

**SB 536 by Simpson; (Identical to H 0601) Reclaimed Water**

684982 A S RCS AG, Brandes Delete L.18 - 19: 02/18 08:21 AM

**SB 544 by Simpson (CO-INTRODUCERS) Latvala, Bean, Benacquisto, Hays, Brandes, Bradley, Negrón, Dean, Evers, Stargel, Galvano; (Similar to H 0523) Licensure to Carry a Concealed Weapon or Firearm**

723802 A S RCS AG, Galvano btw L.124 - 125: 02/18 08:36 AM

**SB 624 by Simpson; Fair Associations**

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

**AGRICULTURE**  
**Senator Montford, Chair**  
**Senator Bullard, Vice Chair**

**MEETING DATE:** Monday, February 17, 2014

**TIME:** 4:00 —6:00 p.m.

**PLACE:** 301 Senate Office Building

**MEMBERS:** Senator Montford, Chair; Senator Bullard, Vice Chair; Senators Brandes, Galvano, Garcia, Grimsley, and Sachs

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 536</b> Simpson (Identical H 601)	Reclaimed Water; Requiring the Department of Agriculture and Consumer Services and the Department of Environmental Protection to conduct a study in cooperation with the water management districts on the expansion of the beneficial use of reclaimed water and to submit a report based upon such study; providing requirements for the report; requiring the departments to provide the public an opportunity for input and for public comment, etc.  AG 02/10/2014 AG 02/17/2014 Fav/CS EP	Fav/CS Yeas 6 Nays 0
2	<b>SB 544</b> Simpson (Similar H 523, Compare H 525, Link S 546)	Licensure to Carry a Concealed Weapon or Firearm; Authorizing an applicant for a license to carry a concealed weapon or firearm to submit the application to an appointed tax collector; authorizing the Department of Agriculture and Consumer Services to appoint tax collectors to accept applications for new or renewal licenses to carry a concealed weapon or firearm on behalf of the Division of Licensing of the Department of Agriculture and Consumer Services, etc.  CJ 02/03/2014 Favorable AG 02/17/2014 Fav/CS CA	Fav/CS Yeas 6 Nays 0
3	<b>SB 624</b> Simpson	Fair Associations; Prohibiting a county from levying a tax, special assessment, or fee for the planning, construction, operation, use, or maintenance of stormwater facilities against land owned by a fair association; prohibiting a county, municipality, or special district from imposing an impact or mobility fee on a fair association; providing for retroactive application; exempting fair associations from the assessment or imposition of a fee by local or regional governmental entities for the planning, construction, operation, use, or maintenance of stormwater management systems, etc.  AG 02/17/2014 Favorable CA AFT AP	Favorable Yeas 6 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Agriculture

Monday, February 17, 2014, 4:00 —6:00 p.m.

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TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
	Other Related Meeting Documents		

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**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.)

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Prepared By: The Professional Staff of the Committee on Agriculture

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BILL: CS/SB 536

INTRODUCER: Agriculture Committee and Senator Simpson

SUBJECT: Reclaimed Water

DATE: February 18, 2014

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Akhvein</u>	<u>Becker</u>	<u>AG</u>	<u>Fav/CS</u>
2.	_____	_____	<u>EP</u>	_____

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

COMMITTEE SUBSTITUTE - Technical Changes

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**I. Summary:**

CS/SB 536 directs the Florida Department of Environmental Protection (DEP) in coordination with the Florida Department Agriculture and Consumer Services (DACS) and the five water management districts (WMDs), to conduct a study and submit a report on expanding the use of reclaimed water in Florida, including stormwater and excess surface water. The bill identifies the elements the report must address, including:

- factors that complicate or constrain the use of reclaimed water;
- areas where the use of reclaimed water is necessary;
- recommendations for permit incentives for the use of reclaimed water; and
- a determination of the feasibility, benefit, and cost estimate of needed infrastructure.

The bill directs DEP and DACS to hold a public meeting to gather input on the study design. In addition, the departments must provide the public an opportunity to comment on the report before it is submitted to the Governor, President of the Senate, and Speaker of the House of Representatives. The report must be submitted by December 1, 2015.

**II. Present Situation:**

Reclaimed water is wastewater that has been treated to remove harmful organisms and substances such as bacteria, viruses, and heavy metals. The degree of treatment depends upon

where the reclaimed water will be used. Reclaimed water is clear, odorless, and safe. However, it can only be used for nondrinking water purposes in Florida. Examples of uses include:

- landscape and commercial agricultural irrigation, (the most common type of use);
- groundwater recharge;
- industrial uses such as cooling, process, or wash waters;
- fire protection; and
- wetlands creation, restoration, and enhancement.<sup>1</sup>

For nearly 100 years, highly treated reclaimed water has been used in the United States. In 1912, the first small urban reuse system began with the irrigation of Golden Gate Park in San Francisco. In 1966, Florida constructed the Tallahassee Reclaimed Water Farm. Since then, reuse within Florida has successfully grown to include more than 440 systems that reclaim 725 million gallons of water per day (mgd), more than any other state.<sup>2</sup>

In an effort to conserve the state's potable surface and groundwater resources, the statutes authorize the WMDs to restrict water use to the lowest quality water source appropriate for the specific use and to adopt rules that identify preferred water supply sources for consumptive uses.<sup>3</sup> The WMD may consider all economically and technically feasible alternatives to the proposed water source, including alternative water sources – desalination, aquifer storage and recovery, and reuse of nonpotable reclaimed water.<sup>4</sup> Of these enumerated alternative water sources, the Legislature expressly encourages the use of reclaimed water as an alternative water source “whenever practicable.”<sup>5</sup>

The DEP defines “reclaimed water” as water that has received at least secondary treatment and basic disinfection and is reused after flowing out of a domestic wastewater treatment facility.<sup>6</sup> In essence, water reuse involves taking domestic wastewater (i.e., sewage), giving it a high degree of treatment, and using the resulting high-quality reclaimed water for a new, beneficial purpose. Extensive treatment and disinfection during this process ensure that public health and environmental quality are protected.<sup>7</sup>

Reclaimed water is an important alternative water source in Florida in light of mounting pressures on the state's fresh water resources, principally surface water and groundwater. The use of reclaimed water saves water that would otherwise need to be withdrawn from surface water and groundwater sources to meet nonpotable supply needs such as agricultural or residential irrigation, power generation, or recreation (e.g., golf courses or waterparks). Additionally, reclaiming waste water reduces reliance on traditional wastewater disposal methods such as surface water discharges, ocean outfalls, or deep well injection wells. The DEP

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<sup>1</sup> Florida Department of Agriculture and Consumer Services, *Senate Bill 536 Agency Analysis* (January 22, 2014) (on file with the Senate Agriculture Committee).

<sup>2</sup> *Southwest Florida Water Management District*. [www.watereuse.org/files/s/docs/reclaimed\\_water\\_lev2\\_08\\_09.pdf](http://www.watereuse.org/files/s/docs/reclaimed_water_lev2_08_09.pdf) (last visited January 29, 2014).

<sup>3</sup> See s. 373.2234, F.S.

<sup>4</sup> Section 373.223(3)(c), F.S.

<sup>5</sup> Section 373.016(4)(a), F.S.

<sup>6</sup> Rule 62-610.200(48), F.A.C.

