

20212006er

1
2 An act relating to emergency management; amending s.
3 11.90, F.S.; authorizing the Legislative Budget
4 Commission to convene to transfer certain funds to the
5 Emergency Preparedness and Response Fund; amending s.
6 252.311, F.S.; revising legislative intent with
7 respect to the State Emergency Management Act;
8 amending s. 252.34, F.S.; defining terms; amending s.
9 252.35, F.S.; requiring that the state comprehensive
10 emergency management plan provide for certain public
11 health emergency communications and include the
12 Department of Health's public health emergency plan;
13 requiring the Division of Emergency Management to
14 cooperate with federal and state health agencies;
15 requiring statewide awareness and education programs
16 to include education on public health emergency
17 preparedness and mitigation; requiring the division to
18 complete and maintain an inventory of personal
19 protective equipment; directing the division to submit
20 a specified annual report to the Governor, the
21 Legislature, and the Chief Justice of the Supreme
22 Court; providing limitations on the timeframe for
23 delegation of certain authorities by the division;
24 requiring the division to submit a specified biennial
25 report to the Chief Justice of the Supreme Court;
26 amending s. 252.355, F.S.; requiring the division to
27 maintain certain information on special needs shelter
28 options during certain public health emergencies;
29 deleting obsolete language; amending s. 252.356, F.S.;

20212006er

30 requiring state agencies that contract with providers
31 for the care of persons with certain disabilities or
32 limitations to include in such contracts a procedure
33 for providing essential services in preparation for,
34 during, and following public health emergencies;
35 amending s. 252.359, F.S.; redefining the term
36 "essentials" to include personal protective equipment
37 used during public health emergencies; amending s.
38 252.36, F.S.; limiting the duration of emergency
39 orders, proclamations, and rules issued by the
40 Governor; providing legislative intent; providing a
41 presumption that K-12 public schools should remain
42 open, if possible, during an extended public health
43 emergency; providing a presumption that businesses
44 should remain open, if possible, during an extended
45 public health emergency; requiring the Governor to
46 include specific reasons for closing or restricting
47 in-person attendance at K-12 public schools and for
48 closing or restricting operations of businesses during
49 an extended public health emergency; requiring the
50 Governor to provide specific reasons if such schools
51 or businesses are closed as part of an emergency
52 declaration; requiring the Governor to regularly
53 review and reassess any issued emergency declarations;
54 requiring the Governor to provide notice of
55 declarations of emergencies to the Legislature;
56 expanding the Legislature's authority to terminate
57 states of emergency; requiring that all emergency
58 declarations and orders be filed with the Division of

20212006er

59 Administrative Hearings within a specified timeframe;
60 specifying that failure to timely file such
61 declarations or orders results in their being voided;
62 requiring the division to index such emergency orders
63 and make them available on its website within a
64 specified timeframe; requiring such orders to be
65 searchable by specified criteria; requiring that the
66 Division of Emergency Management publish a link to the
67 index on its website; directing the Governor to report
68 certain department and agency activities to the
69 Legislature during a state of emergency; authorizing
70 public service announcements by the Governor,
71 Lieutenant Governor, Surgeon General, Director of the
72 Division of Emergency Management, President of the
73 Senate, and Speaker of the House of Representatives
74 during a declared state of emergency; creating s.
75 252.3611, F.S.; requiring specified information to be
76 included in orders, proclamations, and rules issued by
77 the Governor, the division, or an agency; directing
78 specified entities to submit specified contracts and
79 reports to the Legislature; directing the Auditor
80 General to conduct specified financial audits;
81 amending s. 252.365, F.S.; requiring that disaster-
82 preparedness plans of specified agencies address
83 pandemics and other public health emergencies and
84 include certain increases in public access of
85 government services and availability and distribution
86 of personal protective equipment during an emergency;
87 directing agencies to update disaster preparedness

20212006er

88 plans by a specified date; amending s. 252.37, F.S.;

89 revising legislative intent; authorizing the Governor

90 to transfer and expend moneys from the Emergency

91 Preparedness and Response Fund; authorizing the

92 Governor to request that additional funds be

93 appropriated to the Emergency Preparedness and

94 Response Fund, subject to approval by the Legislative

95 Budget Commission, under specified conditions;

96 requiring an agency or political subdivision to submit

97 in advance a detailed spending plan for certain

98 emergency funds to the Legislature; providing an

99 exception; requiring an agency or political

100 subdivision to submit a certain notice and a project

101 worksheet to the Legislature under specified

102 conditions within a specified timeframe; amending s.

103 252.38, F.S.; providing a definition; providing

104 legislative intent; specifying requirements for the

105 purpose and scope of emergency orders; providing for

106 the automatic expiration of emergency orders;

107 authorizing the extension of emergency orders by a

108 majority vote of the governing body for a specified

109 duration; authorizing the Governor to invalidate

110 certain emergency orders; prohibiting the issuance of

111 certain emergency orders; amending s. 252.385, F.S.;

112 requiring the division's hurricane shelter plan to

113 address projected hurricane shelter needs during

114 public health emergencies; amending s. 252.44, F.S.;

115 requiring emergency mitigation planning by state

116 agencies to include agencies with jurisdiction over

20212006er

117 public health; amending s. 252.46, F.S.; providing
118 that a failure by a political subdivision to file
119 certain orders and rules with specified entities
120 within a specified timeframe voids the issued orders
121 or rules; requiring that certain orders be available
122 on a dedicated webpage; requiring the division to
123 provide links to such webpage on its website in a
124 specified format; requiring that orders issued by a
125 political subdivision which impose a curfew
126 restricting travel or movement allow persons to travel
127 during the curfew to and from their places of
128 employment; amending s. 377.703, F.S.; conforming a
129 cross-reference; amending s. 381.00315, F.S.; revising
130 a definition; directing the Department of Health, in
131 collaboration with specified entities, to develop a
132 specified public health emergency plan; requiring the
133 department to submit the plan to the division;
134 requiring the department to review and update the plan
135 as necessary; directing the State Health Officer to
136 establish methods of reporting certain data;
137 authorizing the State Health Officer to order and
138 request assistance with specified duties; revising the
139 duties of the State Health Officer during a declared
140 public health emergency; creating s. 381.00316, F.S.;
141 prohibiting a business entity from requiring patrons
142 or customers to provide documentation certifying
143 vaccination against or recovery from COVID-19;
144 prohibiting governmental entities from requiring
145 persons to provide documentation certifying

20212006er

146 vaccination against or recovery from COVID-19;
147 prohibiting educational institutions from requiring
148 students or residents to provide documentation
149 certifying vaccination against or recovery from COVID-
150 19; authorizing specified screening protocols;
151 providing application; providing noncriminal
152 penalties; authorizing the department to adopt rules;
153 amending s. 406.11, F.S.; requiring district medical
154 examiners to certify deaths and to assist the State
155 Health Officer with certain functions upon request;
156 providing effective dates.

157

158 Be It Enacted by the Legislature of the State of Florida:

159

160 Section 1. Contingent upon SB 1892 or similar legislation
161 creating the Emergency Preparedness and Response Fund taking
162 effect, subsection (8) is added to section 11.90, Florida
163 Statutes, to read:

164 11.90 Legislative Budget Commission.—

165 (8) The commission may convene to transfer unappropriated
166 surplus funds to the Emergency Preparedness and Response Fund.

