



515338

LEGISLATIVE ACTION

Senate	.	House
Comm: OO	.	
01/28/2016	.	
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	.	

Appropriations Subcommittee on Education (Gaetz) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 1001.67, Florida Statutes, is created to
read:

1001.67 Distinguished Florida College System Program.—A
collaborative partnership is established between the State Board
of Education and the Legislature to recognize the excellence of
Florida’s highest-performing Florida College system



515338

11 institutions.

12 (1) EXCELLENCE STANDARDS.—The following excellence
13 standards are established for the program:

14 (a) A 150 percent-of-normal-time completion rate of 50
15 percent or higher, as calculated by the Division of Florida
16 Colleges.

17 (b) A 150 percent-of-normal-time completion rate for Pell
18 Grant recipients of 40 percent or higher, as calculated by the
19 Division of Florida Colleges.

20 (c) A retention rate of 70 percent or higher, as calculated
21 by the Division of Florida Colleges.

22 (d) A continuing education, or transfer, rate of 72 percent
23 or higher for students graduating with an associate of arts
24 degree, as reported by the Florida Education and Training
25 Placement Information Program (FETPIP).

26 (e) A licensure passage rate on the National Council
27 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
28 percent or higher for first-time exam takers, as reported by the
29 Board of Nursing.

30 (f) A job placement or continuing education rate of 88
31 percent or higher for workforce programs, as reported by FETPIP.

32 (g) A time-to-degree for students graduating with an
33 associate of arts degree of 2.25 years or less for first-time-
34 in-college students with accelerated college credits, as
35 reported by the Southern Regional Education Board.

36 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of
37 Education shall designate each Florida College System
38 institution that meets five of the seven standards identified in
39 subsection (1) as a distinguished college.



515338

40 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida College System
41 institution designated as a distinguished college by the State
42 Board of Education is eligible for funding as specified in the
43 General Appropriations Act.

44 Section 2. Effective June 29, 2016, section 1004.935,
45 Florida Statutes, is amended to read:

46 1004.935 Adults with Disabilities Workforce Education ~~Pilot~~
47 Program.—

48 (1) The Adults with Disabilities Workforce Education ~~Pilot~~
49 Program is established in the Department of Education ~~through~~
50 ~~June 30, 2016,~~ in Hardee, DeSoto, Manatee, and Sarasota Counties
51 to provide the option of receiving a scholarship for instruction
52 at private schools for up to 30 students who:

53 (a) Have a disability;

54 (b) Are 22 years of age;

55 (c) Are receiving instruction from an instructor in a
56 private school to meet the high school graduation requirements
57 in s. 1002.3105(5) or s. 1003.4282;

58 (d) Do not have a standard high school diploma or a special
59 high school diploma; and

60 (e) Receive "supported employment services," which means
61 employment that is located or provided in an integrated work
62 setting with earnings paid on a commensurate wage basis and for
63 which continued support is needed for job maintenance.

64
65 As used in this section, the term "student with a disability"
66 includes a student who is documented as having an intellectual
67 disability; a speech impairment; a language impairment; a
68 hearing impairment, including deafness; a visual impairment,



515338

69 including blindness; a dual sensory impairment; an orthopedic
70 impairment; another health impairment; an emotional or
71 behavioral disability; a specific learning disability,
72 including, but not limited to, dyslexia, dyscalculia, or
73 developmental aphasia; a traumatic brain injury; a developmental
74 delay; or autism spectrum disorder.

75 (2) A student participating in the ~~pilot~~ program may
76 continue to participate in the program until the student
77 graduates from high school or reaches the age of 40 years,
78 whichever occurs first.

79 (3) Supported employment services may be provided at more
80 than one site.

81 (4) The provider of supported employment services must be a
82 nonprofit corporation under s. 501(c)(3) of the Internal Revenue
83 Code which serves Hardee County, DeSoto County, Manatee County,
84 or Sarasota County and must contract with a private school in
85 this state which meets the requirements in subsection (5).

86 (5) A private school that participates in the ~~pilot~~ program
87 may be sectarian or nonsectarian and must:

88 (a) Be academically accountable for meeting the educational
89 needs of the student by annually providing to the provider of
90 supported employment services a written explanation of the
91 student's progress.

