

**SB 1580** by **Latvala**; (Compare to CS/CS/H 1443) Local Administrative Action to Abate Public Nuisances and Criminal Gang Activity

111516	A	S	RCS	CA, Storms	Delete L.55:	02/21 02:10 PM
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**SB 1110** by **Altman**; (Compare to CS/H 7069) Tax Refund Programs

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483130	SA	S	RCS	CA, Wise	btw L.39 - 40:	02/21 02:10 PM

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**COMMUNITY AFFAIRS**  
**Senator Bennett, Chair**  
**Senator Norman, Vice Chair**

**MEETING DATE:** Tuesday, February 21, 2012  
**TIME:** 1:00 —3:15 p.m.  
**PLACE:** Pat Thomas Committee Room, 412 Knott Building

**MEMBERS:** Senator Bennett, Chair; Senator Norman, Vice Chair; Senators Gibson, Richter, Ring, Storms, Thrasher, and Wise

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 1580</b> Latvala (Compare CS/CS/H 1443)	Local Administrative Action to Abate Public Nuisances and Criminal Gang Activity; Authorizing a local administrative board to declare a place to be a public nuisance if the place is used on more than two occasions within a 6-month period as the site of the storage of a controlled substance with intent to sell or deliver the controlled substance; providing that an order entered against a person for a public nuisance expires after 1 year or at an earlier time if so stated in the order unless the person has violated the order during the term of the order; authorizing the board to extend the term of the order by up to 1 additional year and to impose a penalty if the board finds that the person violated the order; authorizing a local ordinance to provide for continuing jurisdiction over a place or premises that are subject to an extension of the administrative order, etc.  CJ 02/09/2012 CJ 02/09/2012 Favorable CA 02/21/2012 Fav/CS BC	Fav/CS Yeas 6 Nays 0
2	<b>SB 1110</b> Altman (Compare CS/H 7069)	Tax Refund Programs; Deleting the limitation on the maximum amount of tax refunds a business may receive under the qualified defense contractor and space flight business tax refund program; deleting the limitation on the maximum amount of tax refunds a business may receive under the tax refund program for qualified target industry businesses, etc.  MS 01/26/2012 Favorable CA 02/21/2012 Fav/CS BC	Fav/CS Yeas 6 Nays 0

Other Related Meeting Documents

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Community Affairs Committee

BILL: CS/SB 1580

INTRODUCER: Community Affairs Committee and Senator Latvala

SUBJECT: Local Administrative Action to Abate Public Nuisances and Criminal Gang Activity

DATE: February 21, 2012      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Erickson</u>	<u>Cannon</u>	<u>CJ</u>	<b>Favorable</b>
2.	<u>Toman</u>	<u>Yeatman</u>	<u>CA</u>	<b>Fav/CS</b>
3.	_____	_____	<u>BC</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**Please see Section VIII. for Additional Information:**

A. COMMITTEE SUBSTITUTE.....  Statement of Substantial Changes

B. AMENDMENTS.....  Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

**I. Summary:**

The bill amends s. 893.138, F.S., relating to local administrative actions to abate specified public nuisances and criminal gang activity, to do the following:

- Authorize a local administrative board to declare a place or premises to be a public nuisance if it is used on more than 2 occasions within a 6-month period as the site of the storage of a controlled substance with intent to sell or deliver the controlled substance off the premises.
- Provide that a county or municipality give prior notice to an owner of its intent to declare a place or premises a public nuisance before taking official action.
- Specify the duration of a public nuisance order, when the term of the order may be extended, and the period of extension.
- Provide that the local ordinance supplementing s. 893.138, F.S., may include fines not to exceed \$250 per day for each day that the public nuisance activities involving a place or premises have occurred, including days outside the 6 month period in which the minimum number of public nuisance activities are shown to have occurred. (Some nuisance activities involve use of the place or premise on more than 2 occasions within a 6-month period for specified unlawful activities like unlawfully selling a controlled substance.)
- Authorize a local ordinance to provide for continuing jurisdiction over a place or premises that is subject to an extension of the public nuisance order.

This bill substantially amends section 893.138, Florida Statutes.

## II. Present Situation:

Section 893.138, F.S., provides that when a place or premises has been used for any of the following activities, the place or premises may be declared a public nuisance and the public nuisance may be abated:

- On more than 2 occasions within a 6-month period, as the site of a violation of s. 796.07, F.S., which punishes various acts involving prostitution, lewdness, or assignation.<sup>1</sup>
- On more than 2 occasions within a 6-month period, as the site of the unlawful sale, delivery, manufacture, or cultivation of any controlled substance.<sup>2</sup>
- On 1 occasion as the site of the unlawful possession of a controlled substance, where such possession constitutes a felony and that has been previously used on more than 1 occasion as the site of the unlawful sale, delivery, manufacture, or cultivation of any controlled substance.
- By a criminal gang for the purpose of conducting criminal gang activity as defined by s. 874.03, F.S.
- On more than 2 occasions within a 6-month period, as the site of a violation of s. 812.019, F.S., which punishes dealing in stolen property.

Section 893.138, F.S., also provides that when a pain-management clinic, as described in s. 458.3265, F.S., or s. 459.0137, F.S., has been used as the site of a violation of any of the following statutes, the pain-management clinic may be declared to be a public nuisance and the public nuisance may be abated:

- Section 784.011, F.S., s. 784.021, F.S., s. 784.03, F.S., or s. 784.045, F.S., all of which punish various acts of assault and battery.
- Section 810.02, F.S., which punishes burglary.
- Section 812.014, F.S., which punishes theft.
- Section 812.131, F.S., which punishes robbery by sudden snatching.
- Section 893.13, F.S., which punishes unlawful possession, sale, etc., of a controlled substance.

Section 893.138, F.S., also authorizes any county or municipality, by ordinance, to create an administrative board to hear complaints regarding the public nuisance activities.<sup>3</sup> Any employee, officer, or resident of the county or municipality may bring a complaint before the board after giving not less than 3 days' written notice of such complaint to the owner of the place or premises at his or her last known address. After a hearing in which the board may consider any

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<sup>1</sup> "Assignation" means the making of any appointment or engagement for prostitution or lewdness, or any act in furtherance of such appointment or engagement. Section 796.07(1)(c), F.S.