167 Section 2. Section 252.311, Florida Statutes, is amended to
168 read:

169 252.311 Legislative intent.—

170 (1) The Legislature finds and declares that the state is
171 vulnerable to a wide range of emergencies, including natural,
172 technological, and manmade disasters, all of which threaten the
173 life, health, and safety of its people; damage and destroy
174 property; disrupt services and everyday business and

20212006er

175 recreational activities; and impede economic growth and
176 development. The Legislature further finds that this
177 vulnerability is exacerbated by the tremendous growth in the
178 state's population, especially the growth in the number of
179 persons residing in coastal areas, in the elderly population, in
180 the number of seasonal vacationers, and in the number of persons
181 with special needs. This growth has greatly complicated the
182 state's ability to coordinate its emergency management resources
183 and activities.

184 (2) It is the intent of the Legislature to reduce the
185 vulnerability of the people and property of this state; to
186 prepare for efficient evacuation and shelter of threatened or
187 affected persons; to provide for the rapid and orderly provision
188 of relief to persons and for the restoration of services and
189 property; to prepare for and efficiently respond to public
190 health emergencies; and to provide for the coordination of
191 activities relating to emergency preparedness, response,
192 recovery, and mitigation among and between agencies and
193 officials of this state, with similar agencies and officials of
194 other states, with local and federal governments, with
195 interstate organizations, and with the private sector.

196 (3) It is further the intent of the Legislature to promote
197 the state's emergency preparedness, response, recovery, and
198 mitigation capabilities through enhanced coordination, long-term
199 planning, and adequate funding. State policy for responding to
200 disasters is to support local emergency response efforts. In the
201 case of a major or catastrophic disaster, however, the needs of
202 residents and communities will likely be greater than local
203 resources. In these situations, the state must be capable of

20212006er

204 providing effective, coordinated, and timely support to
205 communities and the public. Therefore, the Legislature hereby
206 determines and declares that the provisions of this act fulfill
207 an important state interest.

208 (4) It is further the intent of the Legislature to minimize
209 the negative effects of an extended emergency, such as a
210 pandemic or another public health emergency. The Legislature
211 recognizes that there are significant negative impacts on
212 children and families associated with school closures during a
213 public health emergency such as the COVID-19 pandemic. The
214 Legislature also recognizes the significant negative impacts of
215 such emergencies on the economy due to business closures.

216 (5) It is further the intent of the Legislature that all
217 aspects of emergency preparedness, response, and recovery be
218 made transparent to the public to the greatest extent possible.

219 Section 3. Present subsections (9) and (10) of section
220 252.34, Florida Statutes, are redesignated as subsections (10)
221 and (12), respectively, and new subsection (9) and subsection
222 (11) are added to that section, to read:

223 252.34 Definitions.—As used in this part, the term:

224 (9) "Personal protective equipment" means protective
225 clothing or equipment designed to protect an individual person
226 from injury or the spread of infection.

227 (11) "Public health emergency" means any occurrence, or
228 threat thereof, whether natural or manmade, which results or may
229 result in substantial injury or harm to the public health from
230 infectious disease, chemical agents, nuclear agents, biological
231 toxins, or situations involving mass casualties or natural
232 disasters, declared as a public health emergency as declared by

20212006er

233 the State Health Officer.

234 Section 4. Subsection (2) of section 252.35, Florida
235 Statutes, is amended to read:

236 252.35 Emergency management powers; Division of Emergency
237 Management.—

238 (2) The division is responsible for carrying out the
239 provisions of ss. 252.31-252.90. In performing its duties, the
240 division shall:

241 (a) Prepare a state comprehensive emergency management
242 plan, which shall be integrated into and coordinated with the
243 emergency management plans and programs of the Federal
244 Government. The division shall ~~must~~ adopt the plan as a rule in
245 accordance with chapter 120. The plan must ~~shall~~ be implemented
246 by a continuous, integrated comprehensive emergency management
247 program. The plan must contain provisions to ensure that the
248 state is prepared for emergencies and minor, major, and
249 catastrophic disasters, and the division shall work closely with
250 local governments and agencies and organizations with emergency
251 management responsibilities in preparing and maintaining the
252 plan. The state comprehensive emergency management plan must
253 ~~shall~~ be operations oriented and:

254 1. Include an evacuation component that includes specific
255 regional and interregional planning provisions and promotes
256 intergovernmental coordination of evacuation activities. This
257 component must, at a minimum: contain guidelines for lifting
258 tolls on state highways; ensure coordination pertaining to
259 evacuees crossing county lines; set forth procedures for
260 directing people caught on evacuation routes to safe shelter;
261 establish strategies for ensuring sufficient, reasonably priced

20212006er

262 fueling locations along evacuation routes; and establish
263 policies and strategies for emergency medical evacuations.

264 2. Include a shelter component that includes specific
265 regional and interregional planning provisions and promotes
266 coordination of shelter activities between the public, private,
267 and nonprofit sectors. This component must, at a minimum:
268 contain strategies to ensure the availability of adequate public
269 shelter space in each region of the state; establish strategies
270 for refuge-of-last-resort programs; provide strategies to assist
271 local emergency management efforts to ensure that adequate
272 staffing plans exist for all shelters, including medical and
273 security personnel; provide for a postdisaster communications
274 system for public shelters; establish model shelter guidelines
275 for operations, registration, inventory, power generation
276 capability, information management, and staffing; and set forth
277 policy guidance for sheltering people with special needs.

278 3. Include a postdisaster response and recovery component
279 that includes specific regional and interregional planning
280 provisions and promotes intergovernmental coordination of
281 postdisaster response and recovery activities. This component
282 must provide for postdisaster response and recovery strategies
283 according to whether a disaster is minor, major, or
284 catastrophic. The postdisaster response and recovery component
285 must, at a minimum: establish the structure of the state's
286 postdisaster response and recovery organization; establish
287 procedures for activating the state's plan; set forth policies
288 used to guide postdisaster response and recovery activities;
289 describe the chain of command during the postdisaster response
290 and recovery period; describe initial and continuous

20212006er

291 postdisaster response and recovery actions; identify the roles
292 and responsibilities of each involved agency and organization;
293 provide for a comprehensive communications plan; establish
294 procedures for monitoring mutual aid agreements; provide for
295 rapid impact assessment teams; ensure the availability of an
296 effective statewide urban search and rescue program coordinated
297 with the fire services; ensure the existence of a comprehensive
298 statewide medical care and relief plan administered by the
299 Department of Health; and establish systems for coordinating
300 volunteers and accepting and distributing donated funds and
301 goods.

302 4. Include additional provisions addressing aspects of
303 preparedness, response, recovery, and mitigation as determined
304 necessary by the division.

305 5. Address the need for coordinated and expeditious
306 deployment of state resources, including the Florida National
307 Guard. In the case of an imminent major disaster, procedures
308 should address predeployment of the Florida National Guard, and,
309 in the case of an imminent catastrophic disaster, procedures
310 should address predeployment of the Florida National Guard and
311 the United States Armed Forces.

312 6. Establish a system of communications and warning to
313 ensure that the state's population and emergency management
314 agencies are warned of developing emergency situations,
315 including public health emergencies, and can communicate
316 emergency response decisions.

