

# 2005 Legislation

Major Gifts	Governor	House Bill	Senate Bill
	<p><b>Governor's 05-06 Recommended Budget:</b>            "Funds . . . are allocated 32% to the community college system and 68% to the SUS based on the average app to the cc's and su's over the last 3 years. Funds . . . are contingent upon the legislation becoming law that revises cc and su academic and facilities matching grant programs. Such legislation must include at a minimum:            1. A rigorous requirement re the use of state \$ to match donations that comport with the institution's strategic plan;            2. Parameters re the total amount of state matching funds that may be used, and            3. A stipulation that new donations received beginning 7/1/05 may be eligible to be matched by the state if funds are provided in the GAA. In any fiscal year, donations not matched by the state may not be matched with state funds in a subsequent fiscal year."</p>	<p><b>HB 67 (Domino)</b>            Revises Trust Fund for University Major Gifts; authorizes BOG Foundation, Inc., to provide matching grants; deletes provisions that authorize encumbrances; requires donations to support priorities established by UBOT's; revises the manner in which donations must be matched; revises provisions relating to donations that may be used to designate an Eminent Scholar Endowed Chair.</p> <p>Sponsor has filed the 2 Senate amendments</p> <p>C&amp;U; Ed App; Ed Council</p>	<p><b>SB 528 (King &amp; Smith)</b>            2 amendments not currently on HB 67:</p> <p>1. Clarification of BOG Foundation's role</p> <p>2. \$125m cap before 7/1/06</p> <p>Sen Ed (3/7 favorable w/ 2 amend); Ed App; Rules &amp; Cal</p>
	<b>HOUSE</b>	<b>SENATE</b>	
University Campus Master Plans	<p><b>HB 517 (Cannon)</b>            Revises items that must be identified in a campus master plan; revises method for submission of a draft master plan for review; provides additional hearing requirements; provides requirements for the filing of a petition by an individual; revises provisions relating to mediation of issues in dispute; provides requirements for the signing of a pleading, motion, or other paper; provides for sanctions; requires the adoption of rules by university boards of trustees.</p> <p>Grwth Mgt (3/22); C&amp;U; Ed App; St Infrstrc Council</p>	<p><b>SB 2614 (Constantine)</b></p> <p>Similar to HB 517</p> <p>No committee referrals as of 3/21/05</p>	
University Building Designations	<p><b>HB 393 (Bean)</b>            Identical to SB 1186            Authorizes state university boards of trustees to name campus buildings and facilities for living persons.</p> <p>C&amp;U; Gov Ops; Ed App; Ed Council</p>	<p><b>SB 1186 (Atwater)</b>            Identical to HB 393</p> <p>Sen Ed; GOP; Rules &amp; Calendar</p>	
Approval of Specific Naming	<p><b>HB 37 (Justice)</b>            Designates building at USF -St. Pete as "H. William Heller Hall"</p> <p>C&amp;U; Gov Ops; Ed App; Ed Council</p> <p><b>HB 219 (Ausley)</b></p>	<p><b>SB 1968 (Lawson)</b>            Designates names for all SUS from previous years' unsuccessful bills</p> <p><b>SB 90 (Lawson &amp; Lynn)</b></p>	