<sup>7</sup> DEP, *Water Reuse*, <http://www.dep.state.fl.us/water/reuse/index.htm> (last visited January 29, 2014).

asserts that, “Florida is leading the nation – reusing 725 million gallons of reclaimed water each day to conserve freshwater supplies and replenish our rivers, streams, lakes and the aquifer.”<sup>8</sup>

Section 373.250(3)(c), F.S., authorizes a WMD to require the use of reclaimed water in lieu of surface water or groundwater when the use of uncommitted reclaimed water is available; is environmentally, economically, and technically feasible; and is of such quality and reliability as is necessary to the user. Reclaimed water is presumed to be available to a CUP applicant when a reclaimed water provider has “uncommitted” reclaimed water capacity and there are distribution facilities provided by the utility to the site of the proposed use. Uncommitted reclaimed water is defined as the average amount of reclaimed water produced during the lowest-flow months, less the amount of reclaimed water that a reclaimed water provider is contractually obligated to provide a customer or user. However, by its express terms, this provision does not authorize a WMD to require a provider of reclaimed water to redirect reclaimed water from one user to another or to provide uncommitted water to a specific user if such water is anticipated to be used by the provider, or a different user selected by the provider, within a reasonable amount of time.<sup>9</sup>

As required in statute and implemented in the DEP’s Water Resource Implementation Rule,<sup>10</sup> the WMDs must designate water resource caution areas<sup>11</sup> within which CUP permit holders are required to use a “reasonable” amount of reclaimed water, unless using it is not “economically, environmentally or technically feasible.” For example, the entire St. Johns River WMD has been designated a water resource conservation area, and WMD rules require reclaimed water to be used throughout the district if it is readily available and feasible.<sup>12</sup> In contrast, the Northwest Florida WMD has designated only two water resource caution areas – the coastal areas of Santa Rosa, Okaloosa, and Walton Counties and the Upper Telogia Creek Drainage Basin of Gadsden County. Applicants in those two areas who propose to withdraw water from the Floridan aquifer are required to use reclaimed water unless its use is not economically, environmentally, or technically feasible as determined by the WMD.<sup>13</sup>

For areas outside of designated water resource caution areas, the DEP encourages local governments to implement programs for the use of reclaimed water. Specifically, the WMDs are encouraged to establish incentives, such as longer permit duration and cost-sharing, for local governments and other interested parties to implement programs for reclaimed water use.<sup>14</sup> With

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<sup>8</sup> *Supra* note 7.

<sup>9</sup> Section 373.250(3)(a)-(b), F.S.

<sup>10</sup> *See generally* Rule 62-40, F.A.C.

<sup>11</sup> Water resource caution areas are designated where water supply problems currently exist or are expected to exist within the next 20 years. Section 373.0363, F.S., and Rule 62-40.416, F.A.C.

<sup>12</sup> Rule 40C-23.001, F.A.C.

<sup>13</sup> Rule 40A-2.802, F.A.C.

<sup>14</sup> Rule 62-40.416(2), F.A.C.

respect to Florida's "Home Rule Power,"<sup>15</sup> the provisions of the Water Resource Implementation Rule provide that the rule itself may not preempt any local water reuse programs.<sup>16</sup>

Additionally, mandatory reuse zones established by local government ordinance may require a person living within the area to connect when available with any alternative water supply system, including reclaimed water.<sup>17</sup> Mandatory reuse zones have been established in three WMDs – South Florida, Suwannee River and St. Johns River – mostly for irrigation. In the St. Johns River WMD, the conflict between the WMD's authority and the "Home Rule Power" of the local government was resolved by including language in local ordinances requiring reclaimed water use, unless the WMD required otherwise. This allowed the utility to use the most logical, lowest quality source, which sometimes may be another source, such as stormwater.<sup>18</sup>

### III. Effect of Proposed Changes:

**Section 1** requires the Department of Environmental Protection in coordination with the Department of Agriculture and Consumer Services and the five water management districts, to conduct a study on expanding the use of reclaimed water in Florida. The report must identify obstacles to its use, recommend permitting incentives, and discuss the feasibility, benefit, and cost of needed infrastructures for reclaimed water. The bill also directs the departments to hold a public meeting to gather input on the study design and to provide the public with the opportunity to comment on the report before it is submitted to the Governor, President of the Senate, and the Speaker of the House of Representatives. The report must be submitted by December 1, 2015.

**Section 2** provides that this act shall take effect July 1, 2014.

### IV. Constitutional Issues:

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

None.

#### B. Public Records/Open Meetings Issues:

None.

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<sup>15</sup> In Florida, "Home Rule Power" language was proposed in the 1968 Constitutional revision and was adopted by the people. After several legal challenges, the Florida Legislature adopted the Home Rule Powers Act in 1973, which ended challenges related to city and county powers. The Florida Constitution states in Art. VIII, § 2(b) for municipalities: "Municipalities shall have governmental, corporate and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise power for municipal purposes except as otherwise provided by law."

<sup>16</sup> Rule 62-40.416(2), F.A.C.

<sup>17</sup> Section 125.01(k)1., F.S., authorizes counties to: "[p]rovide and regulate waste and sewage collection and disposal, water and alternative water supplies, including, but not limited to, reclaimed water and water from aquifer storage and recovery and desalination systems, and conservation programs."; Section 180.02, F.S., provides that cities that may "create a zone or area by ordinance and to prescribe reasonable regulations requiring all persons or corporations living or doing business within said area to connect, when available, with any ... alternative water supply system, including, ... reclaimed water[.]"

<sup>18</sup> DEP, *Connecting Reuse and Water Use: A Report of the Reuse Stakeholders Meetings* (2009), available at [http://www.dep.state.fl.us/water/reuse/docs/reuse-stake-rpt\\_0209.pdf](http://www.dep.state.fl.us/water/reuse/docs/reuse-stake-rpt_0209.pdf) (last visited January 29, 2014).

C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Department of Environmental Protection, the Department of Agriculture and Consumer Services, and the water management districts may incur some travel expenses associated with interagency and public meetings.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates an undesignated section of the Florida Statutes.

**IX. Additional Information:**

A. Committee Substitute – Statement of Changes:

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

**CS by Agriculture on February 17, 2014:**

The committee substitute clarifies that the Department of Environmental Protection will take the lead in conducting the study required in this bill and that the Department of Agriculture and Consumer Services and the water management districts will work in conjunction with DEP.

B. Amendments:

None.



684982

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/18/2014	.	
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	.	

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The Committee on Agriculture (Brandes) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 18 - 19

and insert:

(1) The Department of Environmental Protection in coordination with the Department of Agriculture and Consumer Services and

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

And the title is amended as follows:



684982

11           Delete lines 3 - 5  
12 and insert:  
13           Department of Environmental Protection to conduct a  
14           study in coordination with the Department of  
15           Agriculture and Consumer Services and the water  
16           management

By Senator Simpson

18-00109-14

2014536\_\_

A bill to be entitled

An act relating to reclaimed water; requiring the Department of Agriculture and Consumer Services and the Department of Environmental Protection to conduct a study in cooperation with the water management districts on the expansion of the beneficial use of reclaimed water and to submit a report based upon such study; providing requirements for the report; requiring the departments to provide the public an opportunity for input and for public comment; requiring that the report be submitted to the Governor and the Legislature by a specified date; providing an effective date.

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

Section 1. Reuse of reclaimed water.—

(1) The Department of Agriculture and Consumer Services and the Department of Environmental Protection, in cooperation with the five water management districts, shall conduct a comprehensive study and submit a report on the expansion of the beneficial use of reclaimed water, including stormwater and excess surface water, in this state.

(2) The report must:

(a) Identify factors that prohibit or complicate the expansion of the beneficial use of reclaimed water and recommend how those factors can be mitigated or eliminated.

(b) Identify the environmental, engineering, public health, public perception, and fiscal constraints of such an expansion,

Page 1 of 2

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

18-00109-14

2014536\_\_

including utility rate structures for reclaimed water.

(c) Identify areas in the state where traditional water supply sources are limited and the use of reclaimed water for irrigation or other uses is necessary.

(d) Recommend permit incentives, such as extending current authorizations for long-term consumptive use permits for all entities that substitute reclaimed water for traditional water sources that become unavailable or otherwise cost prohibitive.

(e) Determine the feasibility, benefit, and cost estimate of the infrastructure needed to construct regional storage features on public or private lands for reclaimed water, including the collection and delivery mechanisms for beneficial uses such as agricultural irrigation, power generation, public water supply, wetland restoration, groundwater recharge, and waterbody base flow augmentation.

(3) The departments shall:

(a) Hold a public meeting to gather input on the study design.

(b) Provide an opportunity for public comment before submitting the report.

(4) The report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than December 1, 2015.

Section 2. This act shall take effect July 1, 2014.

Page 2 of 2

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



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**SENATOR WILTON SIMPSON**  
18th District

**COMMITTEES:**  
Community Affairs, *Chair*  
Appropriations Subcommittee on General  
Government  
Appropriations Subcommittee on Transportation,  
Tourism, and Economic Development  
Commerce and Tourism  
Communications, Energy, and Public Utilities  
Environmental Preservation and Conservation

**JOINT COMMITTEE:**  
Joint Legislative Auditing Committee

December 20, 2013

Senator Bill Montford, Chairman  
Senate Committee on Agriculture  
335 Knott Building  
404 S. Monroe Street  
Tallahassee, FL 32399

Senator Montford,

Please place Senate Bill 536 relating to reclaimed water, on the next Committee on Agriculture agenda.