317 7. Establish guidelines and schedules for annual exercises
318 that evaluate the ability of the state and its political
319 subdivisions to respond to minor, major, and catastrophic

20212006er

320 disasters and support local emergency management agencies. Such
321 exercises shall be coordinated with local governments and, to
322 the extent possible, the Federal Government.

323 8. Assign lead and support responsibilities to state
324 agencies and personnel for emergency support functions and other
325 support activities.

326 9. Include the public health emergency plan developed by
327 the Department of Health pursuant to s. 381.00315.

328

329 The complete state comprehensive emergency management plan must
330 ~~shall~~ be submitted to the President of the Senate, the Speaker
331 of the House of Representatives, and the Governor on February 1
332 of every even-numbered year.

333 (b) Adopt standards and requirements for county emergency
334 management plans. The standards and requirements must ensure
335 that county plans are coordinated and consistent with the state
336 comprehensive emergency management plan. If a municipality
337 elects to establish an emergency management program, it must
338 adopt a city emergency management plan that complies with all
339 standards and requirements applicable to county emergency
340 management plans.

341 (c) Assist political subdivisions in preparing and
342 maintaining emergency management plans.

343 (d) Review periodically political subdivision emergency
344 management plans for consistency with the state comprehensive
345 emergency management plan and standards and requirements adopted
346 under this section.

347 (e) Cooperate with the President, the heads of the Armed
348 Forces, the various federal emergency management agencies,

20212006er

349 federal or state health agencies, and the officers and agencies
350 of other states in matters pertaining to emergency management in
351 the state and the nation and incidents thereof and, in
352 connection therewith, take any measures that it deems proper to
353 carry into effect any request of the President and the
354 appropriate federal officers and agencies for any emergency
355 management action, including the direction or control of:

356 1. Emergency management drills, tests, or exercises of
357 whatever nature.

358 2. Warnings and signals for tests and drills, attacks, or
359 other imminent emergencies or threats thereof and the mechanical
360 devices to be used in connection with such warnings and signals.

361 (f) Make recommendations to the Legislature, building code
362 organizations, and political subdivisions for zoning, building,
363 and other land use controls; safety measures for securing mobile
364 homes or other nonpermanent or semipermanent structures; and
365 other preparedness, prevention, and mitigation measures designed
366 to eliminate emergencies or reduce their impact.

367 (g) In accordance with the state comprehensive emergency
368 management plan and program for emergency management, ascertain
369 the requirements of the state and its political subdivisions for
370 equipment and supplies of all kinds in the event of an
371 emergency; plan for and either procure supplies, medicines,
372 materials, and equipment or enter into memoranda of agreement or
373 open purchase orders that will ensure their availability; and
374 use and employ from time to time any of the property, services,
375 and resources within the state in accordance with ss. 252.31-
376 252.90.

377 (h) Anticipate trends and promote innovations that will

20212006er

378 enhance the emergency management system.

379 (i) Institute statewide public awareness programs,
380 including. ~~This shall include~~ an intensive public educational
381 campaign on emergency preparedness issues. Such programs must
382 include, ~~including~~, but need not be limited to, the personal
383 responsibility of individual residents ~~citizens~~ to be self-
384 sufficient for up to 72 hours following a natural or manmade
385 disaster or a public health emergency. The public educational
386 campaign must ~~shall~~ include relevant information on public
387 health emergency mitigation, statewide disaster plans,
388 evacuation routes, fuel suppliers, and shelters. All educational
389 materials must be available in alternative formats and mediums
390 to ensure that they are available to persons with disabilities.

391 (j) In cooperation with the Department of Education,
392 coordinate with the Agency for Persons with Disabilities to
393 provide an educational outreach program on disaster preparedness
394 and readiness to individuals who have limited English skills and
395 identify persons who are in need of assistance but are not
396 defined under special-needs criteria.

397 (k) Prepare and distribute to appropriate state and local
398 officials catalogs of federal, state, and private assistance
399 programs.

400 (l) Coordinate federal, state, and local emergency
401 management activities and take all other steps, including the
402 partial or full mobilization of emergency management forces and
403 organizations in advance of an actual emergency, to ensure the
404 availability of adequately trained and equipped forces of
405 emergency management personnel before, during, and after
406 emergencies and disasters.

20212006er

407 (m) Establish a schedule of fees that may be charged by
408 local emergency management agencies for review of emergency
409 management plans on behalf of external agencies and
410 institutions. In establishing such schedule, the division shall
411 consider facility size, review complexity, and other factors.

412 (n) Implement training programs to improve the ability of
413 state and local emergency management personnel to prepare and
414 implement emergency management plans and programs. This shall
415 include a continuous training program for agencies and
416 individuals that will be called on to perform key roles in state
417 and local postdisaster response and recovery efforts and for
418 local government personnel on federal and state postdisaster
419 response and recovery strategies and procedures.

420 (o) Review periodically emergency operating procedures of
421 state agencies and recommend revisions as needed to ensure
422 consistency with the state comprehensive emergency management
423 plan and program.

424 (p) Make such surveys of industries, resources, and
425 facilities within the state, both public and private, as are
426 necessary to carry out the purposes of ss. 252.31-252.90.

427 (q) Prepare, in advance whenever possible, such executive
428 orders, proclamations, and rules for issuance by the Governor as
429 are necessary or appropriate for coping with emergencies and
430 disasters.

431 (r) Cooperate with the Federal Government and any public or
432 private agency or entity in achieving any purpose of ss. 252.31-
433 252.90 and in implementing programs for mitigation, preparation,
434 response, and recovery.

435 (s) Complete an inventory of portable generators owned by

20212006er

436 the state and local governments which are capable of operating
437 during a major disaster. The inventory must identify, at a
438 minimum, the location of each generator, the number of
439 generators stored at each specific location, the agency to which
440 each generator belongs, the primary use of the generator by the
441 owner agency, and the names, addresses, and telephone numbers of
442 persons having the authority to loan the stored generators as
443 authorized by the division during a declared emergency.

444 (t) Maintain an inventory list of generators owned by the
445 state and local governments. In addition, the division may keep
446 a list of private entities, along with appropriate contact
447 information, which offer generators for sale or lease. The list
448 of private entities shall be available to the public for
449 inspection in written and electronic formats.

450 (u) Acquire and maintain a supply of personal protective
451 equipment owned by the state for use by state agencies and to
452 assist local government and the private sector, when determined
453 to be necessary by the State Coordinating Officer, in meeting
454 safety needs during a declared emergency. The division shall
455 conduct regular inventories of the supply, which must include
456 projections of the need for additional personal protective
457 equipment, as assessed by each governmental agency, to maintain
458 the supply and replace expired items. The division shall
459 maintain and replace the equipment on a standardized schedule
460 that recognizes equipment expiration and obsolescence. This
461 paragraph is subject to appropriation. The initial inventory
462 must be reported by December 31, 2021, to the Governor, the
463 President of the Senate, the Speaker of the House of
464 Representatives, and the Chief Justice of the Supreme Court and,

20212006er

465 thereafter, the inventory must be reported by each December 31
466 to those officers.

467 (v) Assist political subdivisions with the creation and
468 training of urban search and rescue teams and promote the
469 development and maintenance of a state urban search and rescue
470 program.

