



2019 Florida Legislative Session New Law Summary



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Legislative Session Budget Highlights Impacting the Florida College System

The Florida Legislature adjourned sine die on Saturday, May 4, 2019. In all, 3,571 bills were filed, although only 196 passed both chambers. The 2019 session also saw 2,997 amendments filed, 3,765 votes taken and 40 floor sessions.

The Legislature passed the only bill it is constitutionally required to pass, SB 2500, a balanced budget. The budget as approved totaled \$91.1 billion, an increase from last year's \$88.7 billion budget. **The full 2019-2020 General Appropriations Act (SB 2500) is found in at this link: [Ch_2019-115.pdf](#)**

The finalized Florida College System budget for 2019-20 totaled \$1,255,757,765, or \$27,216,762 above last year. This represents a 2.2% increase overall. This funding includes money for certain new resources, including \$10 million for general operations enhancement, and \$10 million for funding model compression.

The Senate proposed \$40 million for student success initiatives ("2+2" and "Work Florida"), however the funding resulted in \$30 million once conference negotiations were completed between the House and Senate. Those funds were split between the two initiatives with the 2+2 incentive fund receiving \$20 million and the Work Florida Initiative receiving \$10 million. These funds (\$30 million) are in lieu of the state incentive "performance funds" provided in recent years (\$30 million state/\$30 million institutional investment). Each college will receive a pro-rata share of these funds.

Funding also included an increase of \$4 million for CAPE Industry Certificate Incentive programs, as well as maintenance of the \$550,000 for dual enrollment instructional materials. However, it is important to note that the recurring \$2.5 million provided by the Legislature last year was not restored. Additionally, \$3.1 million for Florida Retirement System (FRS) contributions based on the annual actuarial adjustment was not funded this year.

The Legislature appropriated a total of \$280 million in PECO funds, plus \$42.4 million in General Revenue for Fixed Capital Outlay (FCO) projects. \$11.3 million was allocated for the Florida College System, with the majority of the funding dedicated to specific projects. While some schools did receive PECO funding for specific projects, no "Sum of the Digits" funding was allocated for maintenance for the state colleges.

Approximately \$122,000,000 was shifted from the educational Lottery fund to General Revenue. This will allow colleges to access funds earlier in the fiscal year, as Lottery funds are typically not available until February each year.

The following select bills impacting the Florida College System passed and were signed into law by the Governor.

BILLS THAT PASSED IMPACTING FLORIDA COLLEGES

CS/Senate Bill 190- Higher Education

- Senate Bill (SB) 190, Section 6, amends section (s.) 1007.23, Florida Statutes (F.S.), to require each FCS institution to execute at least one 2+2 targeted pathway articulation agreement with at least one state university by 2019-20. Agreement(s) must provide a student with an associate in arts degree with guaranteed access to a state university, and also include requirements for state universities regarding on-time graduation plans, advisement and access to information and services.
- The bill at Section 10, amends s 1009.286, F.S., to revise the rate of the excess hour surcharge for the 2019 spring term and beyond. The bill increases the credit hours a student entering a state university in the summer term of 2019 or thereafter may earn, from 110 percent to 120 percent of the degree program, before being required to pay the surcharge. Also, for a student who changes degree programs, the bill requires the university to adjust the excess credit hour threshold only if the number of credit hours required to complete the new degree program exceeds that of the original degree program.
- Regarding workforce funding, the bill removes the \$15 million cap on the maximum amount of performance funding that may be appropriated for industry certifications for FCS institution and school district workforce education programs.
- Further, the bill at Section 3, requires the State Board of Education (SBE) to:
 - Review each board’s space needs calculation methodologies and submit recommendations, starting October 31, 2019, and every three years thereafter.
 - Develop and submit a prioritized list of public education capital outlay (PECO) projects, including projects for which state funds were previously appropriated which have not been completed, and the top two priorities of each Florida College System (FCS) institution.
 - Develop a points-based prioritization method to rank projects for consideration, with additional criteria that each board must consider.
- The bill requires that a new construction, remodeling, or renovation project that has not received a prior appropriation not be considered for inclusion on the prioritized list unless the project has been recommended pursuant to an educational plant survey; a plan is provided

for each state college to reserve funds in an escrow account equal to 0.5 percent of the total value of the building for future maintenance; and there are sufficient excess funds from the specified capital outlay allocation within the 3-year planning period which are not needed to complete the specified projects.