	<p>Identical to SB 90 Designates FAMU-FSU College of Engineering Building as "Herbert F. Morgan Building"</p> <p>C&amp;U; Gov Ops; Ed App; Ed Council</p>	<p>Identical to <b>HB 219</b></p> <p>On 2<sup>nd</sup> Reading</p>
Centers of Excellence	<p><b>HB 131</b> (Mealor) Provides purposes and objectives of centers of excellence; creates Emerging Technology Commission in EOG &amp; provides membership thereof; provides duties of Florida Research Consortium, Inc., re review and reporting; requires the commission to adopt criteria for evaluating proposals for establishing/ expanding centers of excellence <b>APPROPRIATION: \$50,050,000</b></p> <p>Spaceport &amp; Tech (2/22, fav); C&amp;U (3/22); Fiscal Council; State Infrs Council</p>	<p><b>SB 1444</b> (Klein) Identical to <b>HB 131</b></p> <p>\$1 million in Senate Education Budget</p> <p>Ed; Com &amp; Cons Serv; GOP; Ed App; Ways &amp; Means</p>
Accelerated HS Graduation/ Options	<p>None as of 3/21/05</p>	<p><b>SB 104</b> (Constantine) Revises requirements for selecting accelerated option; revises required courses for 3-year standard college preparatory program; deletes provisions authorizing student to select 3-year standard career preparatory program; revises requirements for grades that must be earned to participate; provides for default to standard graduation requirements in certain circumstances. Amends 1003.429.</p> <p>Sen Ed; Ed App</p> <p>See also: <b>SB 2096</b> (Lynn) Repeals provision re options for accelerated high school graduation; amends provisions re career education certification, state university admissions, student assessment program for public schools, &amp; Fla. Bright Futures Scholarship Program to conform provisions to repeal of specified provision;</p>
Governance of the State University System	<p><b>HB 1001</b> (Goodlette) Specifies the constitutional duties of the Board of Governors of the State University System under s. 7, Art. IX of the State Constitution; specifies the constitutional duties of the Legislature; provides legislative intent.</p> <p>Ed App (3/11 fav); Fiscal Council (3/18 fav) <b>3/22: On 3<sup>rd</sup> Reading</b></p>	<p><b>SB 1920</b> (Rep Lynn) Shell Bill revising laws relating to the Board of Governors</p>
SUS/BOG Appropriations	<p>Budget Workshop Ed App (3/23)</p>	<p><b>SB 7068 Education Appropriations</b> Ed App (3/23); Ways &amp; Means (3/31)</p> <p><b>SB 378 &amp; SB 2584</b> (Alexander) Revising laws re higher ed</p> <p>Ed App (3/23); Ways &amp; Means</p>



<p>CC Baccalaureate Degrees</p>	<p><b>HB 167 (Mayfield)</b> Provides authority and requirements for boards of trustees of community colleges authorized to grant baccalaureate degrees; provides for the establishment of tuition and out-of-state fees for baccalaureate degree programs; revises requirements for a proposal by a community college to deliver a baccalaureate degree program.</p> <p><b>90-day notice provision:</b> Same as SB 2254</p> <p><b>PECO:</b> Same as SB 2254</p> <p>CC&amp; Workforce (3/8, fav w/ strike all); C&amp;U (3/22); Ed App; Ed Council</p>	<p><b>SB 2254 (King)</b></p> <p><b>90-day notice provision:</b> "A community college proposal to deliver a specified baccalaureate degree program must document that the cc has notified in writing the accredited public &amp; private colleges and universities in the cc's district of its intent to seek approval for delivery of the proposed program. The notified colleges &amp; universities have 90 days to submit in writing to the cc an alternative plan for providing the specified degree program."</p> <p><b>PECO:</b> "Notwithstanding s. 1004.73(7) or any other provision of law, such a request for funding must be submitted as a part of the 3-year priority list for cc's pursuant to s. 1013.64(4)(a).</p> <p>Ed; Ed App</p>
<p>Community Colleges – Fees &amp; Bonding</p> <p>Transportation Access Fee</p>	<p><b>HB 935 (Domino)</b> Revises provisions re fee for capital improvements, technology enhancements, or equipping student buildings &amp; use thereof; provides requirements for issuance &amp; validation of bonds; revises provisions re allocation for child care centers. Amends 1009.23.</p> <p>CC&amp;Wkfc; Ed App; Ed Council</p> <p>No House Bill as of 3/21/05</p>	<p><b>SB 670 (Jones)</b> Revises provisions re fee for capital improvements, technology enhancements, or equipping student buildings &amp; use thereof; provides requirements for issuance &amp; validation of bonds; revises provisions re allocation for child care centers.</p> <p>Ed (2/22, fav – cc bacc funding language removed); Ed App</p> <p><b>SB 542 (Smith)</b> Authorizes each community college BOT to establish transportation user fee; limits such fee to cost of service provided; allows fines to exceed cost of services provided &amp; to apply to persons other than those receiving specified services. Ed (2/8, favorable); Ed App</p>

