

2003-B Special Session

Summary of Legislation Passed



*Compiled and Edited by
Office of the Senate Secretary*

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HB 85-B — Biomedical Research

by Rep. Byrd and others

The bill renames the Florida Biomedical Research Program as the James and Esther King Biomedical Research Program. Additionally, the bill provides an appropriation of \$3,540,998 from the Biomedical Research Trust Fund to the Department of Health to operate the James and Esther King Biomedical Research Program for FY 2003-2004.

If approved by the Governor, these provisions take effect July 1, 2003, or upon becoming a law, whichever occurs later.

Vote: Senate 38-0; House 110-0

HB 23-B — High School Graduation

by Rep. Quinones and others (CS/SB 8-B by Education Committee and Senators Diaz de la Portilla, Wilson, and Saunders)

This bill helps students meet the course and testing requirements for high school graduation. Students in 11th and 12th grade who transfer from another state or country do not have to spend additional time in school to meet course requirements. This provision is valid if the students:

- Meet all the requirements of the originating school district, state, or country.
- Earn the required grade point average.
- Pass the 10th grade FCAT or an approved alternate test.

For limited English proficient students, the bill provides the opportunity to receive immersion English language instruction during the summer following their senior year. This provision is contingent upon funding by the Legislature.

The bill requires specific learning opportunities for students who meet all the requirements for a standard high school diploma except for passing the 10th grade FCAT or an alternate assessment by the end of grade 12. These include:

- Participating in accelerated summer high school equivalency diploma preparation programs.
- Upon receipt of a certificate of completion, taking the College Placement Test and being admitted to remedial or credit courses at a state community college.
- Participating in adult general education programs until the student masters the subjects required for high school graduation.

Students attending adult general education programs can take the 10th grade FCAT for an unlimited number of times in order to receive a high school diploma. The bill provides an exemption from tuition and fees, including lab fees, for students attending adult basic, adult secondary, or vocational-preparatory instruction.

School district superintendents must notify students of the consequences of failure to receive a standard high school diploma, including the potential ineligibility for financial assistance at postsecondary institutions.

The bill requires the Commissioner of Education to determine the comparable validity of other available standardized tests and to approve the use of valid and reliable alternative assessments to the 10th grade FCAT for the 2002-2003 school year. Students who attain scores that equate to

the 10th grade FCAT passing rate on any of the approved tests satisfy the assessment requirement for a standard high school diploma for the 2002-2003 school year graduation class. Prior to the application of these alternative assessments in subsequent years, the Legislature must review their continued use.

If approved by the Governor, these provisions take effect upon becoming law and apply retroactively to any provision that specifically refers to the 2002-2003 school year.

Vote: Senate 38-0; House 109-2

HB 29-B — Elections

by Rep. Harrington and others (SB 10-B by Senators Cowin, Fasano, and Posey)

This bill retrofits many of Florida's existing election laws to meet the new, somewhat technical, election administration requirements in the federal Help America Vote Act of 2002, and continues the current moratorium on the second primary election through January 1, 2006.

Help America Vote Act (“HAVA”)

The federal government enacted HAVA in October 2002. HAVA contains a host of highly-technical substantive requirements for the administration of elections. It also authorizes the disbursement of funds to the States to help them meet their fiscal burden under the bill. Florida may receive as much as \$83 million dollars this fiscal year from HAVA disbursements, the bulk of which will be used to bring the State into compliance with the new federal requirements and for future election administration projects.

This bill brings Florida law into compliance with the new substantive federal election administration requirements. Some of the more significant provisions of the bill include:

- Expanded use of provisional ballots.
- New identification requirements for voters who have never voted in a county and register to vote by mail.
- New absentee ballot and voter registration procedures for voters who have never voted in a county and register to vote by mail.
- Development of a comprehensive statewide voter registration database.

Second Primary Moratorium

There will be no second primary election for the 2004 election cycle. The sole primary election in 2004 will be held nine weeks before the general election (August 31). The moratorium on the second primary election will continue through January 1, 2006. After that date, the second primary election will return by operation of law should the Legislature fail to affirmatively act to further suspend its operation or repeal it.

If approved by the Governor, these provisions take effect January 1, 2004, except as otherwise provided.

Vote: Senate 38-0; House 111-2