- The bill authorizes FCS institution to carry forward funds, and requires minimum carry forward balances that must be maintained, dependent on institution size, as follows: Each FCS institution with a final full-time equivalent (FTE) enrollment of less than 15,000 must maintain a minimum carry forward balance of at least 5 percent. Each FCS institution with a final FTE of 15,000 or greater must maintain a minimum carry forward balance of at least 7 percent. The bill requires written notification to the state board of education any time the unencumbered balance in the general fund of an FCS institution operating budget goes below the established minimum levels.

Further, the bill provides that each institution retaining a carry forward balance in excess of the minimum is required to annually submit a spending plan for the excess balances to its local board for approval by September 1, and to the State Board of Education to review and publish by October 1. Annually, by September 30 of each year, the chief financial officer (CFO) of each FCS institution certify the unexpended amount of state funds remaining in the general fund of an institution as of June 30. The bill also requires the Auditor General, as a part of its annual financial audits, to verify the accuracy of the amounts certified by each institution.

- Regarding Bright Futures initial awards, the bill changes the timeframe for eligibility to receive a scholarship from 2 years to 5 years after graduation, and also specifies that, for the 2020-2021 academic year and thereafter, Florida Academic Scholars (FAS) scores must be set at the 89th national percentile on the SAT, and Florida Medallion Scholars (FMS) scores at the 75th national percentile on the SAT. Also, the bill modifies additional scholarship provisions to eliminate the 45-credit hour annual limit for scholarship awards, establishes requirements for award renewals, and modifies required evaluation information provided to students.

Effective Date: 7/1/2019

Last Action: 6/18/2019 - Chapter No. [2019-103](#)

Bill Text: [Web Page](#) | [PDF](#)

House Bill (CS/HB) 7071- Workforce Education

House Bill 7071 promotes career education and readiness opportunities for students in public schools and provides responsibilities for district school boards, the Department of Education (DOE), and the Commissioner of Education (Commissioner) regarding career education opportunities; provides support to public schools regarding teacher recruitment and training; and strengthens transition pathways to college and career opportunities. More specifically, the bill:

- Modifies the standard requirements for high school diplomas to allow students to take a computer science course to substitute for a math or science courses. It also creates a mechanism for career education course standards to meet the Algebra I credit requirement if equated, and requires districts to offer financial literacy courses.
- Establishes a Career and Technical Education (CTE) Pathway Option to acquire a CTE diploma, as an additional standard high school diploma option, that consists of completion of 18 credits and a 2.0 GPA. (s. 1003.4282, F.S.)
- Requires the Commissioner of Education to annually review CTE offerings for alignment with employer demand, postsecondary degree or certificate programs, and professional industry certifications, as well as identify programs that are linked to occupations that are in high-demand by employers, require high-level skills and provide middle and high-level wages. (s. 1003.491, F.S.)
- Revises the statutory characteristics of an apprentice able occupation and modifies the requirements for the two public members appointed to the State Apprenticeship Council by the Governor. It also redefines “journeymen” as “journey workers” and includes special notice provisions.
- Establishes the “Strengthening Alignment between Industry and Learning (SAIL) to 60” Initiative, which sets a statewide attainment goal of increasing the percentage of working age adults in Florida with a high-value postsecondary certificate, degree or training experience by 2030. (s. 1004.013, F.S.)
- Requires the State Board of Education and the Board of Governors to work collaboratively to support and publicize the statewide efforts related to college access, affordability and success including the Florida College Access Network, the Complete Florida Degree Initiative, summer bridge programs, “last mile” scholarships, articulation agreements and awarding credit for prior learning. (s. 1004.013, F.S.) While this program did not receive an appropriation, institutions are encouraged to use available resources to communicate to, and assist, these students who can finish their degrees.
- Amends s. 1007.23, F.S., to provide for reverse transfer when students with at least 30 credit hours transfer before earning the A.A. degree. It also requires state universities to identify students who complete the A.A. degree and, with students’ consent, transfer credits back to the FCS institution.
- Requires state universities to notify students of the criteria and process for requesting A.A. degrees at various intervals. (s. 1007.25, F.S.)
- Requires career centers to enter into career dual enrollment agreements with each high school in any school district they serve. (s. 1007.271, F.S.)

