 23. Subsection (9) of section 663.01, Florida
499 Statutes, is repealed.

500 Reviser's note.—The cited subsection, which defines the term

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501 "international trust entity" for purposes of part I of
 502 chapter 663, was repealed by s. 3, ch. 2016-192, Laws of
 503 Florida, effective July 1, 2017. Since the subsection was
 504 not repealed by a "current session" of the Legislature, it
 505 may be omitted from the 2018 Florida Statutes only through
 506 a reviser's bill duly enacted by the Legislature. See s.
 507 11.242(5) (b) and (i).

508 Section 24. Section 663.041, Florida Statutes, is
 509 repealed.

510 Reviser's note.—The cited section, which relates to a moratorium
 511 on enforcement of licensing requirements for international
 512 trust entities, was repealed by s. 3, ch. 2016-192, Laws of
 513 Florida, effective July 1, 2017. Since the section was not
 514 repealed by a "current session" of the Legislature, it may
 515 be omitted from the 2018 Florida Statutes only through a
 516 reviser's bill duly enacted by the Legislature. See s.
 517 11.242(5) (b) and (i).

518 Section 25. Subsection (17) of section 893.055, Florida
 519 Statutes, is repealed.

520 Reviser's note.—The cited subsection, which relates to use of
 521 state funds appropriated in the 2016-2017 General
 522 Appropriations Act to administer the prescription drug
 523 monitoring program for the 2016-2017 fiscal year only,
 524 expired pursuant to its own terms, effective July 1, 2017.

525 Section 26. Subsection (7) of section 1008.34, Florida

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526 | Statutes, is repealed.

527 | Reviser's note.—The cited subsection, which relates to
 528 | transition provisions relating to school improvement
 529 | ratings and school grades, was repealed pursuant to its own
 530 | terms, effective July 1, 2017.

531 | Section 27. Section 1012.341, Florida Statutes, is
 532 | repealed.

533 | Reviser's note.—The cited section, which provides an exemption
 534 | for the Hillsborough County School District from
 535 | performance evaluation system and compensation and salary
 536 | schedule requirements, was repealed pursuant to its own
 537 | terms, effective August 1, 2017.

538 | Section 28. Paragraph (c) of subsection (9) of section
 539 | 39.001, Florida Statutes, is amended to read:

540 | 39.001 Purposes and intent; personnel standards and
 541 | screening.—

542 | (9) OFFICE OF ADOPTION AND CHILD PROTECTION.—

543 | (c) The office is authorized and directed to:

544 | 1. Oversee the preparation and implementation of the state
 545 | plan established under subsection (10) and revise and update the
 546 | state plan as necessary.

547 | 2. Provide for or make available continuing professional
 548 | education and training in the prevention of child abuse and
 549 | neglect.

550 | 3. Work to secure funding in the form of appropriations,

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551 gifts, and grants from the state, the Federal Government, and
552 other public and private sources in order to ensure that
553 sufficient funds are available for the promotion of adoption,
554 support of adoptive families, and child abuse prevention
555 efforts.

556 4. Make recommendations pertaining to agreements or
557 contracts for the establishment and development of:

558 a. Programs and services for the promotion of adoption,
559 support of adoptive families, and prevention of child abuse and
560 neglect.

561 b. Training programs for the prevention of child abuse and
562 neglect.

563 c. Multidisciplinary and discipline-specific training
564 programs for professionals with responsibilities affecting
565 children, young adults, and families.

566 d. Efforts to promote adoption.

567 e. Postadoptive services to support adoptive families.

568 5. Monitor, evaluate, and review the development and
569 quality of local and statewide services and programs for the
570 promotion of adoption, support of adoptive families, and
571 prevention of child abuse and neglect and shall publish and
572 distribute an annual report of its findings on or before January
573 1 of each year to the Governor, the Speaker of the House of
574 Representatives, the President of the Senate, the head of each
575 state agency affected by the report, and the appropriate

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576 substantive committees of the Legislature. The report shall
 577 include:

578 a. A summary of the activities of the office.

579 b. A summary of the adoption data collected and reported
 580 to the federal Adoption and Foster Care Analysis and Reporting
 581 System (AFCARS) and the federal Administration for Children and
 582 Families.

583 c. A summary of the child abuse prevention data collected
 584 and reported to the National Child Abuse and Neglect Data System
 585 (NCANDS) and the federal Administration for Children and
 586 Families.

587 d. A summary detailing the timeliness of the adoption
 588 process for children adopted from within the child welfare
 589 system.

590 e. Recommendations, by state agency, for the further
 591 development and improvement of services and programs for the
 592 promotion of adoption, support of adoptive families, and
 593 prevention of child abuse and neglect.

594 f. Budget requests, adoption promotion and support needs,
 595 and child abuse prevention program needs by state agency.

596 ~~6. Work with the direct support organization established~~
 597 ~~under s. 39.0011 to receive financial assistance.~~

598 Reviser's note.—Amended to conform to the repeal of s. 39.0011
 599 by this act to ratify the repeal of that section by its own
 600 terms, effective October 1, 2017.

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601 Section 29. Section 409.1666, Florida Statutes, is amended
 602 to read:

603 409.1666 Annual adoption achievement awards.—Each year,
 604 the Governor shall select and recognize one or more individuals,
 605 families, or organizations that make significant contributions
 606 to enabling this state's foster children to achieve permanency
 607 through adoption. The department shall define appropriate
 608 categories for the achievement awards and seek nominations for
 609 potential recipients in each category from individuals and
 610 organizations knowledgeable about foster care and adoption.

611 ~~(1)~~ The award shall recognize persons whose contributions
 612 involve extraordinary effort or personal sacrifice in order to
 613 provide caring and permanent homes for foster children.

614 ~~(2) A direct support organization established in~~
 615 ~~accordance with s. 39.0011 by the Office of Adoption and Child~~
 616 ~~Protection within the Executive Office of the Governor may~~
 617 ~~accept donations of products or services from private sources to~~
 618 ~~be given to the recipients of the adoption achievement awards.~~
 619 ~~The direct support organization may also provide suitable~~
 620 ~~plaques, framed certificates, pins, and other tokens of~~
 621 ~~recognition.~~

622 Reviser's note.—Amended to conform to the repeal of s. 39.0011
 623 by this act to ratify the repeal of the section by its own
 624 terms, effective October 1, 2017.

625 Section 30. Subsection (6) of section 663.532, Florida

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626 Statutes, is amended to read:

627 663.532 Qualification.—

628 (6) No later than March 31, 2018, a person or entity that
 629 previously qualified under the moratorium in former s. 663.041
 630 must seek qualification as a qualified limited service affiliate
 631 or cease doing business in this state. Notwithstanding the
 632 expiration of the moratorium under former s. 663.041, a person
 633 or entity that previously qualified under such moratorium may
 634 remain open and in operation but shall refrain from engaging in
 635 new lines of business in this state until qualified as a
 636 qualified limited service affiliate under this part.

637 Reviser's note.—Amended to conform to the repeal of s. 663.041
 638 by this act to ratify the repeal of that section effective
 639 July 1, 2017, by s. 3, ch. 2016-192, Laws of Florida.

640 Section 31. This act shall take effect on the 60th day
 641 after adjournment sine die of the session of the Legislature in
 642 which enacted.