471 (w)~~(w)~~ Delegate, as necessary and appropriate, authority
472 vested in it under ss. 252.31-252.90 and provide for the
473 subdelegation of such authority. The duration of each such
474 delegation or subdelegation during an emergency may not exceed
475 60 days; however a delegation or subdelegation may be renewed
476 during the emergency, as necessary.

477 (x)~~(w)~~ Report biennially to the President of the Senate,
478 the Speaker of the House of Representatives, the Chief Justice
479 of the Supreme Court, and the Governor, no later than February 1
480 of every odd-numbered year, the status of the emergency
481 management capabilities of the state and its political
482 subdivisions. This report must include the emergency management
483 capabilities related to public health emergencies, as determined
484 in collaboration with the Department of Health.

485 (y)~~(x)~~ In accordance with chapter 120, create, implement,
486 administer, adopt, amend, and rescind rules, programs, and plans
487 needed to carry out ~~the provisions of~~ ss. 252.31-252.90 with due
488 consideration for, and in cooperating with, the plans and
489 programs of the Federal Government. In addition, the division
490 may adopt rules in accordance with chapter 120 to administer and
491 distribute federal financial predisaster and postdisaster
492 assistance for prevention, mitigation, preparedness, response,
493 and recovery.

20212006er

494 ~~(z)~~~~(y)~~ Do other things necessary, incidental, or
495 appropriate for the implementation of ss. 252.31-252.90.

496 Section 5. Subsection (2) of section 252.355, Florida
497 Statutes, is amended to read:

498 252.355 Registry of persons with special needs; notice;
499 registration program.—

500 (2) In order to ensure that all persons with special needs
501 may register, the division shall develop and maintain a special
502 needs shelter registration program. During a public health
503 emergency in which physical distancing is necessary, as
504 determined by the State Health Officer, the division must
505 maintain information on special needs shelter options that
506 mitigate the threat of the spread of infectious diseases ~~The~~
507 ~~registration program must be developed by January 1, 2015, and~~
508 ~~fully implemented by March 1, 2015.~~

509 (a) The registration program shall include, at a minimum, a
510 uniform electronic registration form and a database for
511 uploading and storing submitted registration forms that may be
512 accessed by the appropriate local emergency management agency.
513 The link to the registration form shall be easily accessible on
514 each local emergency management agency's website. Upon receipt
515 of a paper registration form, the local emergency management
516 agency shall enter the person's registration information into
517 the database.

518 (b) To assist in identifying persons with special needs,
519 home health agencies, hospices, nurse registries, home medical
520 equipment providers, the Department of Children and Families,
521 the Department of Health, the Agency for Health Care
522 Administration, the Department of Education, the Agency for

20212006er

523 Persons with Disabilities, the Department of Elderly Affairs,
524 and memory disorder clinics shall, and any physician licensed
525 under chapter 458 or chapter 459 and any pharmacy licensed under
526 chapter 465 may, annually provide registration information to
527 all of their special needs clients or their caregivers. The
528 division shall develop a brochure that provides information
529 regarding special needs shelter registration procedures. The
530 brochure must be easily accessible on the division's website.
531 All appropriate agencies and community-based service providers,
532 including aging and disability resource centers, memory disorder
533 clinics, home health care providers, hospices, nurse registries,
534 and home medical equipment providers, shall, and any physician
535 licensed under chapter 458 or chapter 459 may, assist emergency
536 management agencies by annually registering persons with special
537 needs for special needs shelters, collecting registration
538 information for persons with special needs as part of the
539 program intake process, and establishing programs to educate
540 clients about the registration process and disaster preparedness
541 safety procedures. A client of a state-funded or federally
542 funded service program who has a physical, mental, or cognitive
543 impairment or sensory disability and who needs assistance in
544 evacuating, or when in a shelter, must register as a person with
545 special needs. The registration program shall give persons with
546 special needs the option of preauthorizing emergency response
547 personnel to enter their homes during search and rescue
548 operations if necessary to ensure their safety and welfare
549 following disasters.

550 (c) The division shall be the designated lead agency
551 responsible for community education and outreach to the public,

20212006er

552 including special needs clients, regarding registration and
553 special needs shelters and general information regarding shelter
554 stays.

555 (d) On or before May 31 of each year, each electric utility
556 in the state shall annually notify residential customers in its
557 service area of the availability of the registration program
558 available through their local emergency management agency by:

559 1. An initial notification upon the activation of new
560 residential service with the electric utility, followed by one
561 annual notification between January 1 and May 31; or

562 2. Two separate annual notifications between January 1 and
563 May 31.

564
565 The notification may be made by any available means, including,
566 but not limited to, written, electronic, or verbal notification,
567 and may be made concurrently with any other notification to
568 residential customers required by law or rule.

569 Section 6. Subsection (5) of section 252.356, Florida
570 Statutes, is amended to read:

571 252.356 Emergency and disaster planning provisions to
572 assist persons with disabilities or limitations.—State agencies
573 that contract with providers for the care of persons with
574 disabilities or limitations that make such persons dependent
575 upon the care of others shall include emergency and disaster
576 planning provisions in such contracts at the time the contracts
577 are initiated or upon renewal. These provisions shall include,
578 but shall not be limited to:

579 (5) A procedure for providing the essential services the
580 organization currently provides to special needs clients in

20212006er

581 preparation for, ~~and~~ during, and following, a disaster,
582 including, but not limited to, a public health emergency.

583 Section 7. Subsection (2) of section 252.359, Florida
584 Statutes, is amended to read:

585 252.359 Ensuring availability of emergency supplies.—

586 (2) As used in this section, the term “essentials” means
587 goods that are consumed or used as a direct result of a declared
588 emergency, or that are consumed or used to preserve, protect, or
589 sustain life, health, safety, or economic well-being. The term
590 includes, but is not limited to, personal protective equipment
591 used in the event of a public health emergency.

592 Section 8. Present subsections (3) through (10) of section
593 252.36, Florida Statutes, are redesignated as subsections (4)
594 through (11), respectively, a new subsection (3) and subsection
595 (12) are added to that section, and subsections (1) and (2) and
596 paragraph (c) of present subsection (5) of that section are
597 amended, to read:

598 252.36 Emergency management powers of the Governor.—

599 (1) (a) The Governor is responsible for meeting the dangers
600 presented to this state and its people by emergencies. In the
601 event of an emergency beyond local control, the Governor, or, in
602 the Governor’s absence, her or his successor as provided by law,
603 may assume direct operational control over all or any part of
604 the emergency management functions within this state, and she or
605 he shall have the power through proper process of law to carry
606 out the provisions of this section. The Governor is authorized
607 to delegate such powers as she or he may deem prudent.

608 (b) Pursuant to the authority vested in her or him under
609 paragraph (a), the Governor may issue executive orders,

20212006er

610 proclamations, and rules and may amend or rescind them. Such
611 executive orders, proclamations, and rules shall have the force
612 and effect of law. An executive order, a proclamation, or a rule
613 must be limited to a duration of not more than 60 days and may
614 be renewed as necessary during the duration of the emergency. If
615 renewed, the order, proclamation, or rule must specifically
616 state which provisions are being renewed.

