

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

RULES
Senator Thrasher, Chair
Senator Alexander, Vice Chair

MEETING DATE: Tuesday, April 26, 2011**TIME:** 1:00 —5:30 p.m.**PLACE:** Toni Jennings Committee Room, 110 Senate Office Building**MEMBERS:** Senator Thrasher, Chair; Senator Alexander, Vice Chair; Senators Bullard, Flores, Gaetz, Gardiner, Jones, Margolis, Negron, Richter, Siplin, Smith, and Wise

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
Consent Agenda			
1	CS/CS/SB 416 Judiciary / Criminal Justice / Bogdanoff (Similar H 163, CS/H 411)	Public Records; Provides an exemption from public records requirements for photographs and video and audio recordings that depict or record the killing of a person. Authorizes access to such photographs or video or audio recordings by specified members of the immediate family of the deceased subject of the photographs or video or audio recordings. Provides for access to such records by local governmental entities or state or federal agencies in furtherance of official duties. Provides for future legislative review and repeal of the exemption, etc. CJ 03/28/2011 Fav/CS JU 04/12/2011 Fav/CS RC 04/26/2011 Favorable	Favorable Yeas 10 Nays 0
2	CS/CS/SB 786 Criminal Justice / Judiciary / Diaz de la Portilla	Landlord and Tenant; Allows a law enforcement officer to remove persons who trespass in a structure or conveyance or on property if the law enforcement officer receives an affidavit from an owner or mortgagee of the property. JU 03/22/2011 Fav/CS CJ 04/04/2011 Temporarily Postponed CJ 04/12/2011 Fav/CS RC 04/26/2011 Favorable	Favorable Yeas 11 Nays 0
3	SB 1990 Health Regulation	Ratification of Rules; Ratifies a specified rule for the sole and exclusive purpose of satisfying any condition on effectiveness established by a provision, which requires ratification of any rule that meets any of the specified thresholds that may likely have an adverse impact or excessive regulatory cost. HR 03/22/2011 Favorable BC 04/13/2011 Favorable RC 04/26/2011 Favorable	Favorable Yeas 12 Nays 0
4	SB 690 Richter (Compare CS/CS/H 119, H 1295, CS/H 4045, CS/S 692, CS/S 1736)	Assisted Living Facilities; Removes an obsolete provision requiring the Department of Elderly Affairs to submit to the Legislature for review and comment a copy of proposed department rules establishing standards for resident care. CF 04/04/2011 Favorable HR 04/12/2011 Favorable RC 04/26/2011 Temporarily Postponed	Temporarily Postponed

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5	SB 692 Richter (Compare H 1295, CS/H 4045)	Assisted Living Facilities; Removes an obsolete reporting requirement. CF 04/04/2011 Favorable HR 04/12/2011 Favorable RC 04/26/2011 Fav/CS	Fav/CS Yeas 12 Nays 0
6	SB 722 Norman (Identical H 4075, S 1780)	Damage By Dogs; Redefines the term "dangerous dog" to exclude dogs trained or used for dog fighting from the term. AG 03/07/2011 Favorable CA 04/11/2011 Favorable RC 04/26/2011 Favorable	Favorable Yeas 11 Nays 0
7	CS/CS/SB 450 Judiciary / Military Affairs, Space, and Domestic Security / Bennett (Similar CS/H 215)	Emergency Management; Cites this act as the "Postdisaster Relief Assistance Act." Provides immunity from civil liability for providers of temporary housing and aid to emergency first responders and their immediate family members following a declared emergency. Provides definitions. Provides nonapplicability. Authorizes specified registration with a county emergency management agency as a provider of housing and aid for emergency first responders. MS 03/10/2011 Fav/CS JU 03/28/2011 Fav/CS RC 04/26/2011 Favorable	Favorable Yeas 11 Nays 0
8	SB 502 Oelrich (Identical H 645)	State Symbols; Designates the Barking Tree Frog as the official state amphibian. EP 03/17/2011 Favorable GO 04/05/2011 Favorable RC 04/26/2011 Favorable	Favorable Yeas 11 Nays 0
9	CS/SB 648 Banking and Insurance / Joyner (Similar CS/H 325, Compare S 708)	Estates; Creates a fiduciary lawyer-client privilege. Provides that the lawyer-client privilege applies to the communications between a lawyer and a client that is a fiduciary. Revises provisions relating to the intestate share of a surviving spouse. Provides a right to reform the terms of a will to correct mistakes. Provides a right to modify the terms of a will to achieve tax objectives. Clarifies that a revocation of a will is subject to challenge on the grounds of fraud, duress, mistake, or undue influence, etc. JU 03/09/2011 Favorable BI 03/22/2011 Fav/CS RC 04/26/2011 Favorable	Favorable Yeas 12 Nays 0
10	SB 726 Bullard (Identical H 681)	State Symbols/Official State Flagship; Designates the schooner Western Union as the official state flagship. GO 03/30/2011 Favorable EP 04/05/2011 Favorable RC 04/26/2011 Favorable	Favorable Yeas 12 Nays 0