- Creates the Florida Pathways to Career Opportunities Grant Program to provide grants on a competitive basis to high schools, career centers, charter technical career centers, colleges, and other entities authorized to sponsor an apprenticeship or pre-apprenticeship program to expand or establish new apprenticeship or pre-apprenticeship programs. (s. 1011.802, F.S.)
- Creates s. 1007.233, F.S., to require each career center and FCS institution with overlapping service areas to submit a regional career pathways agreement for each career center certificate program aligned with an associate degree offered by the college. Each agreement must guarantee college credit, beyond the amount guaranteed through statewide agreements, toward an aligned associate degree program for students who graduate from a career center with a career or technical certificate and meet specified requirements. Each agreement must outline certificate program completion requirements and any licenses or industry certifications that must be earned before enrolling in an associate degree program. The bill requires each school district and Florida College System institution receiving state appropriations for workforce education programs to maintain adequate and accurate records for funding and expenditures. Colleges must award articulated college credit to the student upon initial enrollment in the associate degree program. The Department of Education, Office of Articulation, will provide a mechanism by which institutions will submit these agreements by the May 1 annual deadline.

Effective Date: 7/1/2019

Last Action: 6/24/2019 - Chapter No. [2019-119](#)

Bill Text: [PDF](#)

House Bill 593- Hurricane Impact

House Bill 593 (Section 1 and 2) amends s. 1009.26, F.S., to authorize Florida College System institutions that serve counties directly impacted by a hurricane, and experience an enrollment decrease of more than 10 percent as a result, to waive out-of-state fees for a period of three years, beginning 180 days after the date the hurricane first impacted counties served by the institution.

Effective Date: 7/1/2019

Last Action: 6/25/2019 - Chapter No. [2019-124](#)

Bill Text: [PDF](#)

Senate Bill (CS/SB) 7098- Death Benefits

SB 7098 creates s. 112.1912, F.S. and s. 295.061, F.S., which requires the state to waive the cost of tuition and certain fees of the child or spouse of a deceased first responder or deceased active duty service member of the United States Armed Forces (U.S Army, Navy, Marines, Air Force, Coast Guard and Florida National Guard) incurred at a career center, Florida College System institution or state university. This provision applies to law enforcement officers, correctional officers, correctional probation officers, firefighters, emergency medical technicians or paramedics who are accidentally killed or intentionally and unlawfully killed while performing official duties on or after July 1, 2019.

Effective Date: 7/1/2019

Last Action: 5/13/2019 - Chapter No. [2019-24](#)

Bill Text: [Web Page](#) | [PDF](#)

House Bill 7099- Guardianship Assistance Program

HB 7099 amended s. 1009.25, F.S., to exempt individuals classified under s. 39.6225, F.S. (Guardianship Assistance Program) from the payment of tuition and fees, including lab fees, at a public postsecondary institution.

Effective Date: 7/1/2019

Last Action: 6/26/2019 - Chapter No. [2019-142](#)

Bill Text: [PDF](#)

House Bill 741- Non-Discrimination/Anti-Semitism

HB 741 modified s. 1000.05, F.S., to include religion in the list of categories for which discrimination is prohibited in the Florida K-20 public education system. In addition, the bill defines “anti-Semitism,” and requires all public K-20 educational institutions to treat discrimination-motivated anti-Semitic intent in the same manner as discrimination based on race. Institutions should review their non-discrimination statements to ensure “religion” is reflected and review procedures, where appropriate, to note how anti- Semitic discrimination should be treated.

Effective Date: 5/31/2019

Last Action: 5/31/2019 - Chapter No. [2019-59](#)

Bill Text: [PDF](#)

Senate Bill 1080- Hazing

SB 1080 modified s. 1006.63, F.S., to clarify and define the term “hazing,” expand the crime of hazing and provide immunity to certain persons meeting specified criteria. Further, the bill reenacted s.1001.64(8)(e), F.S., requiring each Florida College System board of trustees to adopt written anti-hazing policies, provide a program to enforce anti-hazing rules and adopt penalties for violations. The effective date is October 1, 2019.