617 (c) The Legislature intends that, during an extended public
618 health emergency, such as the COVID-19 pandemic, there should be
619 a presumption that K-12 public schools, to the greatest extent
620 possible, should remain open so long as the health and safety of
621 students and school personnel can be maintained by specific
622 public health mitigation strategies recommended by federal or
623 state health agencies for educational settings. The Legislature
624 also intends that during such an event, there be a presumption
625 that businesses should remain open to the greatest extent
626 possible so long as the health and safety of employees and
627 customers can be reasonably protected by specific public health
628 mitigation strategies recommended by federal or state health
629 agencies, including, but not limited, to the Occupational Safety
630 and Health Administration.

631 1. If the Governor declares by executive order or
632 proclamation that the emergency requires closure of or
633 restricted in-person attendance at K-12 public schools, the
634 executive order or proclamation must contain specific reasons
635 for those determinations, and he or she must review and reassess
636 the situation regularly.

637 2. If the Governor declares by executive order or
638 proclamation that the emergency requires businesses to restrict

20212006er

639 their operations or close, the executive order or proclamation
640 must contain specific reasons for those determinations, and he
641 or she must review and reassess the situation regularly.

642 (2) A state of emergency must ~~shall~~ be declared by
643 executive order or proclamation of the Governor if she or he
644 finds an emergency has occurred or that the occurrence or the
645 threat thereof is imminent. The state of emergency must ~~shall~~
646 continue until the Governor finds that the threat or danger has
647 been dealt with to the extent that the emergency conditions no
648 longer exist and she or he terminates the state of emergency by
649 executive order or proclamation, but no state of emergency may
650 continue for longer than 60 days unless renewed by the Governor.
651 ~~The Legislature by concurrent resolution may terminate a state~~
652 ~~of emergency at any time. Thereupon, the Governor shall issue an~~
653 ~~executive order or proclamation ending the state of emergency.~~
654 All executive orders or proclamations issued under this section
655 must ~~shall~~ indicate the nature of the emergency, the area or
656 areas threatened, and the conditions which ~~have~~ brought the
657 emergency about or which make possible its termination. An
658 executive order or proclamation must ~~shall~~ be promptly
659 disseminated by means calculated to bring its contents to the
660 attention of the general public; and, unless the circumstances
661 attendant upon the emergency prevent or impede such filing, the
662 order or proclamation must ~~shall~~ be filed promptly with the
663 Department of State, the President of the Senate and the Speaker
664 of the House of Representatives, and ~~in~~ the offices of the
665 county commissioners in the counties to which the order or
666 proclamation applies.

667 (3) (a) At any time, the Legislature, by concurrent

20212006er

668 resolution, may terminate a state of emergency or any specific
669 order, proclamation, or rule thereunder. Upon such concurrent
670 resolution, the Governor shall issue an executive order or
671 proclamation consistent with the concurrent resolution.

672 (b) Notwithstanding s. 252.46(2), all emergency
673 declarations and orders, regardless of how titled, issued under
674 the authority of this part by the Governor or any agency,
675 whether by direct, delegated, or subdelegated authority, before,
676 during, or after a declared emergency, must be immediately filed
677 with the Division of Administrative Hearings. Failure to file
678 any such declaration or order with the division within 5 days
679 after issuance voids the declaration or order. The division
680 shall index all such declarations and orders and make them
681 available in searchable format on its website within 3 days of
682 filing. The searchable format must include, but is not limited
683 to, searches by term, referenced statutes, and rules and must
684 include a search category that specifically identifies emergency
685 orders in effect at any given time. A link to the division's
686 index must be placed in a conspicuous location on the Division
687 of Emergency Management's website.

688 (6)(5) In addition to any other powers conferred upon the
689 Governor by law, she or he may:

690 (c) Transfer the direction, personnel, or functions of
691 state departments and agencies or units thereof for the purpose
692 of performing or facilitating emergency services. The transfer
693 of the direction, personnel, or functions of state departments
694 and agencies must be reported monthly on a cumulative basis to
695 the President of the Senate and the Speaker of the House of
696 Representatives.

20212006er

697 (12) During a declared state of emergency, the Governor,
698 the Lieutenant Governor, the Surgeon General, the Director of
699 the Division of Emergency Management, the President of the
700 Senate, and the Speaker of the House of Representatives may
701 disseminate public service announcements concerning the
702 emergency and the provisions of ss. 112.3148 and 112.3215 do not
703 apply.

704 Section 9. Section 252.3611, Florida Statutes, is created
705 to read:

706 252.3611 Transparency; audits.—

707 (1) Each order, proclamation, or rule issued by the
708 Governor, the division, or any agency must specify the statute
709 or rule being amended or waived, if applicable, and the
710 expiration date for the order, proclamation, or rule.

711 (2) When the duration of an emergency exceeds 90 days:

712 (a) Within 72 hours of executing a contract executed with
713 moneys authorized for expenditure to support the response to the
714 declared state of emergency, the Executive Office of the
715 Governor or the appropriate agency shall submit a copy of such
716 contract to the Legislature. For contracts executed during the
717 first 90 days of the emergency, the Executive Office of the
718 Governor or the appropriate agency shall submit a copy to the
719 Legislature within the first 120 days of the declared emergency.

720 (b) The Executive Office of the Governor or the appropriate
721 agency shall submit monthly reports to the Legislature of all
722 state expenditures, revenues received, and funds transferred by
723 an agency during the previous month to support the declared
724 state of emergency.

725 (3) Once an emergency exceeds 1 year, the Auditor General

20212006er

726 shall conduct a financial audit of all associated expenditures
727 and a compliance audit of all associated contracts entered into
728 during the declared emergency. The Auditor General must update
729 the audit annually until the emergency is declared to be ended.

730 (4) Following the expiration or termination of a state of
731 emergency, the Auditor General shall conduct a financial audit
732 of all associated expenditures and a compliance audit of all
733 associated contracts entered into during the state of emergency.

734 Section 10. Subsection (3) of section 252.365, Florida
735 Statutes, is amended to read:

736 252.365 Emergency coordination officers; disaster-
737 preparedness plans.—

738 (3) Emergency coordination officers shall ensure ~~These~~
739 ~~individuals shall be responsible for ensuring~~ that each state
740 agency and facility, such as a prison, office building, or
741 university, has a disaster preparedness plan that is coordinated
742 with the applicable local emergency-management agency and
743 approved by the division.

744 (a) The disaster-preparedness plan must outline a
745 comprehensive and effective program to ensure continuity of
746 essential state functions under all circumstances, including,
747 but not limited to, a pandemic or other public health emergency.

748 The plan must identify a baseline of preparedness for a full
749 range of potential emergencies to establish a viable capability
750 to perform essential functions during any emergency or other
751 situation that disrupts normal operations. This baseline must
752 consider and include preparedness for rapid and large-scale
753 increases in the public's need to access government services
754 through technology or other means during an emergency,

20212006er

755 including, but not limited to, a public health emergency.

756 (b) The plan must include, at a minimum, the following
757 elements: identification of essential functions, programs, and
758 personnel; procedures to implement the plan and personnel
759 notification and accountability; delegations of authority and
760 lines of succession; identification of alternative facilities
761 and related infrastructure, including those for communications;
762 identification and protection of vital records and databases;
763 provisions regarding the availability of, and distribution plans
764 for, personal protective equipment; and schedules and procedures
765 for periodic tests, training, and exercises.