<sup>2</sup> Section 893.138(10), F.S., states that the term "controlled substance" includes any substance sold in lieu of a controlled substance in violation of s. 817.563, F.S., or any imitation controlled substance defined in s. 817.564, F.S.

<sup>3</sup> The statute specifies that the complaints are in regard to nuisances described in s. 893.138(2), F.S., which lists the nuisance activities applicable to places and premises. However s. 893.138(3), F.S., which lists the nuisance activities applicable to pain-management clinics, states that these activities may be abated pursuant to "the procedures provided in this section." Therefore, it appears that any county or municipality may also, by ordinance, create an administrative board to hear complaints regarding the public nuisance activities relating to pain-management clinics.

evidence, including evidence of the general reputation of the place or premises, and at which the owner of the premises shall have an opportunity to present evidence in his or her defense, the board may declare the place or premises to be a public nuisance as previously described.

If the board declares a place or premises to be a public nuisance, it may enter an order requiring the owner of such place or premises to adopt such procedure as may be appropriate under the circumstances to abate any such nuisance or it may enter an order immediately prohibiting any of the following:

- The maintaining of the nuisance.
- The operating or maintaining of the place or premises, including the closure of the place or premises or any part thereof.
- The conduct, operation, or maintenance of any business or activity on the premises which is conducive to such nuisance.

The public nuisance order expires after 1 year or at such earlier time as is stated in the order.

The public nuisance order may be enforced pursuant to the procedures contained in s. 120.69, F.S. (Section 120.69, F.S., which is part of the Administrative Procedure Act, specifies procedures for proceedings in which the substantial interests of a party are determined by an agency, subject to exceptions.) This authorization does not subject a municipality that creates a board under s. 893.138, F.S., or the board so created, to any other provision of ch. 120, F.S.

Section 893.138, F.S., also authorizes the board to bring a complaint under s. 60.05, F.S., (issuance of an injunction abating a nuisance upon suit by the Attorney General; state, city, or county attorney; or any citizen of the county), seeking temporary and permanent injunctive relief against any public nuisance. This authorization does not restrict the right of any person to proceed under s. 60.05, F.S., against any public nuisance.

The statute may also be supplemented by a county or municipal ordinance, which may include, but is not limited to, provisions that:

- Establish additional penalties for public nuisances, including fines not to exceed \$250 per day.
- Provide for payment of reasonable costs, including reasonable attorney fees associated with investigations of and hearings on public nuisances.
- Provide for continuing jurisdiction for a period of 1 year over any place or premises that has been or is declared to be a public nuisance.
- Establish penalties, including fines not to exceed \$500 per day for recurring public nuisances.
- Provide for the recording of orders on public nuisances so that notice must be given to subsequent purchasers, successors in interest, or assigns of the real property that is the subject of the order.
- Provide that recorded orders on public nuisances may become liens against the real property that is the subject of the order.
- Provide for the foreclosure of property subject to a lien and the recovery of all costs, including reasonable attorney fees, associated with the recording of orders and foreclosure, except that no lien may be foreclosed on real property which is a homestead.

Where a local government seeks to bring an administrative action based on a stolen property nuisance against a property owner operating an establishment where multiple tenants on one site conduct their own retail business, the property owner shall not be subject to a lien against his or her property or the prohibition of operation provision if the property owner evicts the business declared to be a nuisance within 90 days after notification by registered mail to the property owner of a second stolen property conviction of the tenant.

The total fines imposed pursuant to the authority of s. 893.138, F.S., shall not exceed \$15,000.

Nothing contained within s. 893.138, F.S., prohibits a county or municipality from proceeding against a public nuisance by any other means.

### III. Effect of Proposed Changes:

**Section 1** amends s. 893.138, F.S., relating to local administrative actions to abate specified public nuisances and criminal gang activity, to do the following:

- Authorize a local administrative board to declare a place or premises to be a public nuisance if it is used on more than 2 occasions within a 6-month period as the site of the storage of a controlled substance with intent to sell or deliver the controlled substance off the premises.
- Provide that a county or municipality give prior notice to an owner of its intent to declare a place or premises a public nuisance and afford the owner an opportunity to abate the nuisance before taking official action.
- Provide that the public nuisance order expires after 1 year or at an earlier time if so stated in the order unless the person subject to the order has violated the order during its term.
- Require the board to conduct a hearing to determine whether the person violated the order after providing notice to the person whose activities have been declared to be a public nuisance.
- Provide that if the board finds the person violated the order, the board may extend the term of the order by up to 1 additional year and may impose an additional penalty to the extent authorized by s. 893.138, F.S., and by supplemental local ordinance.
- Provide that the local ordinance supplementing s. 893.138, F.S., may include fines not to exceed \$250 per day for each day that the public nuisance activities involving a place or premises have occurred, including days outside the 6-month period in which the minimum number of public nuisance activities are shown to have occurred. (Under s. 893.138, F.S., the board may issue a public nuisance order when it finds that a place or premises has been used on more than 2 occasions within a 6-month period for prostitution, lewdness, assignation, specified drug activity, or dealing in stolen property.)
- Authorize a local ordinance to provide for continuing jurisdiction over a place or premises that is subject to an extension of the public nuisance order.

**Section 2** provides an effective date of July 1, 2012.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill potentially impacts those persons subject to fines as specified in the bill (see “Effect of Proposed Changes” section of this analysis) for the public nuisance.

C. Government Sector Impact:

There may be a cost-benefit to municipal and county governments if the provisions of the bill lead to a reduction in criminal activities in those places or premises declared a public nuisance, such as reducing impact on law enforcement resources. There may also be a benefit to municipal and county governments from the fines collected for the public nuisance.

