

LEGISLATIVE UPDATE



May 7, 2021

HCPS Government Affairs

2021 End of Session Report

Education Related Bills that Passed this Session

Bill text can be found on the [House](#) and [Senate](#) web pages by typing the bill number in the "Bill #" search box located at the top of both web pages.

HB 3 - Home Book Delivery for Elementary Students: Home Book Delivery for Elementary Students: Provides credits against specified taxes under New Worlds Reading Initiative Tax Credit; revises order in which corporate income tax credit under the Initiative is applied; revises definition of "adjusted federal income;" revises specified corporate income tax calculation; provides Initiative, DOE, DOR, administrator, school district, & tax credit requirements; provides for a specified cooperative agreements. Effective Date: upon becoming a law

HB 5 - Civic Education Curriculum: Civic Education Curriculum: Revises social studies high school graduation credit requirement; requires DOE to develop or approve integrated civic education curriculum that meets certain requirements; requires department to curate oral history resources to be used with such curriculum; requires department to approve civic education curricula submitted by school districts & charter schools. Effective Date: July 1, 2021

HB 35 - Legal Notices: Revising construction as to the satisfaction of publication requirements for legal notices; revising requirements for newspapers that are qualified to publish legal notices; authorizing the Internet publication of specified governmental agency notices on newspaper websites in lieu of print publication if certain requirements are met; requiring the Florida Press Association to seek to ensure equitable access for minority populations to legal notices posted on the statewide legal notice website; requiring the association to publish and maintain certain reports on the statewide legal notice website, etc. Effective Date: July 1, 2022

SB 82 - Sponsorship Identification Disclaimers: Sponsorship Identification Disclaimers; Modifying provisions governing general independent expenditure disclaimers to conform to changes made by the act; removing an exemption for text messages from certain requirements governing political advertisement disclaimers to conform to changes made by the act; establishing sponsorship identification disclaimer requirements for certain text messages; modifying existing requirements governing telephone call disclaimers; requiring specified persons and organizations sending certain paid text messages to have and maintain a registered agent for specified purposes, etc. Effective Date: 10/1/2021

HB 131 - Educator Conduct: Requiring DOE to maintain a disqualification list of individuals; revises provisions relating to employment & termination of public school & private school employees; revises duties of DOE, Commissioner of Education, school districts, & school principals relating to employee conduct & employment & termination of public school & private school employees. Effective Date: July 1, 2021

SB 146 - Civic Literacy Education: Requiring the Commissioner of Education to develop criteria for a civic literacy practicum that meets certain goals beginning in a specified school year; authorizing time spent on specified civic engagement activities to count toward requirements for certain scholarships and academic awards; establishing the Citizen Scholar Program within the University of South Florida, etc. Effective Date: 7/1/2021

HB 149 - Students with Disabilities in Public Schools: Prohibits use of seclusion on students; revises provisions relating to use of restraint on certain students; provides DOE, school district, school, & personnel requirements; provides for placement of video camera in specified classrooms; provides requirements for such placement; requires continuing education & inservice training for teaching students with emotional or behavioral disabilities. Effective Date: July 1, 2021

HB 157 - First Aid Training in Public Schools: Revises grade levels that school districts are encouraged provide certain first aid training; requires school district provide specified grade levels with certain first aid training; provides requirements for such training. Effective Date: July 1, 2021

SB 166 - Public Records/Nonjudicial Record of the Arrest of a Minor: Providing an exemption from public records requirements for a nonjudicial record of the arrest of a minor who has successfully completed a diversion program; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. Effective Date: On the same date that SB 274 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law

HB 173 - Individual Education Plan Requirements for Students with Disabilities: Revises provision related to development and implementation of IEPs for students with disabilities regarding postsecondary education and career opportunities including such IEP requirements, timeline, information provided, & statement of intent; requires DOE Education to review specified services & programs; requires DOE to establish & publish uniform best practices for such services & programs. Effective Date: July 1, 2021

HB 233 - Postsecondary Education: Prohibits State Board of Education and BOG from shielding students, staff, and faculty from certain speech; requires State Board of Education to conduct annual assessment on intellectual freedom & viewpoint diversity; creates a cause of action for recording or publication of certain video or audio recordings; revises provisions related to protected expressive activity, university student governments, & codes of conduct. Effective Date: July 1, 2021

HB 241 - Parents' Bill of Rights: Provides parental rights relating to a minor child's education, upbringing, & health care; provides school district, health care practitioner, hospital requirements & specified penalties. Effective Date: July 1, 2021