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11	SB 42 Benacquisto (Similar H 1151, Identical H 57, Compare H 525)	Relief/Eric Brody/Broward County Sheriff's Office; Compensates Eric Brody for injuries sustained as a result of the negligence of the Broward County Sheriff's Office. Authorizes the Sheriff of Broward County, in lieu of payment, to execute to Eric Brody and his legal guardians an assignment of all claims that the Broward County Sheriff's Office has against its insurer arising out of the insurer's handling of the claim against the sheriff's office, etc. SM 04/07/2011 Recommendation: Unfavorable RC 04/15/2011 Temporarily Postponed RC 04/26/2011 Fav/CS	Fav/CS Yeas 7 Nays 2
12	SB 18 Jones (Identical H 545)	Relief/Estrada/USF Board of Trustees; Compensates Daniel and Amara Estrada, parents and guardians of Caleb Estrada, for the wrongful birth of Caleb Estrada and for damages sustained by Daniel and Amara Estrada as a result of negligence by employees of the University of South Florida Board of Trustees. Provides a limitation on the payment of fees and costs, etc. SM 04/20/2011 Recommendation: Unfavorable RC 04/26/2011 Favorable	Favorable Yeas 6 Nays 4
13	SB 54 Storms (Identical H 1315)	Relief/Melvin and Alma Colindres/City of Miami; Compensates Melvin and Alma Colindres for the wrongful death of their son, Kevin Colindres, sustained as a result of the negligence of police officers of the City of Miami. Provides a limitation on the payment of fees and costs, etc. SM 04/20/2011 Recommendation: Fav/1 Amendment RC 04/26/2011 Fav/CS	Fav/CS Yeas 8 Nays 1
14	SB 322 Flores (Identical H 1073)	Relief/Edwards & Roden/Lee County; Compensates Aaron Edwards, a minor, and his parents, Mitzi Roden and Mark Edwards. Compensates them for damages sustained as a result of the medical negligence by employees of Lee Memorial Health System of Lee County. Provides a limitation on the payment of fees and costs, etc. SM 04/20/2011 Recommendation: Fav/1 Amendment RC 04/26/2011 Favorable	Favorable Yeas 6 Nays 4

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15	CS/SB 1252 Budget / Smith (Compare CS/CS/H 967, CS/H 1087, CS/CS/S 1836, CS/S 1930)	Insurance; Allows the Division of Administrative Hearings to have final order authority with respect to certain license applicants. Authorizes the payment of workers' compensation benefits through the use of a prepaid card. Revises provisions relating to certain insurers serving nonresidents domiciled outside the United States who are exempt from requirements to obtain a certificate of authority. Requires a claimant's request about insurance coverage to be appropriately served upon the disclosing entity, etc. BI 03/16/2011 Favorable BC 04/15/2011 Fav/CS RC 04/26/2011 Fav/CS	Fav/CS Yeas 10 Nays 0
16	SJR 1438 Hays (Identical HJR 1103)	Sovereignty of the State; Proposes an amendment to the State Constitution to assert the sovereignty of the state and refuse to comply with unconstitutional federal mandates. JU 04/04/2011 Favorable GO 04/14/2011 Favorable RC 04/26/2011 Favorable	Favorable Yeas 7 Nays 3
17	CS/SB 2010 Criminal Justice / Braynon (Similar CS/CS/H 369, Compare H 4215, S 2018)	Faith- and Character-based Correctional Programs; Provides legislative intent with respect to expansion of the faith- and character-based initiative. Provides requirements for faith- and character-based programs. Deletes provisions relating to funding. Revises requirements for participation by inmates in such programs. Deletes provisions requiring the assignment of chaplains to community correctional centers. Provides for the faith- and character-based institutions within the state correctional system to allow peer-to-peer programming whenever appropriate, etc. CJ 04/04/2011 Fav/CS BC 04/15/2011 Favorable RC 04/26/2011 Favorable	Favorable Yeas 10 Nays 0
18	CS/SB 2088 Rules Subcommittee on Ethics and Elections / Rules (Compare H 1071, CS/S 86, S 1484, S 1692)	Ethics; Provides for an exception to a provision authorizing a state public officer to vote in an official capacity on any matter, to conform to changes made by the act. Prohibits a member of the Legislature from voting upon any legislation inuring to his or her special private gain or loss. Revises provisions relating to the requisite mental state for the offenses of unlawful compensation and reward for official behavior and official misconduct, to conform to changes made by the act, etc. EE 04/04/2011 Fav/CS RC 04/15/2011 Temporarily Postponed RC 04/26/2011 Fav/CS BC	Fav/CS Yeas 11 Nays 0