Please contact my office with any questions.

A handwritten signature in black ink, appearing to read "Wilton Simpson".

Wilton Simpson  
Senator, 18<sup>th</sup> District

**REPLY TO:**

- 322 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5018
- Post Office Box 938, Brooksville, Florida 34605
- Post Office Box 787, New Port Richey, Florida 34656-0787 (727) 816-1120 FAX: (888) 263-4821

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

**DON GAETZ**  
President of the Senate

**GARRETT RICHTER**  
President Pro Tempore

THE FLORIDA SENATE  
**APPEARANCE RECORD**

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



2/17/14  
Meeting Date

Topic BELLAMED WATER

Bill Number 536  
*(if applicable)*

Name STEPHEN JAMES

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

Job Title \_\_\_\_\_

Address 100 S Monpot  
*Street*  
TALAHASSEE FL  
*City State Zip*

Phone 922-4300

E-mail \_\_\_\_\_

Speaking:  For  Against  Information

Representing FLA. ASSOC. OF COUNTIES

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.*

THE FLORIDA SENATE  
**APPEARANCE RECORD**



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

2/17/14

Meeting Date

Topic Reclaimed Water

Bill Number 536  
*(if applicable)*

Name Leticia M Adams

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

Job Title Senior Policy Director

Address 136 S. Bronough St.  
*Street*

Phone 850 544 6866

Tall FL 32301  
*City State Zip*

E-mail ladams@flchamber.com

Speaking:  For  Against  Information

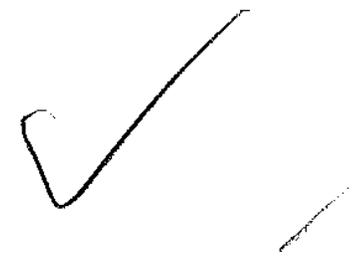
Representing Florida Chamber of Commerce

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.*

THE FLORIDA SENATE  
**APPEARANCE RECORD**



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

2/17/14  
Meeting Date

Topic Reclaimed Water Study

Bill Number SB 536  
*(if applicable)*

Name Mary Jean Yan

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

Job Title Legislative Director

Address 3324 Charleston Road

Phone 850/519-7859

JH FL 32309  
City State Zip

E-mail maryjeanyan@comcast.net

Speaking:  For  Against  Information

Representing Audubon 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.*



THE FLORIDA SENATE  
**APPEARANCE RECORD**

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

2-17-14  
Meeting Date

Topic Backroad Water

Bill Number SB 536  
*(if applicable)*

Name Doug Mann

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

Job Title Partner

Address 310 W. College Ave.  
Street  
Tallahassee FL 32301  
City State Zip

Phone 222-7533

E-mail doug@littlejohn.com

Speaking:  For  Against  Information

Representing AIF

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.*

**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.)

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Prepared By: The Professional Staff of the Committee on Agriculture

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BILL: CS/SB 544

INTRODUCER: Agriculture Committee, Senator Simpson, and others

SUBJECT: Licensure to Carry a Concealed Weapon or Firearm

DATE: February 18, 2014

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Cellon</u>	<u>Cannon</u>	<u>CJ</u>	<b>Favorable</b>
2.	<u>Akhavein</u>	<u>Becker</u>	<u>AG</u>	<b>Fav/CS</b>
3.	_____	_____	<u>CA</u>	_____

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

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 544 creates a new section of law within Chapter 790, F.S., to allow the Department of Agriculture and Consumer Services (department) to appoint county tax collectors to accept new and renewal concealed weapon or firearm license applications. The applicant information would be electronically input and transmitted to the department's Division of Licensing headquarters in Tallahassee for processing and subsequent issuance by mail only. Currently, it is the department's responsibility to issue concealed weapon and firearm licenses to qualified applicants.<sup>1</sup>

County tax collectors who are interested in being appointed by the department will submit a written application for acceptance. Upon approval of the tax collector's qualifications by the department, the Division of Licensing then has the discretion to enter into a Memorandum of Understanding (MOU) with the tax collector. Both the department and the division have the authority to rescind the MOU.

All personal identifying information provided for the license or renewal that is contained in a tax collector's records as a result of the MOU is given confidential and exempt status by the linked bill, SB 546.

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<sup>1</sup> S. 790.0601(1), F.S.

The committee substitute makes no changes to eligibility criteria or license application requirements. It does include two appropriations and authorizes 11 full-time positions to implement the provisions of the bill.

## II. Present Situation:

The Department of Agriculture and Consumer Services (department) is responsible for issuing concealed weapon and firearm licenses to those applicants who qualify.<sup>2</sup> During fiscal year 2012-2013, the department received 96,840 new license applications and 2,153 applications for license renewal.<sup>3</sup> During the same time period, the department issued 99,606 new concealed weapon licenses and 2,239 renewals.<sup>4</sup> As of the end of FY 2012-2013, there were 1,098,458 valid Florida concealed weapon licenses.<sup>5</sup>

### Concealed Weapon License Application Requirements

To obtain a concealed weapons license, a person must complete, under oath, an application that includes:

- The name, address, place and date of birth, race, and occupation of the applicant;
- A full frontal view color photograph of the applicant which must be taken within the preceding 30 days;
- A statement that the applicant has been furnished with a copy of ch. 790, F.S., relating to weapons and firearms and is knowledgeable of its provisions;
- A warning that the application is executed under oath with penalties for falsifying or substituting false documents;
- A statement that the applicant desires a concealed weapon or firearms license as a means of lawful self-defense;
- A full set of fingerprints;
- Documented proof of completion of a firearms safety and training course; and
- A nonrefundable license fee no greater than \$70 for a new license or no greater than \$60 for a renewal.<sup>6</sup>

There is an additional fee for processing the fingerprints, typically \$42. According to information provided by the department, \$42 is the fee payable to the Florida Department of Law Enforcement (FDLE). A portion of the \$42 covers fees paid by FDLE to the FBI for assistance in completing the required background check.<sup>7</sup> Sheriff's offices are statutorily authorized to collect \$5 for fingerprinting services.<sup>8</sup>

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<sup>2</sup> *Id.*

<sup>3</sup> Applications and Dispositions by County, July 1, 2012-June 30, 2013. Statistic found at [www.freshfromflorida.com](http://www.freshfromflorida.com), last visited February 10, 2014.

<sup>4</sup> Summary Report, October 1987-June 2014. [www.freshfromflorida.com](http://www.freshfromflorida.com), last visited February 10, 2014.

<sup>5</sup> Number of Valid Florida Concealed Licenses Since Program Inception. [www.freshfromflorida.com](http://www.freshfromflorida.com), last visited February 10, 2014.

<sup>6</sup> s. 790.06(1)-(5), F.S.

<sup>7</sup> E-mail correspondence with the Department of Agriculture and Consumer Services, January 16, 2014.

<sup>8</sup> s. 790.06(6)(b), F.S.

Section 790.06(6)(c), F.S., requires the department to either issue the license or deny its issuance and notify the applicant within 90 days of receiving a completed application. The department typically meets this requirement except under circumstances explained on the link to “Frequently Asked Questions” on the department webpage. The most common reasons for delay and the department response to those issues are explained as follows:

- If we find that your application is incomplete for some reason (a missing answer to a question; check made out for the wrong amount; no firearms training documentation; etc.), we will notify you by letter of this problem and request that you provide us with the missing information or documentation.
- If law enforcement authorities determine that your fingerprints are insufficiently legible to complete a proper background check, we will send you a letter requesting a second fingerprint submission as required by law. If your second fingerprint submission is also deemed illegible, we can then ask the FBI to conduct a name-based background check.
- If the background check results we receive from law enforcement authorities reflect a potentially disqualifying crime without a final disposition, we will send you a letter requesting that you provide us with court documents indicating the final disposition.<sup>9</sup>

The department has made a “Fast Track Processing” system available to applicants in 8 regional offices.<sup>10</sup> During an appointment, the applicant can fill out and submit the application, have their fingerprints scanned electronically, have their picture taken and make their payment. Staff reviews the application for completeness at the regional office before it is submitted to the department’s Division of Licensing for final processing. Renewal CW licenses require far less documentation and therefore can be completed much faster either via a regional office or mail in. In fact, if a renewal is done in one of the eight regional offices, with few exceptions, the limited processing work can be done onsite and the renewal license is issued to the waiting applicant.<sup>11</sup>

### **County Tax Collector Authority**

Article VIII, Section 1(d) of the Florida Constitution provides that Tax Collectors are elected County Officers. The tax collector is the county officer charged with the collection of ad valorem taxes levied by the county, the school board, any special taxing districts within the county, and all municipalities within the county.<sup>12</sup> County tax collections are supervised by the state Department of Revenue.<sup>13</sup> Tax collectors may appoint deputies to act on their behalf in carrying out the duties prescribed by law.<sup>14</sup>

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<sup>9</sup> Frequently Asked Questions, Concealed Weapon or Firearm License website, [www.freshfromflorida.com](http://www.freshfromflorida.com); last visited February 10, 2014.