92 (b) Comply with the antidiscrimination provisions of 42
93 U.S.C. s. 2000d.

94 (c) Meet state and local health and safety laws and codes.

95 (d) Provide to the provider of supported employment
96 services all documentation required for a student's
97 participation, including the private school's and student's fee



515338

98 schedules, at least 30 days before any quarterly scholarship
99 payment is made for the student. A student is not eligible to
100 receive a quarterly scholarship payment if the private school
101 fails to meet this deadline.

102

103 The inability of a private school to meet the requirements of
104 this subsection constitutes a basis for the ineligibility of the
105 private school to participate in the ~~pilot~~ program.

106 (6) (a) If the student chooses to participate in the ~~pilot~~
107 program and is accepted by the provider of supported employment
108 services, the student must notify the Department of Education of
109 his or her acceptance into the program 60 days before the first
110 scholarship payment and before participating in the ~~pilot~~
111 program in order to be eligible for the scholarship.

112 (b) Upon receipt of a scholarship warrant, the student or
113 parent to whom the warrant is made must restrictively endorse
114 the warrant to the provider of supported employment services for
115 deposit into the account of the provider. The student or parent
116 may not designate any entity or individual associated with the
117 participating provider of supported employment services as the
118 student's or parent's attorney in fact to endorse a scholarship
119 warrant. A participant who fails to comply with this paragraph
120 forfeits the scholarship.

121 (7) Funds for the scholarship shall be provided from the
122 appropriation from the school district's Workforce Development
123 Fund in the General Appropriations Act for students who reside
124 in the Hardee County School District, the DeSoto County School
125 District, the Manatee County School District, or the Sarasota
126 County School District. ~~During the pilot program,~~ The



127 scholarship amount granted for an eligible student with a
128 disability shall be equal to the cost per unit of a full-time
129 equivalent adult general education student, multiplied by the
130 adult general education funding factor, and multiplied by the
131 district cost differential pursuant to the formula required by
132 s. 1011.80(6)(a) for the district in which the student resides.

133 (8) Upon notification by the Department of Education that
134 it has received the required documentation, the Chief Financial
135 Officer shall make scholarship payments in four equal amounts no
136 later than September 1, November 1, February 1, and April 1 of
137 each academic year in which the scholarship is in force. The
138 initial payment shall be made after the Department of Education
139 verifies that the student was accepted into the ~~pilot~~ program,
140 and subsequent payments shall be made upon verification of
141 continued participation in the ~~pilot~~ program. Payment must be by
142 individual warrant made payable to the student or parent and
143 mailed by the Department of Education to the provider of
144 supported employment services, and the student or parent shall
145 restrictively endorse the warrant to the provider of supported
146 employment services for deposit into the account of that
147 provider.

148 (9) Subsequent to each scholarship payment, the Department
149 of Education shall request from the Department of Financial
150 Services a sample of endorsed warrants to review and confirm
151 compliance with endorsement requirements.

152 Section 3. Effective July 1, 2016, and upon the expiration
153 of the amendment to section 1011.62, Florida Statutes, made by
154 chapter 2015-222, Laws of Florida, paragraphs (e) and (o) of
155 subsection (1), paragraph (a) of subsection (4), and present



515338

156 subsection (13) of that section are amended, present subsections
157 (13), (14), and (15) of that section are redesignated as
158 subsections (14), (15), and (16), respectively, and a new
159 subsection (13) is added to that section, to read:

160 1011.62 Funds for operation of schools.—If the annual
161 allocation from the Florida Education Finance Program to each
162 district for operation of schools is not determined in the
163 annual appropriations act or the substantive bill implementing
164 the annual appropriations act, it shall be determined as
165 follows:

166 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
167 OPERATION.—The following procedure shall be followed in
168 determining the annual allocation to each district for
169 operation:

170 (e) *Funding model for exceptional student education*
171 *programs.*—

172 1.a. The funding model uses basic, at-risk, support levels
173 IV and V for exceptional students and career Florida Education
174 Finance Program cost factors, and a guaranteed allocation for
175 exceptional student education programs. Exceptional education
176 cost factors are determined by using a matrix of services to
177 document the services that each exceptional student will
178 receive. The nature and intensity of the services indicated on
179 the matrix shall be consistent with the services described in
180 each exceptional student's individual educational plan. The
181 Department of Education shall review and revise the descriptions
182 of the services and supports included in the matrix of services
183 for exceptional students and shall implement those revisions
184 before the beginning of the 2012-2013 school year.