766 (c) The division shall develop and distribute guidelines
767 for developing and implementing the plan. By December 31, 2022,
768 each agency must update its plan to include provisions related
769 to preparation for pandemics and other public health emergencies
770 consistent with the plan developed pursuant to s. 381.00315.
771 Each agency plan must be updated as needed to remain consistent
772 with the state public health emergency management plan.

773 Section 11. Subsections (7) and (8) are added to section
774 252.37, Florida Statutes, and subsection (2) of that section is
775 amended, contingent upon SB 1892 or similar legislation creating
776 the Emergency Preparedness and Response Fund taking effect, to
777 read:

778 252.37 Financing.—

779 (2) (a) It is the legislative intent that the first recourse
780 be made to funds specifically ~~regularly~~ appropriated to state
781 and local agencies for disaster relief or response.

782 (b) If the Governor finds that the demands placed upon
783 these funds in coping with a particular disaster declared by the

20212006er

784 Governor as a state of emergency are unreasonably great, she or
785 he may make funds available by transferring and expending moneys
786 ~~appropriated for other purposes, by transferring and expending~~
787 ~~moneys out of any unappropriated surplus funds, or from the~~
788 Emergency Preparedness and Response Budget Stabilization Fund.
789 The Governor may request additional funds to be appropriated to
790 the Emergency Preparedness and Response Fund by a budget
791 amendment, subject to approval of the Legislative Budget
792 Commission.

793 (c) Following the expiration or termination of the state of
794 emergency, the Governor may transfer moneys with a budget
795 amendment, subject to approval by the Legislative Budget
796 Commission, to satisfy the budget authority granted for such
797 emergency. The transfers and expenditures supporting the
798 amendment must be directly related to the declared disaster or
799 emergency.

800 (7) An agency or political subdivision shall submit in
801 advance a detailed spending plan for any grants, gifts, loans,
802 funds, payments, services, equipment, supplies, or materials in
803 aid of or for the purposes of emergency prevention, recovery,
804 mitigation, preparedness, and management, other than emergency
805 response, received under this section to the President of the
806 Senate, the Speaker of the House of Representatives, and the
807 chairs of the legislative appropriations committees. This
808 paragraph does not apply to the receipt of any funds from an
809 agency, department, or other affiliated entity of the Federal
810 Government as part of an expedited project worksheet in
811 anticipation of emergency response expenditures. If an emergency
812 situation precludes the timely advanced submission of a detailed

20212006er

813 spending plan, the plan must be submitted as soon as
814 practicable, but not later than 30 days after initiation of any
815 expenditures, and be resubmitted every 30 days as long as the
816 emergency continues and funds continue to be disbursed.

817 (8) For emergency response activities, including an
818 emergency response that includes emergency protective measures
819 or debris removal, the agency or political subdivision is not
820 required to provide a detailed spending plan in advance of
821 expenditures, but must provide notice to the President of the
822 Senate, the Speaker of the House of Representatives, and the
823 chairs of the legislative appropriations committees of all
824 expenditures in aggregate categories incurred in the emergency
825 response no later than 30 days after the expenditure is
826 incurred, and a copy of any project worksheet submitted to the
827 Federal Emergency Management Agency must be submitted to the
828 same parties no later than 7 days after it is submitted to the
829 Federal Emergency Management Agency.

830 Section 12. Subsection (4) is added to section 252.38,
831 Florida Statutes, to read:

832 252.38 Emergency management powers of political
833 subdivisions.—Safeguarding the life and property of its citizens
834 is an innate responsibility of the governing body of each
835 political subdivision of the state.

836 (4) EXPIRATION AND EXTENSION OF EMERGENCY ORDERS.—

837 (a) As used in this subsection, the term "emergency order"
838 means an order or ordinance issued or enacted by a political
839 subdivision in response to an emergency pursuant to this chapter
840 or chapter 381 that limits the rights or liberties of
841 individuals or businesses within the political subdivision. The

20212006er

842 term does not apply to orders issued in response to hurricanes
843 or other weather-related emergencies.

844 (b) It is the intent of the Legislature to minimize the
845 negative effects of an emergency order issued by a political
846 subdivision. Notwithstanding any other law, an emergency order
847 issued by a political subdivision must be narrowly tailored to
848 serve a compelling public health or safety purpose. Any such
849 emergency order must be limited in duration, applicability, and
850 scope in order to reduce any infringement on individual rights
851 or liberties to the greatest extent possible.

852 (c) An emergency order automatically expires 7 days after
853 issuance but may be extended by a majority vote of the governing
854 body of the political subdivision, as necessary, in 7-day
855 increments for a total duration of not more than 42 days.

856 (d) The Governor may, at any time, invalidate an emergency
857 order issued by a political subdivision if the Governor
858 determines that such order unnecessarily restricts individual
859 rights or liberties.

860 (e) Upon the expiration of an emergency order, a political
861 subdivision may not issue a substantially similar order.

862 Section 13. Subsections (1), (2), and (3) of section
863 252.385, Florida Statutes, are amended to read:

864 252.385 Public shelter space.—

865 (1) It is the intent of the Legislature that this state not
866 have a deficit of safe public hurricane evacuation shelter space
867 in any region of the state ~~by 1998 and thereafter.~~

868 (2) (a) The division shall administer a program to survey
869 existing schools, universities, community colleges, and other
870 state-owned, municipally owned, and county-owned public

20212006er

871 buildings and any private facility that the owner, in writing,
872 agrees to provide for use as a public hurricane evacuation
873 shelter to identify those that are appropriately designed and
874 located to serve as such shelters. The owners of the facilities
875 must be given the opportunity to participate in the surveys. The
876 state university boards of trustees, district school boards,
877 community college boards of trustees, and the Department of
878 Education are responsible for coordinating and implementing the
879 survey of public schools, universities, and community colleges
880 with the division or the local emergency management agency.

881 (b) By January 31 of each even-numbered year, the division
882 shall prepare and submit a statewide emergency shelter plan to
883 the Governor and Cabinet for approval, subject to the
884 requirements for approval in s. 1013.37(2). The emergency
885 shelter plan must project, for each of the next 5 years, the
886 hurricane shelter needs of the state, including periods of time
887 during which a concurrent public health emergency may
888 necessitate more space for each individual to accommodate
889 physical distancing. In addition to information on the general
890 shelter needs throughout this state, the plan must shall
891 identify the general location and square footage of special
892 needs shelters, by regional planning council region, ~~during the~~
893 ~~next 5 years~~. The plan must shall also include information on
894 the availability of shelters that accept pets. The Department of
895 Health shall assist the division in determining the estimated
896 need for special needs shelter space and the adequacy of
897 facilities to meet the needs of persons with special needs based
898 on information from the registries of persons with special needs
899 and other information.

20212006er

900 (3) The division shall annually provide to the President of
901 the Senate, the Speaker of the House of Representatives, and the
902 Governor a list of facilities recommended to be retrofitted
903 using state funds. State funds should be maximized and targeted
904 to regional planning council regions with hurricane evacuation
905 shelter deficits. ~~Retrofitting facilities in regions with public~~
906 ~~hurricane evacuation shelter deficits shall be given first~~
907 ~~priority and should be completed by 2003. All recommended~~
908 ~~facilities should be retrofitted by 2008.~~ The owner or lessee of
909 a public hurricane evacuation shelter that is included on the
910 list of facilities recommended for retrofitting is not required
911 to perform any recommended improvements.