The Criminal Justice Impact Conference, which provides the final, official estimate of the prison bed impact, if any, of legislation, estimates that the bill will not have any prison bed impact.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Community Affairs on February 21, 2012:**

Provides that a county or municipality give prior notice to an owner of its intent to declare a place or premises a public nuisance and afford the owner the opportunity to abate the nuisance before taking official action.

B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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111516

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/21/2012	.	
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The Committee on Community Affairs (Storms) recommended the following:

**Senate Amendment (with title amendment)**

Delete line 55  
and insert:  
be abated pursuant to ~~the procedures provided in this section~~ if the county or municipality has given prior notice to the owner of the place or premises of its intent to declare the place or premises a public nuisance and afforded the owner of the place or premises the opportunity to abate the nuisance before taking any official action against the place or premises pursuant to this section.



111516

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

14 And the title is amended as follows:

15

16 Delete line 9

17 and insert:

18 or deliver the controlled substance; prohibiting a  
19 county or municipality from declaring a place or  
20 premises a public nuisance unless the county or  
21 municipality gives prior notice to the owner of the  
22 place or premises of its intent to declare the place  
23 or premises a public nuisance and affords the owner an  
24 opportunity to abate the nuisance; providing that an

By Senator Latvala

16-00705-12

20121580\_\_

A bill to be entitled

An act relating to local administrative action to abate public nuisances and criminal gang activity; amending s. 893.138, F.S.; authorizing a local administrative board to declare a place to be a public nuisance if the place is used on more than two occasions within a 6-month period as the site of the storage of a controlled substance with intent to sell or deliver the controlled substance; providing that an order entered against a person for a public nuisance expires after 1 year or at an earlier time if so stated in the order unless the person has violated the order during the term of the order; requiring that the board conduct a hearing to determine whether the person violated the administrative order; authorizing the board to extend the term of the order by up to 1 additional year and to impose a penalty if the board finds that the person violated the order; authorizing a county or municipal ordinance to include fines for days of public nuisance activities outside the 6-month period in which the minimum number of activities are shown to have occurred; authorizing a local ordinance to provide for continuing jurisdiction over a place or premises that are subject to an extension of the administrative order; providing an effective date.

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

Section 1. Subsections (2), (6), and (11) of section

Page 1 of 4

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

16-00705-12

20121580\_\_

893.138, Florida Statutes, are amended to read:

893.138 Local administrative action to abate drug-related, prostitution-related, or stolen-property-related public nuisances and criminal gang activity.—

(2) Any place or premises that has been used:

(a) On more than two occasions within a 6-month period, as the site of a violation of s. 796.07;

(b) On more than two occasions within a 6-month period, as the site of the unlawful sale, delivery, manufacture, or cultivation of a ~~any~~ controlled substance, or as the site of the storage of a controlled substance with intent to sell or deliver the controlled substance off the premises;

(c) On one occasion as the site of the unlawful possession of a controlled substance, where such possession constitutes a felony, and that has been previously used on more than one occasion as the site of the unlawful sale, delivery, manufacture, or cultivation of a ~~any~~ controlled substance;

(d) By a criminal gang for the purpose of conducting criminal gang-related ~~gang~~ activity as defined in ~~by~~ s. 874.03; or

(e) On more than two occasions within a 6-month period, as the site of a violation of s. 812.019 relating to dealing in stolen property,

may be declared to be a public nuisance, and such nuisance may be abated pursuant to ~~the procedures provided in~~ this section.

(6) An order entered under subsection (4) expires ~~shall expire~~ after 1 year or at such earlier time as is stated in the order unless the person has violated the order during the term

Page 2 of 4

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

16-00705-12 20121580\_\_  
 59 of the order. After providing notice to the person whose  
 60 activities have been declared to be a public nuisance, the board  
 61 shall conduct a hearing to determine whether the person violated  
 62 the administrative order entered under subsection (5). If the  
 63 board finds that the person violated the order, the board may  
 64 extend the term of the order by up to 1 additional year and may  
 65 impose an additional penalty to the extent authorized by this  
 66 section and by a supplemental county or municipal ordinance.

(11) ~~The provisions of~~ This section may be supplemented by  
 68 a county or municipal ordinance. The ordinance may include, but  
 69 ~~need is~~ not be limited to, provisions that establish additional  
 70 penalties for public nuisances, including fines not to exceed  
 71 \$250 per day for each day that the public nuisance activities  
 72 described in subsection (2) have occurred, including days  
 73 outside the 6-month period in which the minimum number of public  
 74 nuisance activities are shown to have occurred. The ordinance  
 75 may also provide for the payment of reasonable costs, including  
 76 reasonable attorney fees associated with investigations of and  
 77 hearings on public nuisances; provide for continuing  
 78 jurisdiction for a period of 1 year over any place or premises  
 79 that have ~~has~~ been or are ~~is~~ declared to be a public nuisance,  
 80 subject to an extension for up to 1 additional year as provided  
 81 in subsection (6); establish penalties, including fines not to  
 82 exceed \$500 per day for recurring public nuisances; provide for  
 83 the recording of orders on public nuisances so that notice must  
 84 be given to subsequent purchasers, successors in interest, or  
 85 assigns of the real property that is the subject of the order;  
 86 provide that recorded orders on public nuisances may become  
 87 liens against the real property that is the subject of the

16-00705-12 20121580\_\_  
 88 order; and provide for the foreclosure of the property that is  
 89 subject to a lien and the recovery of all costs, including  
 90 reasonable attorney fees, associated with the recording of  
 91 orders and foreclosure. ~~A~~ No lien created pursuant to ~~the~~  
 92 ~~provisions of~~ this section may not be foreclosed on real  
 93 property that ~~which~~ is a homestead under s. 4, Art. X of the  
 94 State Constitution. ~~When~~ Where a local government seeks to bring  
 95 an administrative action, based on a stolen property nuisance,  
 96 against a property owner operating an establishment where  
 97 multiple tenants, on one site, conduct their own retail  
 98 business, the property owner is ~~shall~~ ~~not~~ ~~be~~ subject to a lien  
 99 against his or her property or the prohibition of operation  
 100 provision if the property owner evicts the business declared to  
 101 be a nuisance within 90 days after notification by registered  
 102 mail to the property owner of a second stolen property  
 103 conviction of the tenant. The total fines imposed pursuant to  
 104 ~~the authority of this section may~~ shall not exceed \$15,000.  
 105 ~~Nothing contained within~~ This section does not prohibit  
 106 ~~prohibits~~ a county or municipality from proceeding against a  
 107 public nuisance by any other means.