<sup>10</sup> The regional offices are located in Fort Walton Beach, Jacksonville, Doral, Orlando, Punta Gorda, Tallahassee, Tampa, and West Palm Beach. Regional Office Locations, [www.freshfromflorida.com](http://www.freshfromflorida.com); last Visited February 10, 2014.

<sup>11</sup> Fast Track Processing; [www.freshfromflorida.com](http://www.freshfromflorida.com); last visited February 10, 2014.

<sup>12</sup> s. 192.001(4), F.S.

<sup>13</sup> See generally Ch. 195, F.S.; s. 197.603, F.S.

<sup>14</sup> s. 197.103, F.S.

Several state agencies and departments are currently authorized to enter into agreements with county tax collectors for various purposes. Some examples that are similar to the arrangement with the department contemplated by the bill include:

- The Department of State may appoint a county tax collector as an agent to accept applications for licenses or license renewals or other similar registrations.<sup>15</sup>
- The Department of Highway Safety and Motor Vehicles (DHSMV) authorizes tax collectors to act as agents of the department in matters of motor vehicle registration. DHSMV has statutory authority to install The Florida Real Time Vehicle Information System in the tax collectors offices to facilitate the agency relationship.<sup>16</sup>
- DHSMV also has a statutory mandate to enter interagency agreements with county tax collectors to issue driver licenses, identification cards, and vessel registrations.<sup>17</sup>
- The county tax collectors may sell licenses for game hunting and fishing, as authorized by statute and the Fish and Wildlife Conservation Commission.<sup>18</sup>
- The Department of Business and Professional Regulation (DBPR) may enter into an agreement with county tax collectors to act as the department's agent to accept applications for licenses or renewals of licenses to practice professions that fall within DBPR jurisdiction.<sup>19</sup>

### III. Effect of Proposed Changes:

**Section 1** amends s. 790.06, F.S., to authorize the Department of Agriculture and Consumer Services (department) to appoint any of Florida's 64 elected tax collectors to accept new and renewal concealed weapon or firearm license applications.

**Section 2** creates s. 790.0625, F.S., to allow the department to appoint elected county tax collectors to accept applications on behalf of the Division of Licensing (division) for concealed weapon or firearm licenses. The applicant information would be electronically input and transmitted to the division in Tallahassee for processing and subsequent issuance by mail only.

County tax collectors who are interested in being appointed by the department will submit a request to the division. The division then has the discretion to enter into a Memorandum of Understanding (MOU) with the tax collector. Both the department and the division have the authority to rescind the MOU.

All personal identifying information provided for the license or renewal that is contained in a tax collector's records as a result of the MOU is given confidential and exempt status by the linked bill, SB 546.

---

<sup>15</sup> s. 288.037, F.S.

<sup>16</sup> s. 320.03, F.S.

<sup>17</sup> s. 322.135, F.S., s. 328.73, F.S.

<sup>18</sup> s. 379.352, F.S.

<sup>19</sup> s. 455.213, F.S.

Appointed tax collectors may not maintain a list of persons who apply for or receive a new or renewal concealed weapon or firearm license. Maintaining such a list makes the person subject to the provisions of s. 790.335, F.S.<sup>20</sup>

A tax collector appointed under the provisions of the bill is entitled to charge the applicant a convenience fee in the amount of \$22 for accepting new license applications and \$12 for accepting each renewal application. License fees collected by the tax collector are to be remitted to the department weekly.

The bill authorizes tax collectors approved for appointment under newly-created s. 790.0625 to administer fingerprints for license applicants.

The bill prohibits persons who are not appointed by the department from handling applications for any fee or compensation.

The bill creates a second degree misdemeanor for willful violations of newly-created s. 790.0625, F.S.

The bill makes no changes to eligibility criteria or license application requirements.

**Section 3** appropriates the sums of \$707,608 in recurring and \$105,503 in nonrecurring funds from the Division of Licensing Trust Fund to the department for the 2014-2015 fiscal year. It also authorizes 11 full-time positions for the purpose of implementing the provisions of the bill.

**Section 4** provides that this act shall take effect July 1, 2014.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

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<sup>20</sup> Section 790.335, F.S., states: "PROHIBITIONS.—No state governmental agency or local government, special district, or other political subdivision or official, agent, or employee of such state or other governmental entity or any other person, public or private, shall knowingly and willfully keep or cause to be kept any list, record, or registry of privately owned firearms or any list, record, or registry of the owners of those firearms." Such conduct is subject to third degree felony penalties and a \$5 million dollar fine.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Persons applying for a new concealed weapon or firearm license would be charged a \$22 convenience fee and those applying for a renewal would pay a \$12 renewal application fee by participating tax collectors.

C. Government Sector Impact:

The Department of Agriculture and Consumer Services (department) expects an increase in the number of concealed weapon and firearm license applicants and renewals given the convenience of being able to apply or renew at a local tax collector rather than having only eight regional offices or the mail as options. The department estimates that an indeterminate amount of additional revenue will be generated and paid into the Division of Licensing Trust Fund from additional tax collector offices receiving and initially processing the increase in applications.

The department has indicated that implementation of the provisions of this bill will require 11 additional positions at a total cost of \$728,721 in year one, with recurring costs of \$687,218 thereafter. These costs would be paid from the Division of Licensing Trust Fund.

<b>EXPENDITURES</b>	<b>FY 14-15</b>	<b>FY 16-16</b>	<b>FY 16-17</b>
<b>Salaries and Benefits:</b>			
4 Compliance Officers	157,863	157,863	157,863
4 Corp Doc Records Examiners	148,080	148,080	148,080
2 Systems Programmer II - SES	119,154	119,154	119,154
1 Accountant I	39,466	39,466	39,466
<b>Expenses:</b>			
11 Professional Expense Packages	68,871	68,871	68,871
<b>Operating Capital Outlay:</b>			
Electronic Fingerprinting Scanners (\$15,000 per unit; estimate 10 purchases per year over three years for participating tax collectors)	150,000	150,000	150,000
<b>Special Category:</b>			
11 Human Resources Allocations	3,784	3,784	3,784

<b>Non-Recurring Expenses:</b>			
11 Professional Expenses Packages	41,503	0	0
<b>TOTAL OPERATING COSTS:</b>	<b>\$728,721</b>	<b>\$687,218</b>	<b>\$687,218</b>

Tax collectors choosing to apply to be appointed to receive new and renewal license applications would staff the receiving and initial application processing function with existing or new staff as determined by the tax collector. Without knowing the exact number of interested and eligible tax collectors, this analysis uses an arbitrary estimate of 30 tax collectors. The department currently plans on providing one \$15,000 electronic fingerprint scanner to each tax collector appointed; the annual maintenance and future replacement will be the responsibility of the tax collector. Additional information technology equipment required for each tax collector office includes a minimum of two personal computers, a camera and document imaging scanner, among other equipment costing approximately \$3,000 for a minimum set up. This minimum equipment set up would be the tax collector’s responsibility.

As currently envisioned, applicant electronic fingerprint background checks would be transmitted by tax collectors directly to Florida Department of Law Enforcement (FDLE). In this scenario, the tax collectors would have the option of either having FDLE bill them directly for the cost and charging the concealed weapon license applicant a fee to cover the FDLE cost (which includes the FBI fee) plus any additional amount to defray tax collector costs or transmitting the electronic fingerprints and having the applicant pay FDLE on their own, within 30 days. The sheriff’s offices give applicants this option when conducting fingerprint background checks.

Network connectivity to transmit applicant information will be provided via a standard My Florida Net (MFN) connection available to all state agencies. This MFN connection is currently in place in tax collector locations where driver licenses and motor vehicle tags are issued. No additional cost would be incurred and the data transmission would be encrypted via this secure network.<sup>21</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 790.06 of the Florida Statutes.  
 This bill creates section 790.0625 of the Florida Statutes.