912 Section 14. Subsection (1) of section 252.44, Florida
913 Statutes, is amended to read:

914 252.44 Emergency mitigation.—

915 (1) In addition to prevention measures included in the
916 state and local comprehensive emergency management plans, the
917 Governor shall consider on a continuing basis steps that could
918 be taken to mitigate the harmful consequences of emergencies. At
919 the Governor's direction and pursuant to any other authority and
920 competence they have, state agencies, including, but not limited
921 to, those charged with responsibilities in connection with
922 protecting and maintaining the public health, flood plain
923 management, stream encroachment and flow regulation, weather
924 modification, fire prevention and control, air quality, public
925 works, land use and land use planning, and construction
926 standards, shall make studies of emergency-mitigation-related
927 matters. The Governor, from time to time, shall make such
928 recommendations to the Legislature, local governments, and other

20212006er

929 appropriate public and private entities as may facilitate
930 measures for mitigation of the harmful consequences of
931 emergencies.

932 Section 15. Present subsection (3) of section 252.46,
933 Florida Statutes, is redesignated as subsection (5), a new
934 subsection (3) and subsection (4) are added to that section, and
935 subsection (2) of that section is amended, to read:

936 252.46 Orders and rules.—

937 (2) All orders and rules adopted by the division or any
938 political subdivision or other agency authorized by ss. 252.31-
939 252.90 to make orders and rules have full force and effect of
940 law after adoption in accordance with ~~the provisions of~~ chapter
941 120 in the event of issuance by the division or any state agency
942 or, if adopted ~~promulgated~~ by a political subdivision of the
943 state or agency thereof, when filed in the office of the clerk
944 or recorder of the political subdivision or agency adopting
945 ~~promulgating~~ the same. Failure of a political subdivision to
946 file any such order or rule with the office of the clerk or
947 recorder within 3 days after issuance voids the order or rule.
948 All existing laws, ordinances, and rules inconsistent with ~~the~~
949 ~~provisions of~~ ss. 252.31-252.90, or any order or rule issued
950 under the authority of ss. 252.31-252.90, must ~~shall~~ be
951 suspended during the period of time and to the extent that such
952 conflict exists.

953 (3) Emergency ordinances, declarations, and orders adopted
954 by a political subdivision under the authority of ss. 252.31-
955 252.90, including those enacted by a municipality pursuant to s.
956 166.041(3) (b), must be available on a dedicated webpage
957 accessible through a conspicuous link on the political

20212006er

958 subdivision's homepage. The dedicated webpage must identify the
959 emergency ordinances, declarations, and orders currently in
960 effect. Each political subdivision adopting emergency
961 ordinances, declarations, or orders must provide the division
962 with the link to the political subdivision's dedicated webpage.
963 The division must include these links in an easily identifiable
964 format on its website.

965 (4) An order issued by a political subdivision pursuant to
966 this section which imposes a curfew restricting the travel or
967 movement of persons during designated times must nonetheless
968 allow persons to travel during the curfew to their places of
969 employment to report for work and to return to their residences
970 after their work has concluded.

971 Section 16. Paragraph (a) of subsection (2) of section
972 377.703, Florida Statutes, is amended to read:

973 377.703 Additional functions of the Department of
974 Agriculture and Consumer Services.—

975 (2) DUTIES.—The department shall perform the following
976 functions, unless as otherwise provided, consistent with the
977 development of a state energy policy:

978 (a) The Division of Emergency Management is responsible for
979 the development of an energy emergency contingency plan to
980 respond to serious shortages of primary and secondary energy
981 sources. Upon a finding by the Governor, implementation of any
982 emergency program shall be upon order of the Governor that a
983 particular kind or type of fuel is, or that the occurrence of an
984 event which is reasonably expected within 30 days will make the
985 fuel, in short supply. The Division of Emergency Management
986 shall then respond by instituting the appropriate measures of

20212006er

987 the contingency plan to meet the given emergency or energy
988 shortage. The Governor may utilize the provisions of s.
989 252.36(6) ~~s. 252.36(5)~~ to carry out any emergency actions
990 required by a serious shortage of energy sources.

991 Section 17. Paragraph (c) of subsection (1) and subsection
992 (2) of section 381.00315, Florida Statutes, are amended to read:

993 381.00315 Public health advisories; public health
994 emergencies; isolation and quarantines.—The State Health Officer
995 is responsible for declaring public health emergencies, issuing
996 public health advisories, and ordering isolation or quarantines.

997 (1) As used in this section, the term:

998 (c) "Public health emergency" means any occurrence, or
999 threat thereof, whether natural or manmade, which results or may
1000 result in substantial injury or harm to the public health from
1001 infectious disease, chemical agents, nuclear agents, biological
1002 toxins, or situations involving mass casualties or natural
1003 disasters.

1004 (2) (a) The department shall prepare and maintain a state
1005 public health emergency management plan to serve as a
1006 comprehensive guide to public health emergency response in this
1007 state. The department shall develop the plan in collaboration
1008 with the Division of Emergency Management, other executive
1009 agencies with functions relevant to public health emergencies,
1010 district medical examiners, and national and state public health
1011 experts and ensure that it integrates and coordinates with the
1012 public health emergency management plans and programs of the
1013 Federal Government. The plan must address each element of public
1014 health emergency planning and incorporate public health and
1015 epidemiological best practices to ensure that the state is

20212006er

1016 prepared for every foreseeable public health emergency. The plan
1017 must include an assessment of state and local public health
1018 infrastructure, including information systems, physical plant,
1019 commodities, and human resources, and an analysis of the
1020 infrastructure necessary to achieve the level of readiness
1021 proposed by the plan for short-term and long-term public
1022 emergencies. Beginning July 1, 2022, the department shall submit
1023 the plan to the Division of Emergency Management for inclusion
1024 in the state comprehensive emergency management plan pursuant to
1025 s. 252.35. The department shall review the plan after the
1026 declared end of each public health emergency, and, in any event,
1027 at least every 5 years, and update its terms as necessary to
1028 ensure continuous planning.

1029 (b) Before declaring a public health emergency, the State
1030 Health Officer shall, to the extent possible, consult with the
1031 Governor and shall notify the Chief of Domestic Security. The
1032 declaration of a public health emergency shall continue until
1033 the State Health Officer finds that the threat or danger has
1034 been dealt with to the extent that the emergency conditions no
1035 longer exist and he or she terminates the declaration. However,
1036 a declaration of a public health emergency may not continue for
1037 longer than 60 days unless the Governor concurs in the renewal
1038 of the declaration.

1039 (c) The State Health Officer, upon declaration of a public
1040 health emergency, shall establish by order the method and
1041 procedure for identifying and reporting cases and deaths
1042 involving the infectious disease or other occurrence identified
1043 as the basis for the declared public health emergency. The
1044 method and procedure must be consistent with any standards

20212006er

1045 developed by the Federal Government specific to the declared
1046 emergency or, if federal standards do not exist, must be
1047 consistent with public health best practices as identified by
1048 the State Health Officer. During the pendency of a public health
1049 emergency, the department is the sole entity responsible for the
1050 collection and official reporting and publication of cases and
1051 deaths. The State Health Officer, by order or emergency rule,
1052 may ensure necessary assistance from licensed health care
1053 providers in carrying out this function and may request the
1054 assistance of district medical examiners in performing this
1055 function.