108 Section 2. This act shall take effect July 1, 2012.

Tallahassee, Florida 32399-1100

**COMMITTEES:**  
Transportation, *Chair*  
Budget - Subcommittee on General Government  
Appropriations  
Budget - Subcommittee on Transportation, Tourism,  
and Economic Development Appropriations  
Children, Families, and Elder Affairs  
Environmental Preservation and Conservation  
Governmental Oversight and Accountability  
Reapportionment

**SENATOR JACK LATVALA**  
16th District

February 13, 2012

The Honorable Senator Mike Bennett, Chair  
Senate Committee on Community Affairs  
315 Knott Building  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Dear Chairman Bennett:

I respectfully request consideration of Senate Bill 1580 regarding Local Administrative Action to Abate Public Nuisances and Criminal Gang Activity at your earliest convenience.

I have filed this bill in order to provide local governments with additional tools they need in order to effectively reduce the impact that criminal activity has on the businesses and residents within their communities. I would greatly appreciate the opportunity to present this legislation to the Committee on Community Affairs as soon as possible.

If you have any questions regarding this legislation, please contact me. Thank you in advance for your consideration.

Sincerely,

Jack Latvala  
State Senator  
District 16

JL: JW

cc: Tom Yeatman, Staff Director; Ann Whittaker, Administrative Assistant

✓ rec'd 2/15/12  
afw  
scanned

REPLY TO:

- 12425 28th Street North, Suite 102, St. Petersburg, Florida 33716 (727) 556-6500
- 405 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5075

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**MIKE HARIDOPOLOS**  
President of the Senate

**MICHAEL S. "MIKE" BENNETT**  
President Pro Tempore

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2.21.12

Meeting Date

Topic Relating to Nuisance Abatement

Bill Number SB 1580  
*(if applicable)*

Name Wayne Finley

Amendment Barcode \_\_\_\_\_  
*(if applicable)*

Job Title Legislative Advocate

Address Mayor's Office, POB 2842

Phone 813-767-5503

Street

St. Petersburg FL 33731-2842

City

State

Zip

E-mail wayne.finley@stpete.org

Speaking:  For  Against  Information

Representing Mayor Bill Foster, City of St. Petersburg

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

S-001 (10/20/11)

# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

## COMMITTEES:

Transportation, *Chair*  
Budget - Subcommittee on General Government  
Appropriations  
Budget - Subcommittee on Transportation, Tourism,  
and Economic Development Appropriations  
Environmental Preservation and Conservation  
Governmental Oversight and Accountability  
Health Regulation  
Reapportionment

## SENATOR JACK LATVALA

16th District

February 21, 2012

The Honorable Senator Mike Bennett, Chairman  
Senate Committee on Community Affairs  
315 Knott Building  
Tallahassee, FL 32399-1100

Dear Chairman Bennett:

This letter is to request permission for Jennifer Wilson, my Legislative Assistant, to present SB 1580 to the Committee on Community Affairs. My attendance is otherwise required at other meetings for legislative purposes.

Thank you for your consideration.

Sincerely,

Jack Latvala  
State Senator  
District 16

CC: Tom Yeatman, Staff Director; Ann Whittaker, Administrative Assistant

### REPLY TO:

- 12425 28th Street North, Suite 102, St. Petersburg, Florida 33716 (727) 556-6500
- 405 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5075

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**MIKE HARIDOPOLOS**  
President of the Senate

**MICHAEL S. "MIKE" BENNETT**  
President Pro Tempore

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Military Affairs, Space, and Domestic Security Committee

BILL: CS/SB 1110

INTRODUCER: Community Affairs Committee and Senator Altman

SUBJECT: Tax Refund Programs

DATE: February 21, 2012      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Fleming</u>	<u>Carter</u>	<u>MS</u>	<b>Favorable</b>
2.	<u>Toman</u>	<u>Yeatman</u>	<u>CA</u>	<b>Fav/CS</b>
3.	_____	_____	<u>BC</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**Please see Section VIII. for Additional Information:**

- |                              |                                     |                                         |
|------------------------------|-------------------------------------|-----------------------------------------|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>            | Technical amendments were recommended   |
|                              | <input type="checkbox"/>            | Amendments were recommended             |
|                              | <input type="checkbox"/>            | Significant amendments were recommended |

**I. Summary:**

The bill removes the maximum amount of tax refunds a participant of either the Qualified Defense Contractor and Spaceflight Business Tax Refund program or the Qualified Target Industry Tax Refund program may receive in all fiscal years in either program. It also allows three additional counties to qualify for reduced local financial support requirements when participating in the Qualified Target Industry Tax Refund program.

This bill substantially amends sections 288.1045 and 288.106 of the Florida Statutes.

**II. Present Situation:**

The Florida Department of Economic Opportunity (DEO), through its Division of Strategic Business Development, offers several economic development incentive programs aimed at addressing the specific needs of businesses as they look to expand or locate in Florida. These programs facilitate economic development projects by providing qualified businesses with opportunities to receive tax refunds, tax credits, tax exemptions, and cash grants. These incentive programs include the following:

- Qualified Target Industry Tax Refund (s. 288.106, F.S.);

- Brownfield Redevelopment Bonus Tax Refund (s. 288.107, F.S.);
- Qualified Defense and Space Contractor Tax Refund (s. 288.1045, F.S.);
- Quick Action Closing Fund (s. 288.1088, F.S.);
- Manufacturing and Spaceport Investment Incentive (s. 288.1083, F.S.);
- Economic Development Transportation Fund (s. 288.063, F.S.);
- High Impact Performance Incentive (s. 288.108, F.S.);
- Capital Investment Tax Credit (s. 22.191, F.S.);
- Innovation Incentive Program (s. 288.1089, F.S.);
- Semiconductor, Defense and Space Technologies Sales Tax Exemption (s. 212.08, F.S.); and
- Local Government Distressed Area Matching Grant (s. 288.0659, F.S.).