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<sup>21</sup> Department of Agriculture and Consumer Services, Division of Licensing, *Senate Bill 544 Agency Analysis* (January 23, 2014) (on file with the Senate Agriculture Committee).

**IX. Additional Information:**

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

**CS by Agriculture on February 17, 2014:**

The committee substitute includes two appropriations and authorizes 11 full-time positions to implement the provisions of the bill.

- B. **Amendments:**

None.



723802

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/18/2014	.	
	.	
	.	
	.	

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The Committee on Agriculture (Galvano) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 124 and 125  
insert:

Section 3. For the 2014-2015 fiscal year, there is appropriated to the Department of Agriculture and Consumer Services the sums of \$707,608 in recurring and \$105,503 in nonrecurring funds from the Division of Licensing Trust Fund, and 11 full-time equivalent positions with associated salary rate of 295,751 are authorized for the purpose of implementing



723802

11 this act.

12

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

14 And the title is amended as follows:

15       Delete line 30

16 and insert:

17       penalties; providing an appropriation; authorizing a  
18       specified number of full-time equivalent positions  
19       with associated salary rate within the department;  
20       providing an effective date.

By Senator Simpson

18-00417B-14

2014544\_\_

1 A bill to be entitled  
 2 An act relating to licensure to carry a concealed  
 3 weapon or firearm; amending s. 790.06, F.S.;  
 4 authorizing an applicant for a license to carry a  
 5 concealed weapon or firearm to submit the application  
 6 to an appointed tax collector; creating s. 790.0625,  
 7 F.S.; defining terms; authorizing the Department of  
 8 Agriculture and Consumer Services to appoint tax  
 9 collectors to accept applications for new or renewal  
 10 licenses to carry a concealed weapon or firearm on  
 11 behalf of the Division of Licensing of the Department  
 12 of Agriculture and Consumer Services; requiring a tax  
 13 collector seeking appointment to submit a written  
 14 request to the division; providing requirements for  
 15 the request; requiring the division and an appointed  
 16 tax collector to enter into a memorandum of  
 17 understanding; authorizing the department or the  
 18 division to rescind a memorandum of understanding at  
 19 any time; providing that certain personal identifying  
 20 information of applicants for licensure is  
 21 confidential and exempt; establishing license fees for  
 22 new and renewal applications; requiring an appointed  
 23 tax collector to remit fees to the department;  
 24 prohibiting a tax collector from maintaining a list or  
 25 record of concealed weapon or firearm licensees or  
 26 applicants; prohibiting a person from processing a  
 27 concealed weapon or firearm application for a fee or  
 28 compensation unless he or she has been appointed by  
 29 the department to do so; providing for criminal

Page 1 of 5

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

18-00417B-14

2014544\_\_

30 penalties; providing an effective date.  
 31  
 32 Be It Enacted by the Legislature of the State of Florida:  
 33  
 34 Section 1. Subsection (5) of section 790.06, Florida  
 35 Statutes, is amended to read:  
 36 790.06 License to carry concealed weapon or firearm.—  
 37 (5) The applicant shall submit to the Department of  
 38 Agriculture and Consumer Services or an approved tax collector  
 39 pursuant to s. 790.0625:  
 40 (a) A completed application as described in subsection (4).  
 41 (b) A nonrefundable license fee of up to ~~not to exceed~~ \$70, if  
 42 he or she has not previously been issued a statewide license, or  
 43 of up to a nonrefundable license fee not to exceed \$60 for renewal  
 44 of a statewide license. The cost of ~~Costs for~~ processing the set  
 45 of fingerprints as required in paragraph (c) is ~~shall be~~ borne  
 46 by the applicant. However, an individual holding an active  
 47 certification from the Criminal Justice Standards and Training  
 48 Commission as a "law enforcement officer," "correctional  
 49 officer," or "correctional probation officer" as defined in s.  
 50 943.10(1), (2), (3), (6), (7), (8), or (9) is exempt from the  
 51 licensing requirements of this section. If such any individual  
 52 ~~holding an active certification from the Criminal Justice~~  
 53 ~~Standards and Training Commission as a "law enforcement~~  
 54 ~~officer," a "correctional officer," or a "correctional probation~~  
 55 ~~officer" as defined in s. 943.10(1), (2), (3), (6), (7), (8), or~~  
 56 ~~(9)~~ wishes to receive a concealed weapons or firearms license,  
 57 he or she ~~such person~~ is exempt from the background  
 58 investigation and all background investigation fees, but must

Page 2 of 5

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

18-00417B-14

2014544\_\_

59 ~~shall~~ pay the current license fees regularly required to be paid  
60 by nonexempt applicants. Further, a law enforcement officer, a  
61 correctional officer, or a correctional probation officer as  
62 defined in s. 943.10(1), (2), or (3) is exempt from the required  
63 fees and background investigation for a period of 1 year after  
64 his or her subsequent to the date of retirement of said officer  
65 ~~as a law enforcement officer, a correctional officer, or a~~  
66 ~~correctional probation officer.~~

67 (c) A full set of fingerprints of the applicant  
68 administered by a law enforcement agency or the Division of  
69 Licensing of the Department of Agriculture and Consumer Services  
70 or an approved tax collector pursuant to s. 790.0625.

71 (d) A photocopy of a certificate, ~~or an affidavit,~~ or  
72 document as described in paragraph (2)(h).

73 (e) A full frontal view color photograph of the applicant  
74 taken within the preceding 30 days, in which the head, including  
75 hair, measures 7/8 of an inch wide and 1 1/8 inches high.

76 Section 2. Section 790.0625, Florida Statutes, is created  
77 to read:

78 790.0625 Appointment of tax collectors to accept  
79 applications for a concealed weapon or firearm license; fees;  
80 penalties.-

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

82 (a) "Department" means the Department of Agriculture and  
83 Consumer Services.

84 (b) "Division" means the Division of Licensing of the  
85 Department of Agriculture and Consumer Services.

86 (2) The department, at its discretion, may appoint tax  
87 collectors, as defined in s. 1(d) of Art. VIII of the State

18-00417B-14

2014544\_\_

88 Constitution, to accept applications on behalf of the division  
89 for concealed weapon or firearm licenses. Such appointment shall  
90 be for specified locations that will best serve the public  
91 interest and convenience in applying for these licenses.

92 (3) A tax collector seeking to be appointed to accept  
93 applications for new or renewal concealed weapon or firearm  
94 licenses must submit a written request to the division stating  
95 his or her name, address, telephone number, each location within  
96 the county at which the tax collector wishes to accept  
97 applications, and other information as required by the division.

98 (a) Upon receipt of a written request, the division shall  
99 review it and at its discretion may decline to enter into a  
100 memorandum of understanding or, if approved, enter into a  
101 memorandum of understanding with the tax collector to accept  
102 applications for new or renewal concealed weapon or firearm  
103 licenses on behalf of the department.

104 (b) The department or the division may rescind a memorandum  
105 of understanding for any reason at any time.

106 (4) All personal identifying information that is provided  
107 pursuant to s. 790.06 and contained in the records of a tax  
108 collector appointed under this section is confidential and  
109 exempt as provided in s. 790.0601.

110 (5) A tax collector appointed under this section may  
111 collect and retain a convenience fee of \$22 for each new  
112 application and \$12 for each renewal and shall remit weekly to  
113 the department the license fees for deposit in the Division of  
114 Licensing Trust Fund.

115 (6) (a) A tax collector appointed under this section may not  
116 maintain a list or record of persons who apply for or are

18-00417B-14

2014544\_\_

117 granted a new or renewal license to carry a concealed weapon or  
118 firearm. A violation of this paragraph is subject to s. 790.335.

119 (b) A person may not handle an application for a concealed  
120 weapon or firearm for a fee or compensation of any kind unless  
121 he or she has been appointed by the department to do so.

122 (7) A person who willfully violates this section commits a  
123 misdemeanor of the second degree, punishable as provided in s.  
124 775.082 or s. 775.083.

125 Section 3. This act shall take effect July 1, 2014.



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**SENATOR WILTON SIMPSON**  
18th District

**COMMITTEES:**

Community Affairs, *Chair*  
Appropriations Subcommittee on General  
Government  
Appropriations Subcommittee on Transportation,  
Tourism, and Economic Development  
Commerce and Tourism  
Communications, Energy, and Public Utilities  
Environmental Preservation and Conservation

**JOINT COMMITTEE:**

Joint Legislative Auditing Committee

February 3, 2014

Senator Bill Montford, Chairman  
Senate Committee on Agriculture  
335 Knott Building  
404 S. Monroe Street  
Tallahassee, FL 32399

Senator Montford,

Please place Senate Bill 544 relating to concealed weapon or firearm licensing, on the next  
Committee on Agriculture agenda.