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19	CS/CS/SB 1568 Budget / Banking and Insurance / Montford (Compare CS/CS/H 803, CS/H 1007, CS/H 1087, H 4081, CS/H 4099, CS/CS/CS/S 408, S 636)	Insurer Insolvency; Authorizes a residential property insurer to renegotiate a note issued by the Insurance Capital Build-Up Incentive Program under certain circumstances. Authorizes the Department of Financial Services to request appointment as ancillary receiver if necessary to obtain records to adjudicate covered claims. Provides for the State Risk Management Trust Fund to cover specified officers, employees, agents, and other representatives of the Department of Financial Services for liability under specified federal laws relating to receiverships, etc. BI 03/22/2011 Fav/CS BC 04/14/2011 Not Considered BC 04/15/2011 Fav/CS RC 04/26/2011 Favorable	Favorable Yeas 9 Nays 0
20	SB 474 Evers (Identical H 4023, Compare CS/H 5005)	Sales Representative Contracts; Repeals a provision relating to sales representative contracts, commissions, requirements, termination of agreements, and civil remedies. CM 04/05/2011 Favorable JU 04/25/2011 Favorable RC 04/26/2011 Favorable	Favorable Yeas 9 Nays 0
21	CS/CS/SB 1594 Budget Subcommittee on Finance and Tax / Regulated Industries / Sachs (Similar CS/CS/CS/H 1145, Compare CS/CS/S 666) (If Received)	Pari-mutuel Permitholders; Provides that a greyhound permitholder is not required to conduct a minimum number of live performances. Revises requirements for an application for a license to conduct performances. Provides an extended period to amend certain applications. Removes a requirement for holders of certain converted permits to conduct a full schedule of live racing to qualify for certain tax credits. Revises a condition of licensure for the conduct of slot machine gaming, etc. RI 03/16/2011 Fav/CS BFT 04/06/2011 Not Considered BFT 04/13/2011 Fav/CS	Not Received
Will not receive - still in BC			

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22	CS/SB 1930 Banking and Insurance / Bogdanoff (Compare CS/CS/H 967, CS/H 1087, CS/H 1411, CS/CS/S 1252) (If Received)	Motor Vehicle Personal Injury Protection Insurance; Revises provisions relating to the contents of written reports of motor vehicle crashes. Requires that an application for licensure as a mobile clinic include a statement regarding insurance fraud. Authorizes the Division of Insurance Fraud to establish a direct- support organization for the purpose of prosecuting, investigating, and preventing motor vehicle insurance fraud. Adds licensed acupuncturists to the list of practitioners authorized to provide, supervise, order, or prescribe services, etc. BI 03/29/2011 Temporarily Postponed BI 04/05/2011 Temporarily Postponed BI 04/12/2011 Fav/CS JU 04/25/2011 Not Considered RC 04/26/2011 Not Received	Not Received
Will not receive - still in JU			
23	CS/SB 822 Judiciary / Bogdanoff (Similar CS/H 391) (If Received)	Expert Testimony; Provides that a witness qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion as to the facts at issue in a case under certain circumstances. Requires the courts of this state to interpret and apply the principles of expert testimony in conformity with specified United States Supreme Court decisions, etc. JU 03/09/2011 Fav/CS BC 04/25/2011 Not Considered BC 04/26/2011 Not Considered RC 04/26/2011 Not Received	Not Received
Will not receive - still in BC			
24	CS/SB 1388 Education Pre-K - 12 / Flores (Similar CS/CS/H 965) (If Received)	Department of Revenue; Authorizes the department to release certain taxpayers' names and addresses to certain scholarship-funding organizations. Deletes a limitation on the amount of tax credit allowable for contributions made to certain scholarship-funding organizations. Extends the carry-forward period for the use of certain tax credits resulting from contributions to the Florida Tax Credit Scholarship Program. Deletes a restriction on a taxpayer's ability to rescind certain tax credits resulting from contributions to the program. ED 03/30/2011 Fav/CS BC 04/13/2011 Not Considered BC 04/14/2011 Not Considered BC 04/15/2011 Not Considered BC 04/25/2011 Not Considered BC 04/26/2011 Not Considered RC 04/15/2011 Not Received RC 04/26/2011 Not Received	Not Received