The table below summarizes the cumulative results for the incentive programs listed above for fiscal year 2011.

<b>SUMMARY OF 2011 EXECUTED AGREEMENTS<sup>1</sup></b>					
<b>Number of Projects</b>	<b>Contracted New Jobs</b>	<b>Expected Capital Investment</b>	<b>Contracted Average Annual Wage</b>	<b>Maximum State Incentive Payments</b>	<b>Local Financial Support Commitments</b>
101	13,072	\$1,427,566,867	\$48,629	\$76,262,824	\$50,377,174

**Qualified Defense Contractor Tax Refund Program**

The Legislature created the Qualified Defense Contractor Tax Refund<sup>2</sup> program in 1996 in response to the state’s concerns that reductions in federal defense spending could result in losses of high-wage, high-technology jobs in Florida. The program has been amended several times in the intervening years. In 2008, the program was amended to include eligible space flight businesses participating in aerospace activities. It is now called the Qualified Defense Contract and Spaceflight Business (QDSC) Refund Program. The QDSC program is set to expire on June 30, 2014.

The QDSC program’s basic incentive is a tax refund based on \$3,000 per retained or created job, which pays an annual wage of at least 115 percent of the area’s average annual wage and meets other conditions of the business’ agreement with the DEO. The per-job tax credit increases to \$6,000 if the business is located within a rural county or an enterprise zone, with a \$1,000 per job bonus if the job pays an annual average wage at least equal to 150 percent of the area’s private-sector wage and a \$2,000 per job bonus if the average annual wage is at least 200 percent of the area’s average private-sector wage.

Local financial support is a condition of the QDSC program. The program requires that an applicant provide a resolution adopted by the governing board of the county or municipality in which the project will be located, which recommends the applicant be approved for the program,

<sup>1</sup> Enterprise Florida Inc. *2011 Annual Incentives Report*. Available at: [http://www.eflorida.com/IntelligenceCenter/download/ER/BRR\\_Incentives\\_Report.pdf](http://www.eflorida.com/IntelligenceCenter/download/ER/BRR_Incentives_Report.pdf) (last visited Feb. 15, 2012).

<sup>2</sup> Section 288.1045, F.S.

and also commits to fund 20 percent of the annual tax refund for a qualified applicant. There exists a local financial support exemption option under certain circumstances.

A qualified applicant may not receive refunds of more than 25 percent of the total tax refunds provided in the tax refund agreement in any fiscal year and no more than \$2.5 million in tax refunds in any fiscal year. Additionally, a qualified applicant may not receive more than \$7 million in tax refunds under the program. If an applicant reaches the cap, it does not qualify for additional projects, job creation, or refund payments under the program.

This tax incentive targets the following types of projects: consolidation of certain Department of Defense (DoD) contracts; conversion of DoD production jobs to non-defense production jobs; projects involving the reuse of defense-related facilities for specific activities; the manufacturing, processing, and assembly of space flight vehicles; and a number of other activities related to space flight.

A qualified defense contract or spaceflight business may claim refunds from one or more of the following taxes paid:

- Corporate income taxes;
- Sales and use taxes;
- Intangible personal property taxes;
- Excise taxes paid on documents;
- Ad valorem taxes;
- Corporate income taxes; and
- Certain state communications services taxes.<sup>3</sup>

Since the QDSC program's inception, 32 QDSC applications have been approved and 4 projects have been completed, meaning that the business has met the terms of its contract and received all eligible incentive payments. These 4 completed projects cumulatively created 1,459 new jobs, which far exceeded their initial commitment of 740 new jobs. There are currently six active<sup>4</sup> QDSC projects, in which the businesses have cumulatively committed to creating 473 new jobs over the life of the contracts.<sup>5</sup> In fiscal year 2011, \$2,037,000 in QDSC incentive awards was appropriated, in which \$1,629,600 was appropriated by the state. Two new QDSC contracts were executed in fiscal year 2011.<sup>6</sup>

### **Qualified Target Industry Incentive Tax Refund Program**

The Qualified Target Industry (QTI) Incentive Tax Refund Program<sup>7</sup> was created by the Legislature in 1994 as part of a retooling of Florida's economic development efforts. The QTI program was designed to encourage the recruitment or creation of higher-paying, higher-skilled jobs for Floridians, by awarding eligible businesses refunds of certain state or local taxes paid in exchange for creating jobs. The amount of refund is based on the wages paid, number of jobs

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<sup>3</sup> Section 288.1045(2)(f), F.S.

<sup>4</sup> An active incentive project means a business is currently performing and in good standing.

<sup>5</sup> The status of each incentive falls within one of six categories: active, inactive, terminated, vacated, withdrawn, or complete.

<sup>6</sup> Information in this paragraph obtained from Enterprise Florida Inc.'s 2011 Annual Incentives Report. Available at: [http://www.eflorida.com/IntelligenceCenter/download/ER/BRR\\_Incentives\\_Report.pdf](http://www.eflorida.com/IntelligenceCenter/download/ER/BRR_Incentives_Report.pdf) (last visited Feb. 15, 2012).

<sup>7</sup> Section 288.106, F.S.

created, and where in the state the eligible business chooses to locate or expand. The QTI program is set to expire on June 30, 2020.

A qualified target industry business may claim refunds from one or more of the following taxes paid:

- Sales and use taxes;
- Documentary stamp taxes;
- Ad valorem taxes;
- Corporate income taxes;
- Insurance premium taxes;
- Intangible personal property taxes; and
- Certain state communications taxes under ch. 202, F.S.<sup>8</sup>

The target industry list includes a wide range of businesses that meet specific criteria and fall within the following industry categories: manufacturing facilities; finance and insurance services; wholesale trade; information industries; professional, scientific and technical services; management services; and administrative and support services.