Nursing Shortage	Rep. Meador is working on a House PCB w/ appropriation	<p><b>SB 1060 (Fasano, Peadar)</b> Revises criteria for receiving funds under Nursing Student Loan Forgiveness Program; requires that nurses employed as faculty in approved nursing program be given priority in receiving funds under program; requires Board of Nursing to adopt rules requiring nursing applicants &amp; licensees to submit certain information concerning employment &amp; education; <b>APPROPRIATION: \$21,564,119.</b></p> <p>Amendment: \$1.5 million for FCN "to conduct a study to determine the impact of a program to "fast-track BSN to graduate degrees" on the preparation of clinical nurses capable of addressing the nursing shortage in this state."</p> <p>Health Care (3/9 w/ amend), Ed, Ed App, Ways &amp; Means</p>
Nursing	<p><b>HB 1101 (Flores)</b> <b>Nurse Licensure Compact</b> Incorporates said compact into Nurse Practice Act; provides for state's ability to withdraw &amp; amend compact; provides for professional nurse with multistate licensure privilege from compact state to be certified as advanced registered nurse practitioner; creates requirements for submission of employment data, education, &amp; other workforce information to Nursing Board, etc.</p> <p>Health Care Reg; Health Care App; Health &amp; Fam Council</p> <p><b>HB 1585 (Roberson)</b> <b>Specialty Nursing</b> Similar to SB 1116</p>	<p><b>SB 2210 (Saunders)</b> <b>Nurse Licensure Compact</b> Similar to HB 1101</p> <p><b>SB 430 (King)</b> <b>Nursing – Geriatric Specialty</b> Requires Agency for Workforce Innovation to establish pilot program for delivery of certified geriatric specialty nursing education; specifies eligibility requirements for certified nursing assistant to obtain certification as geriatric specialist; includes services provided by certified geriatric specialist within definition of nursing service. <b>APPROPRIATION: \$157,017</b></p> <p>Health Care; Commerce and Consumer Services; Criminal Justice; Transportation and Economic Development App</p> <p><b>SB 1116 (Saunders)</b> <b>Specialty Nursing</b> Defines terms "clinical nurse specialist practice" &amp; "clinical nurse specialist" provides requirements for certification as said specialist; requires advanced registered nurse practitioners to register with Board of Nursing to prescribe medicinal drugs, including controlled substances; redefines term "practitioner", etc.</p> <p>Health Care; HHS App</p>

University Growth Funding	<p><b>HB 437 (Attkisson)</b> Identical to SB 1260 Requires future enrollment growth funds to be appropriated to DOE or to a trust fund to be distributed to public or nonpublic postsecondary educ. institutions providing instruction in fields vital to the citizens of the state; provides for an RFP; requires establishment annually of a priority list; provides for creation of a committee and specifies terms and duties thereof.</p> <p>Ed App; CC &amp; Workforce, Fiscal Council</p>	<p><b>SB 1260 (Wise)</b> Identical to HB 437</p> <p>Sen Ed; Commerce &amp; Consumer Svcs; Ed App</p>
State Financial Assistance to Certain Foreign Students	<p><b>HB 21 (Kravitz)</b> Prohibits use of state funds to provide financial assistance to specified foreign students; provides for the redirection of funds to provide additional need-based financial assistance to students classified as residents for tuition purposes.</p> <p>C&amp;U (3/8, fav w/ CS amend); Ed App; Ed Council</p>	<p><b>SB 866 (Haridopolos)</b></p> <p>Identical to originally filed version of HB 21 Sen Ed; Judiciary; Ed App.</p>
SURE Futures Postgraduate Program	<p><b>HB 1533 (Ambler)</b> Creates program to match private sector businesses that need employees who have advanced degrees with students who are seeking advanced degrees &amp; employment; provides criteria for student &amp; corporate partner participation in program; provides that corp partners shall donate funds for scholarships &amp; receive tax credits for amounts donated; provides duties of DOE &amp; state universities, etc.</p>	<p><b>SB 2606 (Crist)</b> Identical to <b>HB 1533</b></p>
Student Financial Assistance	<p><b>HB 943 (Patterson)</b> Creates Fla. Independent Collegiate Assistance Grant Program; provides for program administration; authorizes tuition assistance grants to certain postsecondary education students enrolling in undergraduate degree programs for specified occupations; provides institution eligibility requirements.</p> <p>C&amp;U (3/22); Ed App; Ed Council</p>	<p><b>SB 1256 (Wise)</b></p> <p>Similar to <b>HB 943</b></p> <p>Ed; Ed App</p>