515338

185 b. In order to generate funds using one of the two weighted
186 cost factors, a matrix of services must be completed at the time
187 of the student's initial placement into an exceptional student
188 education program and at least once every 3 years by personnel
189 who have received approved training. Nothing listed in the
190 matrix shall be construed as limiting the services a school
191 district must provide in order to ensure that exceptional
192 students are provided a free, appropriate public education.

193 c. Students identified as exceptional, in accordance with
194 chapter 6A-6, Florida Administrative Code, who do not have a
195 matrix of services as specified in sub-subparagraph b. shall
196 generate funds on the basis of full-time-equivalent student
197 membership in the Florida Education Finance Program at the same
198 funding level per student as provided for basic students.
199 Additional funds for these exceptional students will be provided
200 through the guaranteed allocation designated in subparagraph 2.

201 2. For students identified as exceptional who do not have a
202 matrix of services and students who are gifted in grades K
203 through 8, there is created a guaranteed allocation to provide
204 these students with a free appropriate public education, in
205 accordance with s. 1001.42(4)(1) and rules of the State Board of
206 Education, which shall be allocated initially ~~annually~~ to each
207 school district in the amount provided in the General
208 Appropriations Act. These funds shall be supplemental ~~in~~
209 ~~addition~~ to the funds appropriated for the basic funding level
210 ~~on the basis of FTE student membership in the Florida Education~~
211 ~~Finance Program~~, and the amount allocated for each school
212 district shall ~~not~~ be recalculated once during the year, based
213 on actual student membership from the October FTE survey. Upon



515338

214 recalculation, if the generated allocation is greater than the
215 amount provided in the General Appropriations Act, the total
216 shall be prorated to the level of the appropriation based on
217 each district's share of the total recalculated amount. These
218 funds shall be used to provide special education and related
219 services for exceptional students and students who are gifted in
220 grades K through 8. ~~Beginning with the 2007-2008 fiscal year,~~ A
221 district's expenditure of funds from the guaranteed allocation
222 for students in grades 9 through 12 who are gifted may not be
223 greater than the amount expended during the 2006-2007 fiscal
224 year for gifted students in grades 9 through 12.

225 (o) *Calculation of additional full-time equivalent*
226 *membership based on successful completion of a career-themed*
227 *course pursuant to ss. 1003.491, 1003.492, and 1003.493, or*
228 *courses with embedded CAPE industry certifications or CAPE*
229 *Digital Tool certificates, and issuance of industry*
230 *certification identified on the CAPE Industry Certification*
231 *Funding List pursuant to rules adopted by the State Board of*
232 *Education or CAPE Digital Tool certificates pursuant to s.*
233 *1003.4203.—*

234 1.a. A value of 0.025 full-time equivalent student
235 membership shall be calculated for CAPE Digital Tool
236 certificates earned by students in elementary and middle school
237 grades.

238 b. A value of 0.1 or 0.2 full-time equivalent student
239 membership shall be calculated for each student who completes a
240 course as defined in s. 1003.493(1)(b) or courses with embedded
241 CAPE industry certifications and who is issued an industry
242 certification identified annually on the CAPE Industry