SB 252 - Child Care Facilities: Citing this act as the "Child Safety Alarm Act"; requiring certain vehicles, by a specified date, to be equipped with a reliable alarm system that meets specified criteria; requiring the Department of Children and Families to adopt by rule minimum safety standards for such systems and to maintain a list of approved alarm manufacturers and alarm systems, etc. Effective Date: 10/1/2021

HB 311 - Pub. Rec./Assessment Instruments: Expands examination & assessment instruments which are confidential & exempt from public record requirements; provides provisions governing access, maintenance, & destruction of certain instruments & related materials shall be prescribed by rules of State Board of Education and regulations of Board of Governors; provides for future legislative review & repeal; provides legislative findings; provides statement of public necessity. Effective Date: July 1, 2021

HB 327 - Pub. Rec./Disaster Response: Creates exemption from public records requirements for address & telephone number of persons provided emergency shelter & held by agency that provided emergency shelter; provides for future legislative review & repeal of exemption; provides statement of public necessity. Effective Date: upon becoming a law

HB 337 - Impact Fees: Requires local governments & special districts to credit against collection of impact fees any contribution related to public facilities or infrastructure; provides conditions under which credits may not be applied; provides limitations on impact fee increases; provides retroactive operation; requires specified entities to submit affidavit attesting that impact fees were appropriately collected & expended; provides retroactive application; requires school districts to report specified information regarding impact fees. Effective Date: upon becoming a law

SB 366 - Educational Opportunities Leading to Employment: Renaming the Florida Ready to Work Certification Program as the Florida Ready to Work Credential Program; providing where the program training may be conducted; requiring that certain students be covered by the workers' compensation insurance of their employers in a work-based learning opportunity; requiring admissions counseling to use certain tests or alternative methods to measure achievement of college-level communication and computation by students entering college programs, etc. Appropriation: \$2,000,000 Effective Date: 7/1/2021

HB 371 - False Reports of Crimes: Provides enhanced criminal penalties for willful making of false reports of crimes in certain circumstances; requires restitution. Effective Date: upon becoming a law

SB 400 - Public Records: Prohibiting an agency that receives a request to inspect or copy a record from responding to such request by filing an action for declaratory relief against the requester, etc. Effective Date: 7/1/2021

HB 419 - Early Learning and Early Grade Success: Revising approved child care or early education settings for the placement of certain children; providing for a type two transfer of the Gold Seal Quality Care program in the Department of Children and Families to the Office of Early Learning; revising the performance standards for the Voluntary Prekindergarten Education Program; authorizing certain students enrolled in the Voluntary Prekindergarten Education Program to receive intensive reading interventions using specified funds, etc. **The Governor approved 5/4/2021 with an effective date 7/1/2021.**

HB 429 - Purple Star Campuses: Requires DOE establish Purple Star Campus program; specifies program criteria for participating schools; authorizes schools to partner with school districts to meet criteria. Effective Date: July 1, 2021

HB 519 - Required Health Education Instruction: Provides additional requirements for health education; revises grades when students receive certain health education instruction; requires health education instruction include prevention of specified harms. Effective Date: July 1, 2021

HB 529 - Moments of Silence in Public Schools: Requires principals to require teachers to set aside time for moment of silence; prohibits teachers from making suggestions to nature of any reflection during moment of silence; deletes provision authorizing district school boards to provide brief period of silent prayer or meditation; requires certain teachers encourage parents or guardians to discuss moment of silence & make suggestions as to the best use of this time. Effective Date: July 1, 2021

HB 545 - Reproductive Health and Disease Education: Requires each school district to publish notice on district's website concerning parent's right to exempt student from reproductive health & disease education; requires district school boards to annually approve instructional materials relating to reproductive health & disease education in an open, noticed public meeting; specifies that reproductive health & disease education instructional materials are to be made available for public review & comment under specific process. Effective Date: July 1, 2021

SB 590 - School Safety: Revising parent, guardian, or caregiver notification requirements that must be met before an involuntary examination of a minor; requiring a principal or his or her designee who successfully notifies any known emergency contact to share only the information necessary to alert such contact that the parent or caregiver must be contacted; requiring codes of student conduct to include provisions relating to civil citation or similar prearrest diversion programs for specified purposes; revising training requirements for school safety officers, etc. Effective Date: 7/1/2021

HB 723 - Juvenile Justice Education Programs: Increases percentage of certain funds that must be spent on specified costs; requires contracts between district school boards & juvenile justice education programs be in writing; requires DOE provide mediation services for certain disputes; prohibits school boards from delaying certain payments pending receipt of local funds. Effective Date: July 1, 2021