Higher Education Finance Policy	<p><b>HB 119 (Zapata)</b>  <b>Now removed from HB 119:</b> provisions re timely completion of bacc degree programs, the degree audit tracking system &amp; excess hours; OPPAGA study of excess hours in associate and graduate degree programs; language re financial aid eligibility and requiring determination of residency for students in postsecondary career education programs offered by school districts.  <b>Now included in HB 119:</b>          *determination of residency for tuition tied to initial enrollment,          *requirements of when a non-resident is eligible for reclassification,          *extension of residency status to certain employees of international multilateral organizations &amp; their dependents, *exemption of payment of nonresident tuition for eligible students.          *an OPPAGA study and report on current university degree tracking procedures,          *administration of the exemption provided in the bill by DOE.</p> <p>C&amp;U (3/8, fav w/ strike all); Ed App; Ed Council</p>	<p><b>SB 226 (Wilson)</b>  <b>Tuition/Resident Status:</b> provides exemption from payment of nonresident tuition at community colleges &amp; state universities for certain students meeting eligibility criteria; amends provision re general requirements for eligibility for state financial aid to specify procedures for determining resident status for purposes of receiving such awards.</p> <p>Ed (2/8, fav); Ed App</p>
Fees – USF-St. Petersburg	<p><b>HB 917 (Rice)</b>          Authorizes Campus Board of USF – St. Pete to forward proposal to levy student-center-support fee to USF BOT for approval; provides standard for maximum amount of fee; prohibits inclusion of fee in calculating amount student receives under specified scholarship awards. Amends 1004.33.</p> <p>C&amp;U; Ed App; Ed Council</p>	<p><b>SB 658 (Sebesta)</b>          Similar to HB 917</p> <p>Ed; Ed App; Ways &amp; Means</p>
Per Diem & Travel Expenses	<p><b>HB 221 (Ausley)</b>          Increases per diem, subsistence, &amp; mileage ranges for travel expenses of public employees; provides for future adjustments of rates. Amends 112.061.</p> <p>Gov Ops; Fiscal Council; State Admin Council</p>	<p><b>SB 778 (Lawson)</b>          Similar to HB 221</p> <p>GOP (3/22); Ways &amp; Means</p>
Florida Prepaid College Program	<p><b>HB 237 (Gottlieb)</b>          Revises provisions to provide that a qualified beneficiary within 18 years of enrollment in an eligible postsecondary institution shall be eligible for benefits for which he or she has contracted.</p> <p>Ed App; C&amp;U; Fiscal Council</p>	<p><b>SB 1162 (Atwater)</b>          Identical to HB 237</p> <p>Sen Ed (3/7, fav); GOP; Ed App; Rules &amp; Calendars</p>

Sales Tax /Skybox /Luxury Box/Box Seat	<b>HB 1447</b> (Gelber)  Similar to SB 368	<b>SB 368</b> (Posey) Repeals exemption from tax on rental or license fees for use of real property which applies to charges for rental, lease, sublease, or license for use of skybox, luxury box, or other box seats during high school or college football game; provides that repeal is inapplicable to contracts entered into before specified date; provides that exempt status of charges imposed under any such contract ends after specified date. Repeals 212.031(9).  Gov Efficiency App; Ways & Means
Health Education Center Network	<b>HB 901</b> (Troutman) Similar to SB 702	<b>SB 702</b> (Peaden) Requires Health Dept. to cooperate with specified medical schools in maintaining & evaluating network; requires center assist in linking provision of primary care services to medically underserved populations with education of students in health care professions & of health care providers serving medically underserved populations, as well as that of medical students, interns, & residents, etc.  Health Care (fav w/ amend); Ed; HHS App;
Student & Faculty Academic Freedom in Postsecondary Education	<b>HB 837</b> (Baxley) Provides a postsecondary student and faculty academic bill of rights; specifies student, faculty, and instructor rights; requires the dissemination of copies of the act to state universities and community colleges.  Choice & Innov; C&U; Ed Council	<b>SB 2126</b> (Wise)  <b>Identical to HB 837</b>  No committee referrals as of 3/11
Internet Screening in Public Library	<b>HB 611</b> (Baxley) Requires <b>public</b> libraries to provide technology that protects against Internet access to specified proscribed visual depictions; allows adults to request disablement of technology for specified purposes; prohibits library from maintaining record of adults who request such disablement; requires library to post notice of its Internet safety policy; provides finding of important state interest, etc. <b>*Specifically excludes CC &amp; SUS libraries</b>  Civ Justice; Transport & Econ Dev; Justice Council	<b>SB 722</b> (Wise)  Identical to HB 611  GOP; Comm Affairs; Comm & Pub Utilities; Judiciary