1056 (d) The State Health Officer, upon declaration of a public
1057 health emergency, may take actions that are necessary to protect
1058 the public health. Such actions include, but are not limited to:

1059 1. Directing manufacturers of prescription drugs or over-
1060 the-counter drugs who are permitted under chapter 499 and
1061 wholesalers of prescription drugs located in this state who are
1062 permitted under chapter 499 to give priority to the shipping of
1063 specified drugs to pharmacies and health care providers within
1064 geographic areas ~~that have been~~ identified by the State Health
1065 Officer. The State Health Officer must identify the drugs to be
1066 shipped. Manufacturers and wholesalers located in the state must
1067 respond to the State Health Officer's priority shipping
1068 directive before shipping the specified drugs.

1069 2. Notwithstanding chapters 465 and 499 and rules adopted
1070 thereunder, directing pharmacists employed by the department to
1071 compound bulk prescription drugs and provide these bulk
1072 prescription drugs to physicians and nurses of county health
1073 departments or any qualified person authorized by the State

20212006er

1074 Health Officer for administration to persons as part of a
1075 prophylactic or treatment regimen.

1076 3. Notwithstanding s. 456.036, temporarily reactivating the
1077 inactive license of the following health care practitioners,
1078 when such practitioners are needed to respond to the public
1079 health emergency: physicians licensed under chapter 458 or
1080 chapter 459; physician assistants licensed under chapter 458 or
1081 chapter 459; licensed practical nurses, registered nurses, and
1082 advanced practice registered nurses licensed under part I of
1083 chapter 464; respiratory therapists licensed under part V of
1084 chapter 468; and emergency medical technicians and paramedics
1085 certified under part III of chapter 401. Only those health care
1086 practitioners specified in this paragraph who possess an
1087 unencumbered inactive license and who request that such license
1088 be reactivated are eligible for reactivation. An inactive
1089 license that is reactivated under this paragraph shall return to
1090 inactive status when the public health emergency ends or before
1091 the end of the public health emergency if the State Health
1092 Officer determines that the health care practitioner is no
1093 longer needed to provide services during the public health
1094 emergency. Such licenses may only be reactivated for a period
1095 not to exceed 90 days without meeting the requirements of s.
1096 456.036 or chapter 401, as applicable.

1097 4. Ordering an individual to be examined, tested,
1098 vaccinated, treated, isolated, or quarantined for communicable
1099 diseases that have significant morbidity or mortality and
1100 present a severe danger to public health. Individuals who are
1101 unable or unwilling to be examined, tested, vaccinated, or
1102 treated for reasons of health, religion, or conscience may be

20212006er

1103 subjected to isolation or quarantine.

1104 a. Examination, testing, vaccination, or treatment may be
1105 performed by any qualified person authorized by the State Health
1106 Officer.

1107 b. If the individual poses a danger to the public health,
1108 the State Health Officer may subject the individual to isolation
1109 or quarantine. If there is no practical method to isolate or
1110 quarantine the individual, the State Health Officer may use any
1111 means necessary to vaccinate or treat the individual.

1112 c. Any order of the State Health Officer given to
1113 effectuate this paragraph is ~~shall be~~ immediately enforceable by
1114 a law enforcement officer under s. 381.0012.

1115 (e) ~~(2)~~ Individuals who assist the State Health Officer at
1116 his or her request on a volunteer basis during a public health
1117 emergency are entitled to the benefits specified in s.
1118 110.504(2), (3), (4), and (5).

1119 Section 18. Section 381.00316, Florida Statutes, is created
1120 to read:

1121 381.00316 COVID-19 vaccine documentation.-

1122 (1) A business entity, as defined in s. 768.38 to include
1123 any business operating in this state, may not require patrons or
1124 customers to provide any documentation certifying COVID-19
1125 vaccination or post-infection recovery to gain access to, entry
1126 upon, or service from the business operations in this state.

1127 This subsection does not otherwise restrict businesses from
1128 instituting screening protocols consistent with authoritative or
1129 controlling government-issued guidance to protect public health.

1130 (2) A governmental entity as defined in s. 768.38 may not
1131 require persons to provide any documentation certifying COVID-19

20212006er

1132 vaccination or post-infection recovery to gain access to, entry
1133 upon, or service from the governmental entity's operations in
1134 this state. This subsection does not otherwise restrict
1135 governmental entities from instituting screening protocols
1136 consistent with authoritative or controlling government-issued
1137 guidance to protect public health.

1138 (3) An educational institution as defined in s. 768.38 may
1139 not require students or residents to provide any documentation
1140 certifying COVID-19 vaccination or post-infection recovery for
1141 attendance or enrollment, or to gain access to, entry upon, or
1142 service from such educational institution in this state. This
1143 subsection does not otherwise restrict educational institutions
1144 from instituting screening protocols consistent with
1145 authoritative or controlling government-issued guidance to
1146 protect public health.

1147 (4) The department may impose a fine not to exceed \$5,000
1148 per violation.

1149 (5) This section does not apply to a health care provider
1150 as defined in s. 768.38; a service provider licensed or
1151 certified under s. 393.17, part III of chapter 401, or part IV
1152 of chapter 468; or a provider with an active health care clinic
1153 exemption under s. 400.9935.

1154 (6) The department may adopt rules pursuant to ss. 120.536
1155 and 120.54 to implement this section.

1156 Section 19. Subsection (1) of section 406.11, Florida
1157 Statutes, is amended, and paragraph (c) is added to subsection
1158 (2) of that section, to read:

1159 406.11 Examinations, investigations, and autopsies.—

1160 (1) In any of the following circumstances involving the

20212006er

1161 death of a human being, the medical examiner of the district in
1162 which the death occurred or the body was found shall determine
1163 the cause of death and certify the death and shall, for that
1164 purpose, make or perform ~~have performed~~ such examinations,
1165 investigations, and autopsies as he or she deems ~~shall deem~~
1166 necessary or as ~~shall be~~ requested by the state attorney:

1167 (a) When any person dies in this ~~the~~ state:

1168 1. Of criminal violence.

1169 2. By accident.

1170 3. By suicide.

1171 4. Suddenly, when in apparent good health.

1172 5. Unattended by a practicing physician or other recognized
1173 practitioner.

1174 6. In any prison or penal institution.

1175 7. In police custody.

1176 8. In any suspicious or unusual circumstance.

1177 9. By criminal abortion.

1178 10. By poison.

1179 11. By disease constituting a threat to public health.

1180 12. By disease, injury, or toxic agent resulting from
1181 employment.

1182 (b) When a dead body is brought into this ~~the~~ state without
1183 proper medical certification.

1184 (c) When a body is to be cremated, dissected, or buried at
1185 sea.

1186 (2)

1187 (c) A district medical examiner shall assist the State
1188 Health Officer in identifying and reporting deaths upon a
1189 request by the State Health Officer under s. 381.00315.

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1190 Section 20. Except as otherwise expressly provided in this
1191 act, this act shall take effect July 1, 2021.