HB 827 - School District Funding: Requires school districts allocate certain amount of specified funds to programs that prepare students to enroll in AICE courses; requires such funds be spent on specified costs; requires school districts to distribute specified bonuses to certain teachers providing pre-AICE instruction; requires bonuses based on student's score on AICE examination to be paid to all AICE teachers. Effective Date: July 1, 2021

HB 845 - State University Free Seat Program: Creating the State University Free Seat Program; providing a purpose; providing a limitation on fee waivers under the program; providing an exemption from tuition and fees for one online course at a state university for certain resident students; prohibiting a state university from charging such students more than a specified percentage of the tuition rate and the tuition differential under certain circumstances; providing a limitation on the application of such tuition discount; requiring each state university to report certain information regarding waivers under the program to the Board of Governors annually, etc. Effective Date: July 1, 2021

HB 847 - Florida Postsecondary Academic Library Network: Deletes provisions for Florida Academic Services Library Services Cooperative and Complete Florida Plus Program; revises provisions for statewide Internet-based catalog & online student advising services; provides duties for the Florida Postsecondary Academic Library Network. Effective Date: July 1, 2021

HB 871 - Sovereign Immunity for Child Protection Teams: Revises term "officer, employee, or agent" as it applies to immunity from personal liability to include members of Child Protection Teams in certain circumstances. Effective Date: July 1, 2021

HB 885 - Juvenile Justice Programs and Detention: Creates Accountability & Program Support Program within DJJ; requires court to consider specified information before ordering child into custody for failing to appear; requires each judicial circuit to develop plan in consultation with parties; requires DJJ to calculate annually & provide to each county that is not fiscally constrained & does not provide its own detention care for juveniles its annual percentage share of detention costs; authorizes DJJ to evaluate viability of alternative model for providing & funding education services for youth in detention & residential facilities. Effective Date: July 1, 2021

SB 1028 - Charter Schools: Providing that the limitation on lab schools does not apply to a school serving a military installation; authorizing state universities and Florida College System institutions to solicit applications and sponsor charter schools under certain circumstances; revising provisions relating to Florida College System institutions that are operating charter schools; revising requirements for a charter school to be a high-performing charter school, etc. Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2021

SB 1080 - Tobacco and Nicotine Products: Revising age limitations relating to mail order, Internet, and remote sales of tobacco products; providing that it is unlawful for persons under 21 years of age to smoke tobacco or vape in, on, or within 1,000 feet of the real property comprising a public or private elementary, middle, or secondary school during specified hours; preempting the establishment of the minimum age for purchasing and possessing, and the regulation for the marketing, sale, or delivery of, tobacco products to the state; requiring proof of age for certain purchases of tobacco products; requiring retail nicotine product dealers to acquire a permit, etc. Effective Date: 10/1/2021

SB 1108 - Education; Authorizing the Department of Education to hold patents, copyrights, trademarks, and service marks; establishing the Innovative Blended Learning and Real-Time Student Assessment Pilot Program within the department; requiring certain students to take a specified assessment relating to civic literacy; requiring certain postsecondary students to complete a civic literacy course and pass a specified assessment to demonstrate competency in civic literacy; requiring school districts to provide the SAT or ACT to grade 11 students beginning in a specified school year, etc. Effective Date: 7/1/2021

HB 1159 - Education: Authorizing a parent or guardian to request that his or her K-5 student be retained in a grade level for academic reasons for a specified school year; requiring that such a request be submitted in a specified manner; requiring school principals to consider such requests if they are timely received; authorizing school principals to consider requests that are not timely received; requiring a school principal who considers a request for retention to inform the student's teachers of the request and collaboratively discuss with the parent or guardian any basis for agreement or disagreement with the request; requiring the Commissioner of Education to provide learning growth data calculated in accordance with a certain formula to each school district by a specified date each year; revising the minimum qualifications for part-time and full-time nondegree teachers of career programs; revising the criteria for the Department of Education to issue a professional certificate; revising the goals of the program, etc. Effective Date: July 1, 2021

HB 1349 - Assistance Programs: Requires early learning coalition to give priority for participation in school readiness program to certain children; requires Office of Early Learning within DOE to coordinate with University of Florida Anita Zucker Center for Excellence in Early Childhood Studies to conduct analysis of certain assistance programs; requires DCF to provide certain assistance. Effective Date: July 1, 2021