Please contact my office with any questions.

A handwritten signature in black ink, appearing to read "Wilton Simpson".

Wilton Simpson  
Senator, 18<sup>th</sup> District

**REPLY TO:**

- 322 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5018
- Post Office Box 938, Brooksville, Florida 34605
- Post Office Box 787, New Port Richey, Florida 34656-0787 (727) 816-1120 FAX: (888) 263-4821

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

**DON GAETZ**  
President of the Senate

**GARRETT RICHTER**  
President Pro Tempore

THE FLORIDA SENATE

COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

TESTIFY LAST

Please

2/17/14

Date

SB-544

Bill Number

Name MARION HAMNER

Amendment

Phone 222-9518

Address P.O. Box 1387

Street

E-mail

TALLAHASSEE

FL

32302

City

State

Zip

Job Title

Speaking:  For  Against  Information

Appearing at request of Chair

Subject TAX COLLECTORS - CONCEALED FIREARMS LICENSES

Representing NRA & UNIFIED SPORTSMEN OF FLORIDA

Lobbyist registered with Legislature:  Yes  No

Pursuant to s. 11.061, Florida Statutes, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.

If designated employee: Time: from \_\_\_\_\_ .m. to \_\_\_\_\_ .m.

THE FLORIDA SENATE  
**APPEARANCE RECORD**

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

2/17/14

Meeting Date

Topic Permit processing legislation

Bill Number SB 544  
*(if applicable)*

Name Carole Jean Jordan

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

Job Title Tax Collector - Indian River county

Address P.O. Box 1509

Phone 772-226-1337

Street

Vero Beach

City

FL 32961

State

Zip

E-mail cjordan@IRCTAX

Speaking:  For  Against  Information

Representing Indian River County Tax Collectors office

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)

2/17/2014  
Meeting Date

Topic Tax Collector bill

Bill Number 544  
*(if applicable)*

Name Grace Lovett

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

Job Title Dir. of Legislative Affairs

Address PL 10 The Capitol  
*Street*  
Tallahassee FL 32399  
*City State Zip*

Phone 617-7700

E-mail grace.lovett@freshfromflorida.com

Speaking:  For  Against  Information

Representing FL Dept. of Agriculture & Consumer Services

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)

2/17/2014

Meeting Date



Topic Permit processing applications Bill Number SB 544  
*(if applicable)*

Name Tim Qualls Amendment Barcode \_\_\_\_\_  
*(if applicable)*

Job Title Executive Director - Florida Tax Collectors Association

Address 215 S. Monroe Street, Ste 802 Phone 850-222-7206  
*Street*

Tallahassee, FL 32302  
*City State Zip*

E-mail TQualls@KVLAW.NET

Speaking:  For  Against  Information

Representing Florida Tax Collectors Association

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)

2/17/2014

Meeting Date

Topic Permit processing by Tax Collectors Bill Number SB 544  
(if applicable)

Name Eric Zwayer Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title Tax Collector - Highlands county Political Subdivision

Address 540 S. Commerce Ave Phone (863) 402-6700  
Street

Sebring FL 33870  
City State Zip

E-mail ezwayer@hctaxcollector.com

Speaking:  For  Against  Information

Representing Highlands Cnty Tax Collectors office

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**  
**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 Committee on Agriculture

---

BILL: SB 624

INTRODUCER: Senator Simpson

SUBJECT: Fair Associations

DATE: February 17, 2014

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Weidenbenner	Becker	AG	<b>Favorable</b>
2.	_____	_____	CA	_____
3.	_____	_____	AFT	_____
4.	_____	_____	AP	_____

---

**I. Summary:**

SB 624 provides an exemption from or prohibits the assessment of fees and taxes for fair associations, as defined in s. 616.001, F.S., as follows:

- A tax, special assessment, or fee by a county related to stormwater management facilities.
- An impact or mobility fee by a county, municipality, or special district, retroactive to July 9, 2009, further requiring that any such fees collected between the retroactive date and effective date of this bill must be refunded.
- A special assessment by a municipality related to stormwater facilities even if the fair's property is benefitted.
- An ad valorem tax on personal or real property used predominately for fair purposes.
- A special assessment by a water control district of a maintenance tax related to stormwater facilities even if the fair's property is benefitted.
- Any fee or assessment by a local government to maintain a stormwater management facility.

Additionally, the bill makes legislative findings and declares that this bill fulfills an important state interest.

**II. Present Situation:**

A "fair association" or "association" is defined as an association not for profit incorporated under Ch. 616, F.S. for the purpose of conducting and operating public fairs or expositions,<sup>1</sup> which is further defined as a project, activity, event, or program, and use by a fair association, including, but not limited to, the annual public fair, which serves the purposes specified in s. 616.08, F.S. and benefits and develops the educational, agricultural, horticultural, livestock, charitable,

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<sup>1</sup> Section 616.001(11), F.S.

historical, civic, cultural, scientific, and other resources of this state, or any county, municipality, or other community in this state.<sup>2</sup>

There are approximately 50 fair and livestock shows that have events scheduled from October through April,<sup>3</sup> which events cannot be conducted without first obtaining a permit pursuant to rules adopted by the Department of Agriculture and Consumer Services.<sup>4</sup> Forty nine fair associations receive support and guidance from the Florida Federation of Fairs and Livestock while a few small fairs have not joined the Federation.<sup>5</sup>

The Florida Stormwater Association (FSA) serves professionals in stormwater management and finance. It reports that in 2011, of the 67 counties and 405 cities in the state, approximately 154 local governments had established stormwater utilities pursuant to Ch. 403, F.S., or their home rule powers. FSA surveys indicate that revenue generated from stormwater utilities represents a significant source of funds to address stormwater pollution and flooding problems but it still falls far short of being able to address long-term, capital needs.<sup>6</sup>

Florida statutes provide that all real and personal property in this state shall be subject to taxation unless expressly exempted.<sup>7</sup> For determination of an exemption, “Exempt use of property” or “use of property for exempt purposes” means predominant or exclusive use of property owned by an exempt entity for educational, literary, scientific, religious, charitable, or governmental purposes<sup>8</sup> as those terms are defined in Ch. 196, F.S. There is no specific exemption for fair associations.

### III. Effect of Proposed Changes:

**Section 1** creates s. 157.37, F.S., to prohibit a county from levying a tax, special assessment, or fee related to stormwater management facilities against land owned by a fair association as defined in s. 616.001, F.S.

**Sections 2 and 3** amend s. 163.31801, F.S., to prohibit a county, municipality, or special district from imposing an impact or mobility fee on a fair association as defined in s. 616.001, F.S., and applies this prohibition retroactively to any fee assessed between July 9, 2009, and July 1, 2014; it further requires that any such fees collected during this time period must be refunded to the fair association by October 1, 2014.

**Section 4** amends s. 170.01, F.S., to prohibit a municipality from levying a special assessment related to stormwater facilities against real property owned by a fair association as defined in s. 616.001, F.S., even if such real property is benefitted or increases in value due to the stormwater facilities.

---

<sup>2</sup> Section 616.001(12), F.S.

<sup>3</sup> See <http://www.freshfromflorida.com/Divisions-Offices/Marketing-and-Development/Consumer-Services/Recreation/Fairs-and-Livestock-Shows-in-Florida>. (Site last visited Jan 29, 2014).

<sup>4</sup> Sections 616.15 and 616.165, F.S.

<sup>5</sup> Email from Lisa Hinton, Executive Director, Florida Federation of Fairs (Feb. 5, 2014) (On file with the Senate Agriculture Committee).

<sup>6</sup> See <http://www.florida-stormwater.org/>. (Site last visited Feb 5, 2014).

<sup>7</sup> Section 196.001, F.S.

<sup>8</sup> Section 196.012(1), F.S.

**Section 5** creates s. 196.1988, F.S., to exempt personal or real property owned by a fair association from ad valorem tax by defining it as property within the purview of s. 3(a), Art. VII of the State Constitution<sup>9</sup> if such property is used predominately for fair purposes as described in the definition of “Public fair or exposition.”<sup>10</sup> Any portion of such property used for nonexempt purposes may be valued and placed on the tax rolls.