Effective Date: 10/1/2019

Last Action: 6/26/2019 - Chapter No. [2019-133](#)

Bill Text: [Web Page](#) | [PDF](#)

Senate Bill 620- Military-friendly Initiatives

SB 620 modified s. 1009.21, F.S., to specify active duty military members who are residing in Florida or attending a public postsecondary institution within 50 miles of the military establishment where they are stationed at the time of acceptance to the institution, are residents for tuition purposes. This classification also applies to the spouses and dependents of active duty military. The effective date is July 1, 2019.

Effective Date: 7/1/2019

Last Action: 6/27/2019 - Chapter No. [2019-144](#)

Bill Text: [Web Page](#) | [PDF](#)

House Bill 501 Alternative Treatment Options for Veterans

House Bill 501 defines traumatic brain injury and post-traumatic stress disorder for purposes of offering alternative treatment options for veterans, and authorizes the Department of Veterans Affairs to contract with state universities or state colleges to furnish specified alternative treatment options for veterans.

Effective Date: 7/1/2019

Last Action: 6/27/2019 - Chapter No. [2019-148](#)

Bill Text: [PDF](#)

CS/SB 168- Federal Immigration Enforcement

Senate Bill 168 creates a new chapter of the Florida Statutes entitled “Federal Immigration Enforcement” which seeks to ensure that state and local entities and law enforcement agencies cooperate with federal government officials to enforce, and not obstruct, immigration laws. In its most general and broad terms, the bill requires law enforcement agencies to support the enforcement of federal immigration law.

In more specific terms, the bill prohibits a state entity, local governmental entity, or law enforcement agency from having a sanctuary policy, which is a law, policy, practice, procedure, or custom that restricts a law enforcement agency’s ability to communicate or exchange information with a federal immigration agency on immigration enforcement matters or from complying with immigration detainers.

As applied to public schools, universities and colleges, the bill further provides (s. 908.108, F.S.) that it does not apply to the release of education records of an educational agency or institution, unless that release conforms to the provisions of the Family Educational Rights and Privacy Act (FERPA) of 1974. (For purposes of that act, education records mean those records, files, documents, and other materials which contain information directly related to a student and are maintained by an educational agency or institution.)

Effective Date: 7/1/2019 except as otherwise expressly provided

Last Action: 6/17/2019 - Chapter No. [2019-102](#)

Bill Text: [Web Page](#) | [PDF](#)

Senate Bill (CS/SB) 182- Medical Use of Marijuana

The bill removes language from the definition of “medical use” of marijuana (cannabis) indicating that medical use does not include the possession, use, or administration of marijuana in a form for smoking or the possession, use, or administration of marijuana flower except for flower in a sealed, tamper-proof receptacle for vaping. This eliminates the prohibition against the smoking of medical marijuana. However, provides that low-THC cannabis may not be smoked in public and prohibits the medical use of marijuana by smoking in an “enclosed indoor workplace,” as defined in the Florida Clean Indoor Air Act.

Effective Date: 3/18/2019

Last Action: 3/18/2019 - Chapter No. [2019-1](#)

Bill Text: [Web Page](#) | [PDF](#)

Senate Bill (CS/SB) 501- Vaping

The bill implements Amendment 9 to the Florida Constitution, which was approved by the voters of Florida on November 6, 2018, to ban the use of vapor-generating electronic devices, such as electronic cigarettes (e-cigarettes), in enclosed indoor workplaces. The use of e-cigarettes is commonly referred to as vaping.

The bill also permits vaping at the same locations currently authorized to permit tobacco smoking, i.e., private residences, stand-alone bars, designated rooms in hotels and other public lodging establishments, retail tobacco shops, facilities owned or leased by a membership association, smoking cessation programs, medical or scientific research, and customs smoking rooms in airport in-transit lounges.

The bill amends the state's preemption of tobacco smoking regulation in s. 386.209, F.S., to adopt and implement the grant of authority to local governments, such as state institution, to adopt more restrictive local ordinances on the use of vapor-generating electronic devices.

Effective Date: 7/1/2019

Last Action: 4/29/2019 - Chapter No. [2019-14](#)

Bill Text: [Web Page](#) | [PDF](#)

Senate Bill 7014- Government Accountability

Sections 21 and 22 create ss. 1012.8551 and 1012.915, F.S., respectively, to apply s. 110.1127, F.S., relating to background screening requirements to the personnel of the Florida College System and the State University System. With this change colleges are required to designate personnel for level one and level two background screenings. This statutory requirement is intended to allow background screenings requested by the state colleges to include federal information. Current law does not specify that the Florida College System and State University System are state agencies for the purpose of s. 110.1127, F.S.