In addition to meeting the definition of “target industry business,” a business also must:

- Agree to create 10 new jobs or, if a Florida business planning to expand its operations, agree to create a net increase in employment of at least 10 percent. DEO may grant a waiver to the minimum 10 percent increase in new jobs by an existing business within an enterprise zone or rural county.
- Agree to pay each new employee an annual salary that is at least 115 percent of the average private sector wage in the area. DEO may waive the wage requirement for businesses that locate in a rural county or city, in an enterprise zone, or in a brownfield area.
- Receive a commitment of a 20 percent match from the local government where the business proposes to locate or expand. The form of the commitment must be a resolution passed by the county commission. If a local government provides less than its 20 percent match, DEO reduces the state award by the same amount.<sup>9</sup>

The QTI program offers a tax refund of \$3,000 per created job, which pays an annual wage of at least 115 percent of the area’s average annual wage and meets other conditions of the business’ agreement with DEO. The per-job tax credit increases to \$6,000 if the business is located within a rural county or an enterprise zone. Under this program, businesses are eligible for a number of bonus incentives if they meet certain criteria. For example, a business can receive a \$1,000 per job bonus if the job pays an annual average wage at least equal to 150 percent of the area’s private-sector wage and a \$2,000 per job bonus if the average annual wage is at least 200 percent of the area’s average private-sector wage.

A qualified target industry business may not receive more than \$1.5 million in refunds in a single fiscal year, or more than \$2.5 million if the project is located in an enterprise zone. Additionally,

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<sup>8</sup> Section 288.106(3)(d), F.S.

<sup>9</sup> Effective July 1, 2011, DEO may reduce the local financial support requirements by one-half for a qualified target industry business located in Bay County, Escambia County, Franklin County, Gadsden County, Gulf County, Jefferson County, Leon County, Okaloosa County, Santa Rosa County, Wakulla County, or Walton County.

a qualified target industry business may not receive more than \$7 million in refund payments in all fiscal years, or more than \$7.5 million if the project is located in an enterprise zone.<sup>10</sup> Section 288.095(3)(a), F.S., institutes an annual funding cap of \$35 million for both the QTI and the QDSC tax refund programs.

Since the inception of the QTI program, 1,013 QTI applications have been approved, 888 contracts have been executed, and 93 agreements have been completed.<sup>11</sup> Of those 888 projects, 268 remain active, meaning they are eligible to receive tax refunds through the QTI program. These 268 projects have committed to create 38,599 jobs cumulatively. The 93 completed agreements cumulatively created 28,628 new jobs, which far exceeded the initial commitment to create 18,369 new jobs. In fiscal year 2011, \$37,940,810 in QTI incentive awards was appropriated, in which \$30,352,648 was appropriated by the state. Seventy-two new QTI contracts were executed in fiscal year 2011.<sup>12</sup>

### III. Effect of Proposed Changes:

**Section 1** amends s. 288.1045, F.S., to delete a provision which restricts a qualified applicant from receiving more than \$7 million in tax refunds in all fiscal years it participates in the Qualified Defense Contractor and Spaceflight Business Tax Refund program.

**Section 2** amends s. 288.106, F.S., to delete a provision which restricts a qualified target industry business from receiving more than \$7 million in refund payments in all fiscal years it participates in the Qualified Target Industry Tax Refund program, or more than \$7.5 million if the project is located in an enterprise zone.

In addition, this section authorizes the DEO to reduce the local financial support requirements of the Qualified Target Industry Tax Refund program for three additional counties: Holmes, Jackson and Washington. The local financial support reduction amount is clarified.

**Section 3** provides an effective date of July 1, 2012.

### IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

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<sup>10</sup> Section 288.106(3)(c), F.S.

<sup>11</sup> A completed incentive project is when a business has met the terms of its contract and received all eligible incentive payments.

<sup>12</sup> Information in this paragraph obtained from Enterprise Florida Inc.'s 2011 Annual Incentives Report. Available at: [http://www.eflorida.com/IntelligenceCenter/download/ER/BRR\\_Incentives\\_Report.pdf](http://www.eflorida.com/IntelligenceCenter/download/ER/BRR_Incentives_Report.pdf) (last visited Feb. 15, 2012).

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

The bill removes the lifetime cap for the amount of tax refund payments a single qualified business may receive in the QDSC and QTI tax refund programs. However, a qualified business would still be limited to the maximum annual tax refund amount of \$1.5 million or \$2.5 million depending on the program and the circumstances. In addition, the annual statutory funding cap of \$35 million pursuant to s. 288.095(3)(a), F.S., would still apply.

B. Private Sector Impact:

The bill removes the lifetime cap for the amount of tax refunds payments a single qualified business may receive in the QDSC and QTI tax refund programs. This would allow a single qualified applicant to have multiple projects, over multiple years, which in aggregate, qualify for refund payments in excess of current caps.

C. Government Sector Impact:

The removal of the lifetime tax refund cap may result in an increase in applications submitted to both programs, which may increase the workload of DEO.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Community Affairs on February 21, 2012:**

- Authorizes the DEO to reduce the local financial support requirements of the Qualified Target Industry Tax Refund program for three additional counties: Holmes, Jackson and Washington.
- The local financial support reduction amount is clarified.

B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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764884

LEGISLATIVE ACTION

Senate	.	House
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The Committee on Community Affairs (Wise) recommended the following:

**Senate Amendment (with directory and title amendments)**

Between lines 39 and 40  
insert:

(4) APPLICATION AND APPROVAL PROCESS.—

(f) ~~Effective July 1, 2011,~~ Notwithstanding paragraph (2) (j) ~~(2) (k)~~, the department ~~office~~ may reduce the local financial support requirements of this section by one-half for a qualified target industry business located in Bay County, Escambia County, Franklin County, Gadsden County, Gulf County, Jackson County, Jefferson County, Leon County, Okaloosa County, Santa Rosa County, Wakulla County, or Walton County, if the



764884

13 department ~~office~~ determines that such reduction of the local  
14 financial support requirements is in the best interest of the  
15 state and facilitates economic development, growth, or new  
16 employment opportunities in such county. The amount of any  
17 reduction of the local financial support requirements shall be  
18 provided by the department using funds from the account;  
19 however, funds provided from the account may not exceed 90  
20 percent of the annual tax refund for a qualified target industry  
21 business. This paragraph expires June 30, 2014.

