



Florida School Boards Association

*The voice of education in Florida.*

# Legislative Session Review Webinar 2015 Education Legislation

May 28, 2015



# HB 41

## Hazardous Walking Conditions

- The bill amends and adds to the existing conditions that may constitute a hazardous walking condition.
- The bill amends the process for inspection of a perceived hazardous walking condition to require that, upon the request of the superintendent, the condition must be inspected jointly by a representative from various entities.



# HB 41

## Hazardous Walking Conditions

- If the representatives agree that a hazardous walking condition exists, the governmental entity with jurisdiction must report that determination to the district school superintendent.
- If the representatives do not agree, the reasons must be reported to the district school superintendent, who must provide a report and recommendation to the school board.



# HB 41

## Hazardous Walking Conditions

- If a hazardous condition exists, the superintendent must request correction of the condition from the governmental entity with jurisdiction.
- The governmental entity must state whether the correction will be included in its next transportation work program and, if so, when correction will be completed.
- If correction will not be included in the work program, justification must be given to the superintendent and DOE.



# HB 41

## Hazardous Walking Conditions

- The bill provides that the designation of a hazardous walking condition is not admissible in evidence in a civil action for damages brought against a governmental entity.
- The bill does not prohibit a district school board and other governmental entities from entering into an interlocal agreement that addresses the identification and correction of hazardous walking conditions.



# HB 565

## Retirement

- The bill provides that, beginning July 1, 2015, and every 5 years thereafter, each local agency employer may, between July 1 and December 31, reassess its designation of positions for inclusion in the Senior Management Service Class and may request removal from the class of any such positions that it deems appropriate. Such removal will be effective on the first day of the month following written notification of removal to the division before January 1.



# SB 778

## Local Government Construction Preferences

- The bill prohibits any local laws that give preference to a local contractor in circumstances involving a competitive solicitation for construction services in which 50% or more of the cost will be paid from state-appropriated funds.
- Disclosure must be provided in the solicitation document that a local preference is not in effect for that project if the prohibitions contained within the bill apply.



# SB 7024

## State Board of Administration

- The bill directs the SBA to distribute any residual balance in the Fund B Surplus Funds Trust Fund (Fund B) to each participant in the Local Government Surplus Funds Trust Fund who did not receive a November 2007 interest payment on invested funds.
- Each participant will receive a proportional share of the total November 2007 interest earned which was not paid out but transferred to Fund B in order to maximize the payout of principal.





# HB 133

## Sexual Offenses

- The bill amends the punishment schedule for the offense of sexting, by including the issuance of a citation for first violations, which are classified as noncriminal violations. For a first violation, the minor must accept a citation indicating a promise to appear before the juvenile court.
- In lieu of appearing in court, the minor may complete 8 hours of community service, pay a \$60 penalty, or participate in a cyber-safety program.



# SB 538

## Disclosure of Sexually Explicit Images

- The bill prohibits a person from willfully and maliciously sexually cyberharassing another person. “Sexually cyberharass” is defined as publishing a sexually explicit image of a person to an Internet website without such person’s consent, for no legitimate purpose, and with the intent to cause substantial emotional distress to such person.
- The bill provides that a person who commits sexual cyberharassment commits a first degree misdemeanor. A second or subsequent violation is a third degree felony.



# SB 290

## Carrying a Concealed Firearm

- The bill provides the exemption to allow a person who lawfully possesses a weapon or firearm to carry it on or about his or her person while in the act of evacuating during a mandatory evacuation order issued during a declared state of emergency.
- As used in this context, the term “in the act of evacuating” means the immediate and urgent movement of a person away from the evacuation zone within 48 hours after a mandatory evacuation is ordered.



# HB 361

## Military Housing / Tax Exemptions

- The bill provides that property of the United States that is currently exempt from ad valorem taxation includes leasehold interests of, and improvements affixed to, land if the leasehold interest and improvements are used pursuant to the Military Housing Privatization Initiative of 1996. The bill exempts the actual housing units and directly-related facilities from taxation. The provisions of the bill apply retroactively to January 1, 2007.



# SB 378

## Juvenile Justice

- If a youth has committed a misdemeanor, the bill authorizes law enforcement to issue a simple warning to the youth or inform the youth's parents of the misdemeanor, as well as issue a civil citation or require participation in a similar diversion program.
- The use of a civil citation or participation in a similar diversion program may be used in up to two subsequent misdemeanors.
- If an arrest is made, law enforcement must provide documentation as to why the arrest was warranted.

# HB 541

## Athletic Trainers

- The bill requires an athletic trainer to work under the direction, rather than supervision, of a physician.
- Applicants must obtain a degree from a college or university professional athletic training degree program accredited by the Commission on Accreditation of Athletic Training Education and to pass the national examination to be certified by the Board of Certification.
- Applicants who apply on or after July 1, 2016, to undergo a criminal background check

# HB 541

## Athletic Trainers

- The bill removes the requirement that applicants must be at least 21 years of age.
- Applicants must be certified in both cardiopulmonary resuscitation and the use of an automated external defibrillator.
- The bill provides that practicing athletic training, representing oneself as an athletic trainer, or providing athletic trainer services to a patient without being licensed constitutes a first degree misdemeanor.



# SB 642

## Individuals with Disabilities

- The bill creates the Florida Achieving a Better Life Experience (ABLE) program to establish college savings accounts for individuals with disabilities.
- The Florida Prepaid College Board is directed to create Florida ABLE, Inc. as a direct support organization and non-profit corporation.
- Florida ABLE, Inc. is required to implement the Florida ABLE Program on or before July 1, 2016.





# SB 954

## Involuntary Examinations of Minors

- The bill requires a public school principal to immediately notify the parent of a student who is removed from school, school transportation, or a school-sponsored activity and taken to a receiving facility for an involuntary examination.
- The principal may delay notification for up to 24 hours if the principal deems the delay to be in the student's best interest.
- The bill requires each district school board to develop a policy and procedures for notification.



# SB 984

## Exemption from Lobbying Requirements

- The bill provides an exception to the “lobbyist expenditure ban” to provide that the term “expenditure” does not include the use of a public facility or public property that is made available by a governmental entity to a legislator for a public purpose, regardless of whether the governmental entity is required to register a person as a lobbyist.



# SB 7078

## Child Welfare

- The bill establishes local child abuse death review committees and includes a representative of the school district on the committee.
- The bill requires each district school board, charter school, and private school that accepts scholarship students to post a sign that contains the statewide toll-free telephone number of the central abuse hotline, instructions to call 911 for emergencies, and directions for accessing the Department of Children and Families Internet website for more information on reporting abuse, neglect, and exploitation.