Tax on Sales, Use, and Other Transactions	<p><b>HB 81</b> Deletes an exception to an exemption from the tax for research or development costs; provides an exemption for machinery and equipment used predominantly for research and development activities; defines the terms "predominantly" and "machinery and equipment"; authorizes a business to designate one or more state universities or community colleges as recipients of part or all of the amount of the exemption under specified conditions; provides that the business retains the rights to patents, royalties, or real or intellectual property unless an agreement specifies otherwise.</p>	<p><b>SB 582</b> <b>Sales Tax On Research Or Development</b> Deletes exception to exemption from tax for research or development costs; provides exemption for machinery &amp; equipment used predominantly for research &amp; development activities; allows business certified to receive exemption to designate one or more state universities or community colleges as recipients of part or all of amount of exemption under specified conditions, etc. Amends 212.052. <b>SB 1200</b> <b>Sales Tax/Machinery &amp; Equipment</b> Deletes exception to exemption from tax for research or development costs; provides exemption for machinery &amp; equipment used predominantly for research &amp; development activities; deletes annual limitation on exemption from tax for certain machinery &amp; equipment; deletes exemption for machinery &amp; equipment used to expand certain printing manufacturing facilities or plant units, etc. Amends 212.052.08; repeals 212.0805.</p>
Insurable Interests	<p><b>HB 1145 (Rivera)</b> Prohibits assigning or transferring, changing ownership or beneficiary designation, or taking out loan against such policies under certain circumstances; provides for taking such actions under license. Amends 627.404.</p>	<p><b>SB 1616 (Atwater)</b> Authorizes trust, partnership, limited liability company, or similar entity approved by public/private university meeting specified criteria to own or purchase life insurance on consenting person; prescribes guidelines &amp; requirements for such life insurance; requires approval by Financial Services Dept. Amends 627.404.</p>
Highway Signs Universities & Colleges	<p><b>HB 553 (Glorioso)</b> Requires DOT to erect directional signs to certain colleges &amp; universities in this state; requires such colleges or universities to pay for construction, erection, &amp; maintenance of such signs.</p> <p>Transp; Ed App; State Infrs Council</p>	<p><b>HB 1648 (Fasano)</b> Identical to <b>HB 553</b></p> <p>Transportation; Ed App</p>
Construction Services/Prompt Payment	<p><b>HB 509 (Reagan)</b> "Local Government Prompt Payment Act"; revises provisions re timely payment for purchases of construction services; revises deadlines for payment; revises deadlines for payment of subcontractors, sub-subcontractors, materialmen, &amp; suppliers on construction contracts for public projects; authorizes collection of interest under certain circumstances, etc. Amends Chs. 218, 255, 95.11</p> <p>Gov Ops; State Admin App; State Admin Council</p>	<p><b>SB 632 (Bennett)</b> Both HB 509 &amp; SB 632 define "local government entities" as: "a county or municipal government, school board, school district, authority, special taxing district, other political subdivision, or any office, board, bureau, commission, department, branch, division, or institution thereof."</p> <p>Similar to HB 509</p> <p>GOP; Comm Aff; Reg Ind; GG App</p>