22  
23  
24 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

25 And the directory clause is amended as follows:

26 Delete lines 24 - 25

27 and insert:

28 Section 2. Paragraph (c) of subsection (3) and paragraph  
29 (f) of subsection (4) of section 288.106, Florida Statutes, are  
30 amended to read:

31  
32  
33 ===== T I T L E A M E N D M E N T =====

34 And the title is amended as follows:

35 Between lines 9 and 10

36 insert:

37 authorizing the reduction of local financial support  
38 requirements for qualified target industry businesses  
39 in a specified county; requiring that any reduction of  
40 local financial support requirements be provided from  
41 funds in the Economic Development Incentives Account



764884

42        within the Economic Development Trust Fund; limiting  
43        the amount of funds provided from the account for any  
44        annual tax refund for a qualified target industry  
45        business; deleting an obsolete provision; conforming a  
46        cross-reference;



483130

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/21/2012	.	
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The Committee on Community Affairs (Wise) recommended the following:

1           **Senate Substitute for Amendment (764884) (with directory**  
2 **and title amendments)**

3  
4           Between lines 39 and 40  
5 insert:

6           (4) APPLICATION AND APPROVAL PROCESS.—

7           (f) ~~Effective July 1, 2011,~~ Notwithstanding paragraph  
8 (2) (j) ~~(2) (k)~~, the department office may reduce the local  
9 financial support requirements of this section by one-half for a  
10 qualified target industry business located in Bay County,  
11 Escambia County, Franklin County, Gadsden County, Gulf County,  
12 Holmes County, Jackson County, Jefferson County, Leon County,



483130

13 Okaloosa County, Santa Rosa County, Wakulla County, ~~or~~ Walton  
14 County, or Washington County if the department office determines  
15 that such reduction ~~of the local financial support requirements~~  
16 is in the best interest of the state and facilitates economic  
17 development, growth, or new employment opportunities in such  
18 county. The amount of any reduction of the local financial  
19 support requirements shall be provided by the department using  
20 funds from the account; however, funds provided from the account  
21 may not exceed 90 percent of the annual tax refund for a  
22 qualified target industry business. This paragraph expires June  
23 30, 2014.

24  
25 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

26 And the directory clause is amended as follows:

27 Delete lines 24 - 25

28 and insert:

29 Section 2. Paragraph (c) of subsection (3) and paragraph  
30 (f) of subsection (4) of section 288.106, Florida Statutes, are  
31 amended to read:

32  
33 ===== T I T L E A M E N D M E N T =====

34 And the title is amended as follows:

35 Between lines 9 and 10

36 insert:

37 authorizing the reduction of local financial support  
38 requirements for qualified target industry businesses  
39 in specified counties; revising the list of specified  
40 counties; requiring that any reduction be provided  
41 from funds in the Economic Development Incentives



483130

42 Account within the Economic Development Trust Fund;  
43 providing a cap on the amount of funds provided;  
44 deleting an obsolete provision; conforming a cross-  
45 reference;

By Senator Altman

24-01068-12

20121110\_\_

1 A bill to be entitled  
 2 An act relating to tax refund programs; amending s.  
 3 288.1045, F.S.; deleting the limitation on the maximum  
 4 amount of tax refunds a business may receive under the  
 5 qualified defense contractor and space flight business  
 6 tax refund program; amending s. 288.106, F.S.;

7 deleting the limitation on the maximum amount of tax  
 8 refunds a business may receive under the tax refund  
 9 program for qualified target industry businesses;  
 10 providing an effective date.

11

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

13

14 Section 1. Paragraph (c) of subsection (2) of section  
 15 288.1045, Florida Statutes, is amended, and present paragraphs  
 16 (d) through (h) of that subsection are redesignated as  
 17 paragraphs (c) through (g), respectively, to read:

18 288.1045 Qualified defense contractor and space flight  
 19 business tax refund program.—

20 (2) GRANTING OF A TAX REFUND; ELIGIBLE AMOUNTS.—

21 ~~(c) A qualified applicant may not receive more than \$7~~  
 22 ~~million in tax refunds pursuant to this section in all fiscal~~  
 23 ~~years.~~

24 Section 2. Paragraph (c) of subsection (3) of section  
 25 288.106, Florida Statutes, is amended to read:

26 288.106 Tax refund program for qualified target industry  
 27 businesses.—

28 (3) TAX REFUND; ELIGIBLE AMOUNTS.—

29 (c) A qualified target industry business may not receive

Page 1 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

24-01068-12

20121110\_\_

30 refund payments of more than 25 percent of the total tax refunds  
 31 specified in the tax refund agreement under subparagraph  
 32 (5)(a)1. in any fiscal year. Further, a qualified target  
 33 industry business may not receive more than \$1.5 million in  
 34 refunds under this section in any single fiscal year, or more  
 35 than \$2.5 million in any single fiscal year if the project is  
 36 located in an enterprise zone. ~~A qualified target industry~~  
 37 ~~business may not receive more than \$7 million in refund payments~~  
 38 ~~under this section in all fiscal years, or more than \$7.5~~  
 39 ~~million if the project is located in an enterprise zone.~~

40 Section 3. This act shall take effect July 1, 2012.

Page 2 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**COMMITTEES:**  
Military Affairs, Space, and Domestic Security,  
*Chair*  
Budget - Subcommittee on Finance and Tax,  
*Vice Chair*  
Budget  
Budget - Subcommittee on Higher Education  
Appropriations  
Communications, Energy, and Public Utilities  
Education Pre-K - 12  
Higher Education  
Reapportionment  
Regulated Industries

**SENATOR THAD ALTMAN**  
24th District

January 31, 2012

The Honorable Michael S. Bennett, Chair  
Senate Committee on Community Affairs  
315 Knott Building  
404 South Monroe Street  
Tallahassee, FL 32399

Dear Chairman Bennett:

I respectfully request that SB 1110, related to *Tax Refund Programs*, be placed on the committee agenda at your earliest convenience.