515338

243 Certification Funding List approved under rules adopted by the
244 State Board of Education. A value of 0.2 full-time equivalent
245 membership shall be calculated for each student who is issued a
246 CAPE industry certification that has a statewide articulation
247 agreement for college credit approved by the State Board of
248 Education. For CAPE industry certifications that do not
249 articulate for college credit, the Department of Education shall
250 assign a full-time equivalent value of 0.1 for each
251 certification. Middle grades students who earn additional FTE
252 membership for a CAPE Digital Tool certificate pursuant to sub-
253 subparagraph a. may not use the previously funded examination to
254 satisfy the requirements for earning an industry certification
255 under this sub-subparagraph. Additional FTE membership for an
256 elementary or middle grades student may ~~shall~~ not exceed 0.1 for
257 certificates or certifications earned within the same fiscal
258 year. The State Board of Education shall include the assigned
259 values on the CAPE Industry Certification Funding List under
260 rules adopted by the state board. Such value shall be added to
261 the total full-time equivalent student membership for grades 6
262 through 12 in the subsequent year ~~for courses that were not~~
263 ~~provided through dual enrollment~~. CAPE industry certifications
264 earned through dual enrollment must be reported and funded
265 pursuant to s. 1011.80. However, if a student earns a
266 certification through a dual enrollment course and the
267 certification is not a fundable certification on the
268 postsecondary certification funding list, or the dual enrollment
269 certification is earned as a result of an agreement between a
270 school district and a nonpublic postsecondary institution, the
271 bonus value shall be funded in the same manner as other nondual



515338

272 enrollment course industry certifications. In such cases, the
273 school district may provide for an agreement between the high
274 school and the technical center, or the school district and the
275 postsecondary institution may enter into an agreement for
276 equitable distribution of the bonus funds.

277 c. A value of 0.3 full-time equivalent student membership
278 shall be calculated for student completion of the courses and
279 the embedded certifications identified on the CAPE Industry
280 Certification Funding List and approved by the commissioner
281 pursuant to ss. 1003.4203(5) (a) and 1008.44.

282 d. A value of 0.5 full-time equivalent student membership
283 shall be calculated for CAPE Acceleration Industry
284 Certifications that articulate for 15 to 29 college credit
285 hours, and 1.0 full-time equivalent student membership shall be
286 calculated for CAPE Acceleration Industry Certifications that
287 articulate for 30 or more college credit hours pursuant to CAPE
288 Acceleration Industry Certifications approved by the
289 commissioner pursuant to ss. 1003.4203(5) (b) and 1008.44.

290 2. Each district must allocate at least 80 percent of the
291 funds provided for CAPE industry certification, in accordance
292 with this paragraph, to the program that generated the funds.
293 This allocation may not be used to supplant funds provided for
294 basic operation of the program.

295 3. For CAPE industry certifications earned in the 2013-2014
296 school year and in subsequent years, the school district shall
297 distribute to each classroom teacher who provided direct
298 instruction toward the attainment of a CAPE industry
299 certification that qualified for additional full-time equivalent
300 membership under subparagraph 1.:



515338

301 a. A bonus ~~in the amount~~ of \$25 for each student taught by
302 a teacher who provided instruction in a course that led to the
303 attainment of a CAPE industry certification on the CAPE Industry
304 Certification Funding List with a weight of 0.1.

305 b. A bonus ~~in the amount~~ of \$50 for each student taught by
306 a teacher who provided instruction in a course that led to the
307 attainment of a CAPE industry certification on the CAPE Industry
308 Certification Funding List with a weight of 0.2, ~~0.3, 0.5, and~~
309 ~~1.0~~.

310 c. A bonus of \$75 for each student taught by a teacher who
311 provided instruction in a course that led to the attainment of a
312 CAPE industry certification on the CAPE Industry Certification
313 Funding List with a weight of 0.3.

314 d. A bonus of \$100 for each student taught by a teacher who
315 provided instruction in a course that led to the attainment of a
316 CAPE industry certification on the CAPE Industry Certification
317 Funding List with a weight of 0.5 or 1.0.

318
319 Bonuses awarded pursuant to this paragraph shall be provided to
320 teachers who are employed by the district in the year in which
321 the additional FTE membership calculation is included in the
322 calculation. Bonuses shall be calculated based upon the
323 associated weight of a CAPE industry certification on the CAPE
324 Industry Certification Funding List for the year in which the
325 certification is earned by the student. Any bonus awarded to a
326 teacher under this paragraph ~~may not exceed \$2,000 in any given~~
327 ~~school year and~~ is in addition to any regular wage or other
328 bonus the teacher received or is scheduled to receive.