HB 1507 - Workforce Related Programs and Services: Creates Office of Reimagining Education and Career Help; creates & revises provisions relating to workforce services including the Labor Market Estimating Conference, workforce

opportunity portal, state board composition, Credentials Review Committee, state plan requirements, waivers, local workforce development boards, Master Credentials List, CAPE Industry Certification Funding List, industry certifications, SEAS program, workforce development metrics, Florida Talent Development Council, Open Door Grant Program, preapprenticeship & apprenticeship program grants, Money-back Guarantee Program, automated consumer-first workforce system, career & education planning courses, digital credential courses, & student career service centers. Effective Date: July 1, 2021

SB 2500 - Appropriations: Providing moneys for the annual period beginning July 1, 2021, and ending June 30, 2022, and supplemental appropriations for the period ending June 30, 2021, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government, etc. Appropriation: \$94,958,184,153 Effective Date: Except as otherwise provided herein, this act shall take effect July 1, 2021, or upon becoming law, whichever occurs later; however, if this act becomes law after July 1, 2021, then it shall operate retroactively to July 1, 2021

SB 2502 - Implementing the 2021-2022 General Appropriations Act; Incorporating by reference certain calculations of the Florida Education Finance Program; extending for 1 fiscal year authorization for the Department of Education to provide certain appropriated funds to certain education television stations and public colleges and universities for public broadcasting; extending for 1 year the exemption of certain rules pertaining to the medical use of marijuana from certain rulemaking requirements; authorizing the Department of Children and Families to submit a budget amendment to realign funding for implementation of the Guardianship Assistance Program, etc. Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2021, or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2021

HB 5101 - Education Funding: Revises calculation for determining amount of state funds received by Florida Virtual School for operating purposes; repeals provisions relating to reading scholarship accounts; revises certain requirements for school districts providing virtual instruction programs; removes provisions relating to specified funding allocations; revises provisions relating to adjustments to minimum base salary of certain employees; requires school districts to use specified federal funding allocations for specified purposes; provides requirements relating to continued participation in reading scholarship accounts program. Effective Date: July 1, 2021

HB 5601 - Higher Education: Revises provisions relating to specified higher education programs & initiatives; repeals provisions relating to State University Professional & Graduate Degree Excellence Program, Complete Florida Plus Program, & Access to Better Learning & Education Grant Program; removes provisions relating to Florida Academic Library Services Cooperative; establishes Florida Postsecondary Academic Library Network; expands state university compensation limits to all state university employees. Effective Date: July 1, 2021

HB 7011 - Student Literacy: Provides & revises requirements relating to improvement of student literacy skills; requires DOE, in consultation with Office of Early Learning, to implement coordinated screening & progress monitoring system for VPK program through grade 8; establishes Reading Achievement Initiative for Scholastic Excellence Program within DOE; revises requirements relating to specified reading instruction allocation; revises requirements for certain instructional personnel & professional development program. ***The Governor approved 5/4/2021 with an effective date 7/1/2021.***

SB 7018 - Employer Contributions to Fund Retiree Benefits: Revising the employer contribution rates for the retiree health insurance subsidy as of a specified date; revising required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System, etc. Effective Date: 7/1/2021

HB 7033 - Task Force on Closing the Achievement Gap for Boys: Creates Task Force on Closing the Achievement Gap for Boys; provides task force purpose, membership, meetings, & future expiration; requires DOE to provide support & data & information to assist the task force; requires task force submit report; provides for future expiration of task force. Effective Date: upon becoming a law

HB 7045 - School Choice: Revises student eligibility requirements under Family Empowerment Scholarship program to include students with disabilities; revises provisions related to calculation of maximum amount of scholarship funds

granted to a student with disabilities; revises provisions related to funding and payment of scholarships awarded under program; providing requirements for use of funds under program; revising program administration obligations; repeals Gardiner Scholarship Program; provides for future repeal of John M. McKay Scholarships for Students with Disabilities Program; providing certain students with disabilities are eligible for enrollment in transition-to-work programs; revising amount of eligible contributions used for administrative expenses by an eligible nonprofit scholarship-funding organization under Florida Tax Credit Scholarship Program. Effective Date: July 1, 2021

2021-22 State Budget

The approved PreK-12 budget totals \$22.8 billion, of which \$12.9 billion are state funds and \$9.9 billion are local funds. The total FEFP decreased by \$149.1 million as a result of the decline in enrollment amidst the pandemic. Total education funding contains a Student Reserve Allocation of \$464.3 million, which will fund schools in the event that students return to public school post-pandemic recovery or students who participate in school choice voucher programs. In the previous fiscal year, schools were funded \$7,756 per student within the FEFP, with provided one-time hold harmless funding factored in. This year, the legislature increased the base student allocation by 1.2%, or \$53, providing a total of \$7,795 per student in FY 2021-22.