Thank you for your consideration, and please do not hesitate to contact me should you have any questions.

Sincerely,

A handwritten signature in cursive that reads "Thad Altman".

Thad Altman  
TA/vc

A handwritten note in cursive that reads "rec'd 2/6/12 a few" with a checkmark to the left.

CC: Tom Yeatman, Staff Director, 315 Knott Building

A handwritten note in cursive that reads "scanned".

REPLY TO:

- 6767 North Wickham Road, Suite 211, Melbourne, Florida 32940 (321) 752-3138
- 314 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5053

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**MIKE HARIDOPOLOS**  
President of the Senate

**MICHAEL S. "MIKE" BENNETT**  
President Pro Tempore

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02/20/12

Meeting Date

Topic QTI SPACE ECONOMIC DEVELOPMENT Bill Number 1110

Name JEFF SHARKEY Amendment Barcode 764884 (if applicable) 483130 (if applicable)

Job Title

Address 106 E COLLEGE AVE # 106 Phone 850 224 1660

Street

City

State

Zip

E-mail

Speaking: [X] For [ ] Against [ ] Information

Representing LEON COUNTY (AMENDMENT) SPACEX (BILL)

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [X] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/21/2012  
*Meeting Date*

Topic Tax Refund Programs Bill Number 1110  
*(if applicable)*  
Name Ryan West Amendment Barcode \_\_\_\_\_  
*(if applicable)*  
Job Title Policy Director  
Address 136 South Bronough St Phone 850 521-1200  
*Street* Tallahassee FL 32307 E-mail rwest@flchamber.com  
*City State Zip*

Speaking:  For  Against  Information

Representing Florida Chamber of Commerce

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/21/12

*Meeting Date*

Topic Per Company Caps on QTI/QDSC Bill Number SB1110

*(if applicable)*

Name Chris Snow Amendment Barcode \_\_\_\_\_

*(if applicable)*

Job Title Senior Director of Government Relations

Address 1580 Waldo Palmer Lane Phone 321-474-9754

*Street*

Tallahassee

FL

32317

*City*

*State*

*Zip*

E-mail csnow@spaceflorida.gov

Speaking:  For  Against  Information

Representing Space Florida

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

***This form is part of the public record for this meeting.***

S-001 (10/20/11)

# CourtSmart Tag Report

**Room:** KN 412

**Case:**

**Type:**

**Caption:** Senate Community Affairs Committee **Judge:**

**Started:** 2/21/2012 1:02:41 PM

**Ends:** 2/21/2012 1:11:48 PM **Length:** 00:09:08

<b>1:02:54 PM</b>	Roll call
<b>1:03:06 PM</b>	Tab 2 SB 1110 Senator Altman
<b>1:04:40 PM</b>	Amendment #1 by Wise
<b>1:06:15 PM</b>	Tab 1 SB 1580 Senator Latvala
<b>1:09:35 PM</b>	Senator Wise thanking staff
<b>1:09:44 PM</b>	Senator Norman thanking staff



# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

## COMMITTEES:

Rules, *Chair*  
Budget - Subcommittee on Higher Education  
Appropriations, *Vice Chair*  
Budget  
Budget - Subcommittee on Criminal and Civil Justice  
Appropriations  
Community Affairs  
Judiciary  
Reapportionment  
Regulated Industries  
Rules - Subcommittee on Ethics and Elections

**SENATOR JOHN THRASHER**  
8th District

February 21, 2012

## MEMORANDUM

**To:** Senator Mike Bennett, Chairman  
Senate Committee on Community Affairs

**Fm:** Senator John Thrasher

**Re:** Request to be excused from committee meeting

---

It is respectfully requested that I be excused from the Senate Community Affairs Committee meeting held on Tuesday, February 21, 2012.

Thank you for your favorable consideration of this request.

A handwritten signature in black ink, appearing to read "Mike Bennett", written over a horizontal line.

### REPLY TO:

- 9485 Regency Square Boulevard, Suite 108, Jacksonville, Florida 32225-8145 (904) 727-3600
- 400 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5030  
1-888-861-9761

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**MIKE HARIDOPOLOS**  
President of the Senate

**MICHAEL S. "MIKE" BENNETT**  
President Pro Tempore



# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**COMMITTEES:**  
Children, Families, and Elder Affairs, *Chair*  
Budget - Subcommittee on Criminal and Civil Justice  
- Appropriations  
Community Affairs  
Military Affairs, Space, and Domestic Security  
Reapportionment  
Transportation

**SENATOR RONDA STORMS**  
10th District

February 21, 2012

Senator Mike Bennett, Chair  
Senate Committee on Community Affairs  
404 Senate Office Building  
404 South Monroe Street  
Tallahassee, FL 32399

Dear Chairman Bennett:

Please excuse my absence to the Senate Committee on Community Affairs on February 21, 2012.

If I had been able to vote for SB 1110 and SB1580, I would have voted in the affirmative on both.

Thank you for your understanding, and if you should have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronda Storms", written over a horizontal line.

Ronda Storms  
Florida Senate  
District 10

RRS/hrh

CC: Tom Yeatman, Staff Director  
315 Knott Building

A handwritten signature in black ink, appearing to read "Michael S. Bennett", written in a stylized, cursive script.

**REPLY TO:**

Lithia Oaks Business Center, 421 Lithia Pinecrest Road, Brandon, Florida 33511 (813) 651-2189 FAX: (813) 651-2188  
 413 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5072  
Internet Address: storms.ronda.web@flsenate.gov

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**MIKE HARIDOPOLOS**  
President of the Senate

**MICHAEL S. "MIKE" BENNETT**  
President Pro Tempore