329 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The



515338

330 Legislature shall prescribe the aggregate required local effort
331 for all school districts collectively as an item in the General
332 Appropriations Act for each fiscal year. The amount that each
333 district shall provide annually toward the cost of the Florida
334 Education Finance Program for kindergarten through grade 12
335 programs shall be calculated as follows:

336 (a) *Estimated taxable value calculations.*-

337 1.a. Not later than 2 working days before ~~prior to~~ July 19,
338 the Department of Revenue shall certify to the Commissioner of
339 Education its most recent estimate of the taxable value for
340 school purposes in each school district and the total for all
341 school districts in the state for the current calendar year
342 based on the latest available data obtained from the local
343 property appraisers. The value certified shall be the taxable
344 value for school purposes for that year, and no further
345 adjustments shall be made, except those made pursuant to
346 paragraphs (c) and (d), or an assessment roll change required by
347 final judicial decisions as specified in paragraph (15) (b)
348 ~~(14) (b)~~. Not later than July 19, the Commissioner of Education
349 shall compute a millage rate, rounded to the next highest one
350 one-thousandth of a mill, which, when applied to 96 percent of
351 the estimated state total taxable value for school purposes,
352 would generate the prescribed aggregate required local effort
353 for that year for all districts. The Commissioner of Education
354 shall certify to each district school board the millage rate,
355 computed as prescribed in this subparagraph, as the minimum
356 millage rate necessary to provide the district required local
357 effort for that year.

358 b. The General Appropriations Act shall direct the



515338

359 computation of the statewide adjusted aggregate amount for
360 required local effort for all school districts collectively from
361 ad valorem taxes to ensure that no school district's revenue
362 from required local effort millage will produce more than 90
363 percent of the district's total Florida Education Finance
364 Program calculation as calculated and adopted by the
365 Legislature, and the adjustment of the required local effort
366 millage rate of each district that produces more than 90 percent
367 of its total Florida Education Finance Program entitlement to a
368 level that will produce only 90 percent of its total Florida
369 Education Finance Program entitlement in the July calculation.

370 2. On the same date as the certification in sub-
371 subparagraph 1.a., the Department of Revenue shall certify to
372 the Commissioner of Education for each district:

373 a. Each year for which the property appraiser has certified
374 the taxable value pursuant to s. 193.122(2) or (3), if
375 applicable, since the prior certification under sub-subparagraph
376 1.a.

377 b. For each year identified in sub-subparagraph a., the
378 taxable value certified by the appraiser pursuant to s.
379 193.122(2) or (3), if applicable, since the prior certification
380 under sub-subparagraph 1.a. This is the certification that
381 reflects all final administrative actions of the value
382 adjustment board.

383 (13) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally
384 connected student supplement is created to provide supplemental
385 funding for school districts to support the education of
386 students connected with federally owned military installations,
387 National Aeronautics and Space Administration (NASA) real



515338

388 property, and Indian lands. To be eligible for this supplement,
389 the district must be eligible for federal Impact Aid Program
390 funds under s. 8003 of Title VIII of the Elementary and
391 Secondary Education Act of 1965. The supplement shall be
392 allocated annually to each eligible school district in the
393 amount provided in the General Appropriations Act. The
394 supplement shall be the sum of the student allocation and an
395 exempt property allocation.

396 (a) The student allocation shall be calculated based on the
397 number of students reported for federal Impact Aid Program
398 funds, including students with disabilities, who meet one of the
399 following criteria:

400 1. The student has a parent who is on active duty in the
401 uniformed services or is an accredited foreign government
402 official and military officer. Students with disabilities shall
403 also be reported separately for this category.

404 2. The student resides on eligible federally owned Indian
405 land. Students with disabilities shall also be reported
406 separately for this category.

407 3. The student resides with a civilian parent who lives or
408 works on eligible federal property connected with a military
409 installation or NASA. The number of these students shall be
410 multiplied by a factor of 0.5.

411 (b) The total number of federally connected students
412 calculated under paragraph (a) shall be multiplied by a
413 percentage of the base student allocation as provided in the
414 General Appropriations Act. The total of the number of students
415 with disabilities as reported separately under subparagraphs
416 (a)1. and (a)2. shall be multiplied by an additional percentage



515338

417 of the base student allocation as provided in the General
418 Appropriations Act. The base amount and the amount for students
419 with disabilities shall be summed to provide the student
420 allocation.