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25	SB 1620 Flores (Compare CS/CS/H 7197)	K-12 Educational Instruction; Adds statewide virtual providers to the list of public school choices. Authorizes the creation of a virtual charter school. Requires the virtual charter school to contract with an approved statewide virtual provider. Provides for funding of the virtual charter school. Provides for a blended-learning charter school. Provides that home education students may enroll in certain virtual education courses or courses offered in the school district in which they reside, etc. ED 04/05/2011 Favorable BC 04/13/2011 Not Considered BC 04/14/2011 Not Considered BC 04/15/2011 Not Considered BC 04/25/2011 Fav/1 Amendment RC 04/15/2011 Not Received RC 04/26/2011 Fav/CS	Fav/CS Yeas 9 Nays 0
26	CS/SB 1714 Banking and Insurance / Hays (Compare CS/CS/H 1243) (If Received)	Citizens Property Insurance Corporation; Discontinues policy discounts relating to the Citizens Property Insurance Corporation after a certain date. Directs the corporation to provide coverage to certain excluded residential structures but at rates deemed appropriate by the corporation. Provides that certain residential structures are not eligible for coverage by the corporation after a certain date. Prohibits the corporation from levying certain assessments with respect to a year's deficit until the corporation has first levied a specified surcharge, etc. BI 03/29/2011 Fav/CS BC 04/14/2011 Not Considered BC 04/15/2011 Temporarily Postponed BC 04/25/2011 Not Considered BC 04/26/2011 Not Considered RC 04/26/2011 Not Received	Not Received
Will not receive - still in BC			
27	SB 2170 Judiciary	Judicial Nominating Commissions; Provides for the Attorney General, rather than the Board of Governors of The Florida Bar, to submit nominees for certain positions on judicial nominating commissions. Provides for the termination of terms of all current members of judicial nominating commissions. Provides for staggered terms of newly appointed members. JU 04/12/2011 Not Considered JU 04/25/2011 Favorable RC 04/15/2011 Not Received RC 04/26/2011 Fav/CS	Fav/CS Yeas 9 Nays 0

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28	CS/CS/SB 1312 Budget / Agriculture / Siplin (Compare CS/CS/H 7219)	School Nutrition Programs; Cites this act as the "Healthy Schools for Healthy Lives Act." Transfers and reassigns functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources for the administration of the school food and nutrition programs from the Department of Education to the Department of Agriculture and Consumer Services. Requires the Department of Agriculture and Consumer Services to conduct, supervise, and administer all school food and nutrition programs, etc. AG 03/28/2011 Fav/CS BGA 04/13/2011 Favorable BC 04/15/2011 Fav/CS RC 04/26/2011 Favorable	Favorable Yeas 9 Nays 0
29	CS/SB 1690 Rules Subcommittee on Ethics and Elections / Diaz de la Portilla	Elections; Revises the limitations on contributions made to certain candidates and political committees. Provides requirements and restrictions on the use of contributions received prior to a candidate changing his or her candidacy to a new office, to conform, etc. EE 03/21/2011 Fav/CS RC 04/26/2011 Temporarily Postponed BC	Temporarily Postponed
30	CS/SJR 1954 Community Affairs / Garcia (Identical CS/HJR 1321)	Home Rule Charter of Miami-Dade County; Proposes an amendment to the State Constitution to authorize amendments or revisions to the home rule charter of Miami-Dade County by special law approved by a vote of the electors. Provides requirements for a bill proposing such a special law. CA 03/28/2011 Fav/CS JU 04/12/2011 Favorable RC 04/26/2011 Fav/CS	Fav/CS Yeas 8 Nays 0

An electronic copy of the Appearance Request form is now available to download from any Senate Committee page on the Senate's website, www.flsenate.gov.