BOG/BOT Lobbyists		<p><b>SB 1950 (Posey)</b> Provides that it is conflict of interest for person registered to lobby Legislature to serve on governing or advisory body of entity that receives state funds if person's position on body is subj to gubernatorial or legislative appointment; provides penalties. EFFECTIVE DATE: First Wednesday after first Tuesday in November 2008.</p> <p>Ethics &amp; Elections</p> <p><b>SB 1962 (Posey)</b> Expands definition of term "appointed state officer" to include members of appointive boards, commissions, committees, or councils created under State Constitution; prohibits appointed state officers from personally representing another person or entity for compensation before any state agency; provides that this prohibition does not apply to any appointed state officer whose term of office began before specified date.</p> <p>Ethics &amp; Elections</p> <p><b>SB 2644 (Sebesta)</b> Legislative Info Svcs/Pub Rec Ethics &amp; Elec (3/21-fav); GOP</p> <p><b>SB 2646 (Sebesta)</b> Legislative Lobbying Amends requirements that lobbyists register &amp; report as required by legislative rule; defines term "compensation"; requires disclosure of all compensation provided or owed to lobbyist; defines term "electronic filing system"; provides requirements for lobbyists filing reports with Legislative Information Services Div. by means of division's electronic filing system; provides requirements for system, etc.</p> <p>Ethics &amp; Elec (3/21-fav w/ amend); Gen Gov App</p>
<b>"STATE AGENCY" BILLS</b>		
Law Enforcement	<p><b>HB 45 (Needelman)</b> Creates Law Enforcement Agency Consolidation Task Force; provides for preliminary &amp; final reports addressing effects of consolidation of all sworn law enforcement functions in state. <b>Both the HB &amp; SB apply to "state agencies &amp; commissions"</b> Crim Jus (fav w/ CS); Gov Ops (fav); Fiscal Council (3/18-fav); Justice Council</p>	<p><b>SB 1772 (Baker)</b> Similar to HB 45</p> <p>Crim Just; GOP; Just App</p>
State Financial Matters	No House Bill as of 3/22	<p><b>SB 2610 (Carlton)</b> Requires state agencies to use trust funds for specified purposes, to extent possible, etc.</p> <p>Related Bills: <b>SB 2146</b> State Planning &amp; Budgeting</p>

Information Technology Management	No House Bill as of 3/22	<p><b>SB 1494 (Argenziano)</b> Provides legislative intent that each state agency use governance process &amp; structure for managing its IT operations &amp; investments in order to ensure alignment with business needs &amp; policy requirements of agency; provides governance process for IT which includes mgmt. of agency's IT portfolio along with project management; requires each agency to submit its approved IT portfolio as part of its final legislative budget request, etc.</p> <p>GOP (3/22); GG App; Ways &amp; Means</p>
Procurement Contracting	<p><b>HB 1155 (Anderson)</b> "2005 Efficiency in Procurement &amp; Contracting Act"; creates Procurement Div. in DMS; creates Center for Outsourcing within division for certain purposes; specifies requirements for state outsourcing review process; revises requirements for purchases from purchasing agreements &amp; state term contracts; requires division to design, implement, &amp; operate on on-line procurement subsystem, etc.</p> <p><b>Deletes SUS exemption from ch 287</b></p> <p>Gov Ops; State Admin App; State Admin Council</p>	No House Bill as of 3/22
Ethics/Public Officers & Employees	<p><b>HB 1377 (Ryan)</b> Prohibits state or political subdivision employees from participating in political campaigns during on-duty hours or certain other hours; revises postemployment restrictions to apply to other-personal-services temporary employees; requires gift disclosure forms of individuals who left office or employment during calendar year to be filed by date certain, etc.</p> <p>Gov Ops; Ethics &amp; Elec; Transp &amp; Econ Dev App; State Admin Council</p>	<p><b>SB 1944 (Posey) &amp; SB 2008 (Sebesta)</b> Prohibits employees of state &amp; its political subdivisions from participating in political campaign during certain time periods; reduces maximum penalty for failing to file disclosure of financial interests from \$1,500 to \$300; provides requirements for persons who have left office or employment as to filing report re gifts; provides additional standards for state agency employees re procurement of goods &amp; services by state agency, etc.</p> <p>Ethics &amp; Elec; Judiciary; GOP; Rules &amp; Calendar</p>