421 (c) The exempt property allocation shall be equal to the
422 tax-exempt value of federal impact aid lands reserved as
423 military installations, real property owned by NASA, or eligible
424 federally owned Indian lands located in the district, as of
425 January 1 of the previous year, multiplied by the millage
426 authorized and levied under s. 1011.71(2).

427 (14) ~~(13)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may
428 annually in the General Appropriations Act determine a
429 percentage increase in funds per K-12 unweighted FTE as a
430 minimum guarantee to each school district. The guarantee shall
431 be calculated from prior year base funding per unweighted FTE
432 student which shall include the adjusted FTE dollars as provided
433 in subsection (15) ~~(14)~~, quality guarantee funds, and actual
434 nonvoted discretionary local effort from taxes. From the base
435 funding per unweighted FTE, the increase shall be calculated for
436 the current year. The current year funds from which the
437 guarantee shall be determined shall include the adjusted FTE
438 dollars as provided in subsection (15) ~~(14)~~ and potential
439 nonvoted discretionary local effort from taxes. A comparison of
440 current year funds per unweighted FTE to prior year funds per
441 unweighted FTE shall be computed. For those school districts
442 which have less than the legislatively assigned percentage
443 increase, funds shall be provided to guarantee the assigned
444 percentage increase in funds per unweighted FTE student. Should
445 appropriated funds be less than the sum of this calculated



515338

446 amount for all districts, the commissioner shall prorate each
447 district's allocation. This provision shall be implemented to
448 the extent specifically funded.

449 Section 4. Effective July 1, 2016, and upon the expiration
450 of the amendment to section 1011.71, Florida Statutes, made by
451 chapter 2015-222, Laws of Florida, subsection (1) of that
452 section is amended to read:

453 1011.71 District school tax.—

454 (1) If the district school tax is not provided in the
455 General Appropriations Act or the substantive bill implementing
456 the General Appropriations Act, each district school board
457 desiring to participate in the state allocation of funds for
458 current operation as prescribed by s. 1011.62(15) ~~s. 1011.62(14)~~
459 shall levy on the taxable value for school purposes of the
460 district, exclusive of millage voted under ~~the provisions of s.~~
461 9(b) or s. 12, Art. VII of the State Constitution, a millage
462 rate not to exceed the amount certified by the commissioner as
463 the minimum millage rate necessary to provide the district
464 required local effort for the current year, pursuant to s.
465 1011.62(4)(a)1. In addition to the required local effort millage
466 levy, each district school board may levy a nonvoted current
467 operating discretionary millage. The Legislature shall prescribe
468 annually in the appropriations act the maximum amount of millage
469 a district may levy.

470 Section 5. Except as otherwise expressly provided in this
471 act, this act shall take effect July 1, 2016.

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473 ===== T I T L E A M E N D M E N T =====

474 And the title is amended as follows:



515338

475 Delete everything before the enacting clause
476 and insert:

477 A bill to be entitled
478 An act relating to education; creating s. 1001.67,
479 F.S.; establishing a collaboration between the state
480 board and the Legislature to designate certain Florida
481 College System institutions as distinguished colleges;
482 specifying standards for the designation; requiring
483 the state board to award the designation to certain
484 Florida College System institutions; providing that
485 the designated institutions are eligible for funding
486 as specified in the General Appropriations Act;
487 amending s. 1004.935, F.S.; deleting the scheduled
488 termination of the Adults with Disabilities Workforce
489 Education Pilot Program; changing the name of the
490 program to the "Adults with Disabilities Workforce
491 Education Program"; amending s. 1011.62, F.S.;
492 revising the calculation for certain supplemental
493 funds for exceptional student education programs;
494 requiring the funds to be prorated under certain
495 circumstances; revising the funding of full-time
496 equivalent values for students who earn CAPE industry
497 certifications through dual enrollment; deleting a
498 provision prohibiting a teacher's bonus from exceeding
499 a specified amount; creating a federally connected
500 student supplement for school districts; specifying
501 eligibility requirements and calculations for
502 allocations of the supplement; amending s. 1011.71,
503 F.S.; conforming a cross-reference; providing



515338

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effective dates.