**Section 6** amends s. 298.305, F.S., to prohibit the board of supervisors of a water control district from levying a special assessment of a maintenance tax authorized by s. 298.54, F.S.<sup>11</sup> related to stormwater facilities against real property owned by a fair association as defined in s. 616.001, F.S., even if such real property is benefitted or increases in value due to the proposed work or improvement.

**Section 7** amends s. 298.54, F.S., to state that real property owned by a fair association is exempt from a maintenance tax that the board of supervisors of a water control district is authorized to levy under this section.

**Section 8** amends s. 403.0893, F.S., to exempt a fair association from any fee or assessment by a county or municipality to plan, construct, operate, use, or maintain a stormwater management system.

**Section 9** sets forth legislative findings in support of the Legislature’s determination and declaration that this bill fulfills an important state interest.

**Section 10** provides that the bill shall take effect July 1, 2014.

#### **IV. Constitutional Issues:**

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

The bill reduces the authority of cities and counties to raise revenue by creating an exemption from ad valorem taxes, impact or mobility fees, and storm water related assessments and fees on property owned by fair associations. Accordingly, the bill may require a 2/3rds vote of the membership of each house.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

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<sup>9</sup> Fla.Const art VII, s. 3(a) exempts municipal property used for municipal or public purposes from ad valorem taxation.

<sup>10</sup> Section 616.001(12), F.S.

<sup>11</sup> Section 298.54, F.S., authorizes an annual levy on each parcel within the district to maintain and preserve ditches, drains, or other improvements apportioned upon the basis of the net assessments of benefits.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

The bill creates an exemption from stormwater management fees and special assessments, impact or mobility fees, and ad valorem taxes that would otherwise be due from fair associations. An estimate of the extent of revenue reduction incurred by local governments will not be available until the Revenue Estimating Conference (REC) has analyzed the bill. At the time this analysis was published, REC had not yet considered this bill.

**B. Private Sector Impact:**

Fair associations would benefit by being exempt from ad valorem taxes, impact or mobility fees, and storm water related fees on property owned by the fair association to an extent unknown until the Revenue Estimating Conference has analyzed the bill.

**C. Government Sector Impact:**

The bill creates an exemption from stormwater management fees and special assessments, impact or mobility fees, and ad valorem taxes that would otherwise be due from fair associations. An estimate of the extent of revenue reduction incurred by local governments will not be available until the Revenue Estimating Conference (REC) has analyzed the bill. At the time this analysis was published, REC had not yet considered this bill.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 163.31801, 170.01, 298.305, 298.54, and 403.0893.

This bill creates the following sections of the Florida Statutes: 157.37 and 196.1988.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

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

None.

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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By Senator Simpson

18-00377A-14

2014624\_\_

1 A bill to be entitled  
 2 An act relating to fair associations; creating s.  
 3 157.37, F.S.; prohibiting a county from levying a tax,  
 4 special assessment, or fee for the planning,  
 5 construction, operation, use, or maintenance of  
 6 stormwater facilities against land owned by a fair  
 7 association; amending s. 163.31801, F.S.; prohibiting  
 8 a county, municipality, or special district from  
 9 imposing an impact or mobility fee on a fair  
 10 association; providing for retroactive application;  
 11 requiring a county, municipality, or special district  
 12 to refund certain impact and mobility fees to a fair  
 13 association by a certain date; amending s. 170.01,  
 14 F.S.; prohibiting a municipality from levying a  
 15 special assessment for the planning, construction,  
 16 operation, use, or maintenance of stormwater  
 17 facilities against real property owned by a fair  
 18 association; creating s. 196.1988, F.S.; exempting  
 19 personal and real property of a fair association used  
 20 predominantly for certain purposes from the imposition  
 21 of ad valorem taxes; amending s. 298.305, F.S.;  
 22 prohibiting a water control district from levying  
 23 special assessments for proposed works and  
 24 improvements against real property owned by a fair  
 25 association; amending s. 298.54, F.S.; exempting real  
 26 property owned by a fair association from the  
 27 imposition of a maintenance tax by a water control  
 28 district; amending s. 403.0893, F.S.; exempting fair  
 29 associations from the assessment or imposition of a

Page 1 of 7

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18-00377A-14

2014624\_\_

30 fee by local or regional governmental entities for the  
 31 planning, construction, operation, use, or maintenance  
 32 of stormwater management systems; declaring an  
 33 important state interest; providing an effective date.  
 34

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

36  
 37 Section 1. Section 157.37, Florida Statutes, is created to  
 38 read:

39 157.37 Prohibited tax, special assessment, or fee against a  
 40 fair association for stormwater management facilities.—A county  
 41 may not levy a tax, special assessment, or fee for the planning,  
 42 construction, operation, use, or maintenance of stormwater  
 43 management facilities against land owned by a fair association,  
 44 as defined in s. 616.001.

45 Section 2. Subsection (6) is added to section 163.31801,  
 46 Florida Statutes, to read:

47 163.31801 Impact fees; short title; intent; definitions;  
 48 ordinances levying impact fees.—

49 (6) Notwithstanding any law, ordinance, or resolution to  
 50 the contrary, a county, municipality, or special district may  
 51 not impose an impact fee or a mobility fee on a fair association  
 52 as defined in s. 616.001.

53 Section 3. The amendment to s. 163.31801, Florida Statutes,  
 54 made by this act applies retroactively to an impact fee or  
 55 mobility fee assessed against a fair association between July 1,  
 56 2009, and July 1, 2014. All impact fees and mobility fees  
 57 collected by a county, municipality, or special district from a  
 58 fair association between July 1, 2009, and July 1, 2014, must be

Page 2 of 7

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18-00377A-14

2014624\_\_

59 refunded to the fair association by October 1, 2014.

60 Section 4. Subsection (2) of section 170.01, Florida  
61 Statutes, is amended to read:

62 170.01 Authority for providing improvements and levying and  
63 collecting special assessments against property benefited.—

64 (2) (a) Special assessments may be levied only for the  
65 purposes enumerated in this section and ~~shall be~~ levied only on  
66 benefited real property at a rate of assessment based on the  
67 special benefit accruing to such property from such improvements  
68 ~~if when~~ the improvements funded by the special assessment  
69 provide a benefit which is different in type or degree from  
70 benefits provided to the community as a whole.

71 (b) Notwithstanding paragraph (a), a special assessment for  
72 the planning, construction, operation, use, or maintenance of  
73 stormwater facilities may not be levied on real property owned  
74 by a fair association, as defined in s. 616.001, even if such  
75 real property is benefitted or increases in value due to the  
76 stormwater facilities.

77 Section 5. Section 196.1988, Florida Statutes, is created  
78 to read:

79 196.1988 Fair association property exemption.—Personal or  
80 real property owned by a fair association, as defined in s.  
81 616.001, and used predominantly for conducting and operating a  
82 not-for-profit fair or exhibition for the benefit and  
83 development of the educational, agricultural, horticultural,  
84 livestock, charitable, historical, civic, cultural, scientific,  
85 and other resources of the state or a county, a municipality, or  
86 other political subdivision of the state is hereby defined as  
87 property within the purview of s. 3(a), Art. VII of the State

Page 3 of 7

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18-00377A-14

2014624\_\_

88 Constitution and is exempt from ad valorem taxation to the  
89 extent of such use pursuant to s. 196.192(2). Any portion of  
90 such property used for nonexempt purposes may be valued and  
91 placed upon the tax rolls separately from any portion entitled  
92 to exemption under this section.

93 Section 6. Subsection (1) of section 298.305, Florida  
94 Statutes, is amended to read:

95 298.305 Assessing land for development; apportionment of  
96 assessment.—

97 (1) After the engineer's report has been approved by the  
98 board of supervisors, the proposed water control plan or plan  
99 amendment has been finally adopted, and the lists of lands with  
100 the assessed benefits have been filed in the office of the  
101 secretary of the district, ~~then~~ the board of supervisors shall  
102 levy a non-ad valorem assessment as approved by the board on all  
103 lands in the district to which benefits have been assessed, to  
104 pay the costs of the completion of the proposed works and  
105 improvements, as shown in the adopted plan or plan amendment and  
106 in carrying out the objectives of the district; and, in addition  
107 thereto, 10 percent of the total amount for contingencies. The  
108 assessment must be apportioned to and levied on each assessable  
109 tract of land in the district.