Effective Date: 7/1/2019

Last Action: 4/29/2019 - Chapter No. [2019-15](#)

Bill Text: [Web Page](#) | [PDF](#)

Senate Bill (CS/SB 248- Public Records/Civilian Personnel Employed by a Law Enforcement Agency

The bill amends s. 119.071(4)(d), F.S., which contains several public records exemptions for home addresses and various other information identifying specified agency personnel and officials and their families. The bill expands these public records exemptions by defining the term “home addresses,” a previously undefined term, as the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal the home address.

The bill also amends s. 119.071(4)(d)2.a., F.S., to create a new public records exemption for home addresses, telephone numbers, dates of birth, and photographs of active or former civilian personnel employed by a law enforcement agency, and their spouses and children.

The bill also allows an officer, employee, justice, judge, or other person covered by the public records exemptions to file a written request for release of his or her exempt information to the custodial agency. The written request must be notarized and must specify the information to be released and the party that is authorized to receive the information. Upon receipt of the written request, the custodial agency must release the specified information to the party authorized to receive such information. The bill provides statements of public necessity for expanding public records exemptions and creating a new public records exemption as required by the State Constitution.

Effective Date: 7/1/2019

Last Action: 4/29/2019 - Chapter No. [2019-12](#)

Bill Text: [Web Page](#) | [PDF](#)

Senate Bill CS/SB 7030- Implementation of Legislative Recommendations; Marjory Stoneman Douglas High School Public Safety Commission

Senate bill 7030 implements the legislative recommendations of the Commission, and enhances school security measures for public schools, including charter schools. Specifically, the bill:

- Requires sheriffs to assist district school boards and charter school governing boards in complying with safe-school officer requirements, including providing guardian training either directly or through a contract with another sheriff’s office under specified circumstances.
- Requires district school boards to collaborate with charter school governing boards to facilitate charter school access to all safe-school officer options.
- Delineates that the four safe-school officer options include a school resource officer, a school safety officer, school guardian, and a school security guard. The bill specifies that a school

guardian may be a school district employee or a charter school employee who volunteers to serve as a school guardian in addition to his or her official job duties or an employee of a school district or a charter school who is hired for the specific purpose of serving as a school guardian. A school security guard must hold a Class “D” and Class “G” license in accordance with the law and meet the training requirements equivalent to that of a school guardian as a safe-school officer.

- The bill also requires the employee to complete the required training to the Sheriff’s satisfaction and then be appointed by the superintendent or charter school principal, as applicable.
- As pertains to charter schools, the bill amends 1002.33, FS, related to compliance with school safety statutes; and amends 1003.25, FS, related to procedures for maintenance and transfer of student records. Further, the bill amends 1006.07, FS, related to information sharing and reporting requirements for district school boards and charter school governing boards, including responses to emergency situations, training, safety incident reporting, data collection, and data sharing. The bill modifies requirements relating to new student registration and transfer of student records by clarifying the mental health services-related reporting requirements at the time of initial registration and upon a student’s transfer.
- Charter schools are required to promote the use of the mobile suspicious activity reporting tool by advertising the tool on its website, school campuses, newsletters, and install the application on all mobile devices and bookmark the website on all computer devices issued to students.

Additionally, the bill requires each charter school governing board to adopt an active assailant response plan; and annually by October 1, requires each charter school principal to certify that all school personnel have received annual training on the procedures contained in the plan. The plan requires drills for active shooter and hostage situations be conducted in accordance with developmentally appropriate and age-appropriate procedures.

Effective Date: 5/8/2019 except as otherwise expressly provided

Last Action: 5/9/2019 - Chapter No. [2019-22](#)

Bill Text: [Web Page](#) | [PDF](#)

House Bill 525
Higher Education

This bill renames two Florida College System institutions: Florida Keys Community is renamed The College of the Florida Keys (serving Monroe County). North Florida Community College is renamed North Florida College (serving Hamilton, Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties)

Effective Date: 7/1/2019

Last Action: 6/10/2019 - Chapter No. [2019-78](#)

Bill Text: [PDF](#)

GLOSSARY OF ABBREVIATIONS/DEFINITIONS

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



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