The FEFP also contains categorical funding for Teacher Salary increases (\$550 million), School Safety initiatives (\$180 million), Mental Health Assistance (\$120 million), Turnaround School Supplemental Services (\$24.4 million for low performing schools), and a Hold Harmless allocation (\$50.2 million.)

Outside of the FEFP, the legislature allocated \$313.7 million to public schools, pulling \$7.1 million from trust funds and the remaining \$306.6 million from the general revenue. These funds are allocated to various grants and programs to enhance community and educational experiences across the state.

In addition to budgeted funds, districts will receive one-time funding for COVID relief through CRRSA funds (\$2 billion) and the American Rescue Plan (\$7 billion). The American Rescue Plan funding includes an allocation for \$1,000 bonuses for teachers and principals (\$216 million), State Level Discretionary Funding (\$488 million), and the remaining \$6.3 billion for one-time emergency relief for districts. Additionally, Federal Grants will increase by \$417.3 million.

Other notable aspects of the budget include the maintenance of Bright Futures funding, removing only the book stipends for Florida Academic Scholars. Bright Futures is funded at \$623.3 million. The budget also includes allocations totaling \$569.8 million for school district workforce development, including the Workforce Development for Career Technical and Adult Education at \$372.3 million and the Pathways to Career Opportunities Grant Program for apprenticeships for \$10 million. There is also a \$75 million allocation for the New Worlds Reading Initiative, the new program to provide home book delivery for students to promote literacy improvement (HB 3).

Next, the budget will be sent to the Governor for his signature. He has the authority to veto spending and line items. The budget is effective July 1, 2021.

Governor’s Bill Activity 2021

The chart below is a running list of approved bills that have been sent to the Governor for his signature. This is current as of 5/7/2021.

Bill	Title	Date Presented	Governor's Deadline	Date Acted Upon	Action
SB 0072	Civil Liability for Damages Relating to COVID-19	3/29/2021	4/5/2021	3/29/2021	Approved
SB 0050	Taxation	4/12/2021	4/19/2021	4/19/2021	Approved
SB 2510	State Agency Law Enforcement Radio System	4/13/2021	4/20/2021	4/19/2021	Approved
SB 7054	Triumph Gulf Coast Trust Fund/Department of Economic Opportunity	4/13/2021	4/20/2021	4/19/2021	Approved
SB 7056	Trust Funds	4/13/2021	4/20/2021	4/19/2021	Approved
HB 0001	Combating Public Disorder	4/16/2021	4/23/2021	4/19/2021	Approved
SB 0088	Farming Operations	4/22/2021	4/29/2021	4/29/2021	Approved

SB 2006	Emergency Management	4/30/2021	5/15/2021	5/3/2021	Approved
HB 0419	Early Learning and Early Grade Success	5/3/2021	5/18/2021	5/4/2021	Approved
HB 7011	Student Literacy	5/3/2021	5/18/2021	5/4/2021	Approved
SB 0090	Election Administration	5/3/2021	5/18/2021	5/6/2021	Approved
SB 0530	Nonopioid Alternatives	5/6/2021	5/21/2021		
SB 0602	Business Organizations	5/6/2021	5/21/2021		
SB 1890	Campaign Financing	5/6/2021	5/21/2021		
SB 1080	Tobacco and Nicotine Products	5/7/2021	5/22/2021		
SB 1884	Preemption of Firearms and Ammunition Regulation	5/7/2021	5/22/2021		
HB 0035	Legal Notices	5/7/2021	5/22/2021		
SB 1080	Tobacco and Nicotine Products	5/7/2021	5/22/2021		
SB 1884	Preemption of Firearms and Ammunition Regulation	5/7/2021	5/22/2021		
HB 35	Legal Notices	5/7/2021	5/22/2021		
HB 67	Public Defender Duties	5/7/2021	5/22/2021		
HB 327	Public Records	5/7/2021	5/22/2021		
HB 353	Bicycle Operation Regulations	5/7/2021	5/22/2021		
HB 363	Privileged Communications Made to Crime Stoppers Organizations	5/7/2021	5/22/2021		
HB 369	Construction Contracting Regulation Exemption	5/7/2021	5/22/2021		
HB 379	Public Records	5/7/2021	5/22/2021		
HB 1239	Broadband Internet Infrastructure	5/7/2021	5/22/2021		
HB 1463	Department of Economic Opportunity	5/7/2021	5/22/2021		
HB 7037	A Review under the Open Government Sunset Review Act	5/7/2021	5/22/2021		

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