110 (a) Under s. 298.54, the board of supervisors may also levy  
111 a maintenance assessment on all lands in the district to which  
112 benefits have been assessed as ~~may be~~ necessary to operate and  
113 maintain the district works and activities and to defray the  
114 current expenses of the district. A maintenance assessment  
115 recommendation for the operation and maintenance of the district  
116 works and activities must be included in each engineer's report

Page 4 of 7

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18-00377A-14

2014624\_\_

117 considered by the board.

118 (b) A special assessment or the tax authorized under s.  
 119 298.54 may not be levied on real property owned by a fair  
 120 association, as defined in s. 616.001, for a proposed work or  
 121 improvement even if such real property is benefitted or  
 122 increases in value due to the proposed work or improvement.

123 Section 7. Section 298.54, Florida Statutes, is amended to  
 124 read:

125 298.54 Maintenance tax.—To maintain and preserve the  
 126 ditches, drains, or other improvements made pursuant to this  
 127 chapter and to repair and restore the same, when needed, and for  
 128 the purpose of defraying the current expenses of the district,  
 129 including any sum which may be required to pay state and county  
 130 taxes on ~~any~~ lands which may have been purchased and which are  
 131 held by the district under ~~the provisions of~~ this chapter, the  
 132 board of supervisors may, upon the completion of such the said  
 133 improvements, in whole or in part, as may be certified to the  
 134 board by the chief engineer, levy annually a tax upon each tract  
 135 or parcel of land within the district, to be known as a  
 136 "maintenance tax." ~~The said maintenance~~ tax shall be apportioned  
 137 upon the basis of the net assessments of benefits assessed as  
 138 accruing from original construction, shall be evidenced to and  
 139 certified by the board of supervisors ~~by not later than~~ June 1  
 140 of each year to the property appraisers of counties in which  
 141 lands of the district are situated, ~~and~~ shall be extended by the  
 142 county property appraisers on the county tax rolls and collected  
 143 by the tax collectors in the same manner and time as county  
 144 taxes, and the proceeds therefrom shall be paid to the said  
 145 district. ~~The said~~ tax shall be a lien until paid on the

Page 5 of 7

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18-00377A-14

2014624\_\_

146 property against which assessed and enforceable in like manner  
 147 as county taxes. Real property owned by a fair association, as  
 148 defined in s. 616.001, is exempt from the maintenance tax  
 149 authorized by this section.

150 Section 8. Section 403.0893, Florida Statutes, is amended  
 151 to read:

152 403.0893 Stormwater funding; ~~dedicated funds for stormwater~~  
 153 ~~management.~~—

154 (1) In addition to any other funding mechanism legally  
 155 available to local government to construct, operate, or maintain  
 156 stormwater systems, a county or municipality may:

157 (a) ~~(1)~~ Create one or more stormwater utilities and adopt  
 158 stormwater utility fees sufficient to plan, construct, operate,  
 159 and maintain stormwater management systems set out in the local  
 160 program required pursuant to s. 403.0891(3);

161 (b) ~~(2)~~ Establish and set aside, as a continuing source of  
 162 revenue, other funds sufficient to plan, construct, operate, and  
 163 maintain stormwater management systems set out in the local  
 164 program required pursuant to s. 403.0891(3); or

165 (c) ~~(3)~~ Create, alone or in cooperation with counties,  
 166 municipalities, and special districts pursuant to the Interlocal  
 167 Cooperation Act, s. 163.01, one or more stormwater management  
 168 system benefit areas. All property owners within such said area  
 169 may be assessed a per acreage fee to fund the planning,  
 170 construction, operation, maintenance, and administration of a  
 171 public stormwater management system for the benefited area. Any  
 172 benefit area containing different land uses which receive  
 173 substantially different levels of stormwater benefits shall  
 174 include stormwater management system benefit subareas, which

Page 6 of 7

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18-00377A-14

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175 shall be assessed different per acreage fees from subarea to  
176 subarea based upon a reasonable relationship to benefits  
177 received. The fees shall be calculated to generate sufficient  
178 funds to plan, construct, operate, and maintain stormwater  
179 management systems called for in the local program required  
180 pursuant to s. 403.0891(3). For fees assessed pursuant to this  
181 section, counties or municipalities may use the non-ad valorem  
182 levy, collection, and enforcement method as provided ~~for~~ in  
183 chapter 197.

184 (2) A fair association, as defined in s. 616.001, is exempt  
185 from the imposition or assessment of any fee authorized by this  
186 section to plan, construct, operate, use, or maintain a  
187 stormwater management system.

188 Section 9. The Legislature finds that a proper and  
189 legitimate state purpose is served when a not-for-profit  
190 association conducting and operating a not-for-profit fair or  
191 exhibition for the benefit and development of the educational,  
192 agricultural, horticultural, livestock, charitable, historical,  
193 civic, cultural, scientific, and other resources of the state or  
194 a county, a municipality, or any other political subdivision of  
195 the state is exempt from the imposition of taxes and fees that  
196 could render such association unable to provide these important  
197 cultural and economic services to the residents of the many  
198 communities in this state. Therefore, the Legislature hereby  
199 determines and declares that this act fulfills an important  
200 state interest.

201 Section 10. This act shall take effect July 1, 2014.



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**SENATOR WILTON SIMPSON**  
18th District

**COMMITTEES:**

Community Affairs, *Chair*  
Appropriations Subcommittee on General  
Government  
Appropriations Subcommittee on Transportation,  
Tourism, and Economic Development  
Commerce and Tourism  
Communications, Energy, and Public Utilities  
Environmental Preservation and Conservation

**JOINT COMMITTEE:**

Joint Legislative Auditing Committee

February 3, 2014

Senator Bill Montford, Chairman  
Senate Committee on Agriculture  
335 Knott Building  
404 S. Monroe Street  
Tallahassee, FL 32399

Senator Montford,

Please place Senate Bill 624 relating to fair associations, on the next Committee on Agriculture agenda.

Please contact my office with any questions.

A handwritten signature in black ink, appearing to read "Wilton Simpson".

Wilton Simpson  
Senator, 18<sup>th</sup> District

**REPLY TO:**

- 322 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5018
- Post Office Box 938, Brooksville, Florida 34605
- Post Office Box 787, New Port Richey, Florida 34656-0787 (727) 816-1120 FAX: (888) 263-4821

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

**DON GAETZ**  
President of the Senate

**GARRETT RICHTER**  
President Pro Tempore

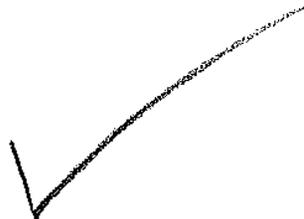
THE FLORIDA SENATE

APPEARANCE RECORD

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

2/17/14

Meeting Date



Topic FAIR ASSOCIATIONS

Bill Number 624 (if applicable)

Name STEPHEN JAMES

Amendment Barcode (if applicable)

Job Title

Address 100 S MONROE ST

Phone (850) 922-4300

TALLAHASSEE, FL 32301 (City, State, Zip)

E-mail

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

Representing FLA. ASSOC. OF COUNTIES

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

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

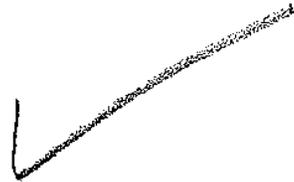
While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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)



2/17/14

Meeting Date

Topic FAIR ASSOCIATIONS

Bill Number 624 (if applicable)

Name RYAN MATTHEWS

Amendment Barcode (if applicable)

Job Title LEG ADVOCATE

Address PO BOX 1757

Phone 222 9694

Tallahassee FL 32302

E-mail rmatthews@flcities.com

Speaking: For Against Information

Representing League of Cities

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)



2/17/14  
Meeting Date

Topic FAIRS

Bill Number 624  
(if applicable)

Name Phil Leary

Amendment Barcode  
(if applicable)

Job Title Lobbyist

Address 1821 Carr St.

Phone 386/937-7829

Street PALATKA FL 32177  
City State Zip

E-mail pleary@learyGMC.com

Speaking:  For  Against  Information

Representing Florida Federation of FAIRS

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**

**Senator Maria Lorts Sachs**  
**Minority Leader Pro Tempore**  
District 34

Committees:

Gaming  
Vice Chair

Agriculture

Education

Appropriations  
Subcommittee on  
Education

Appropriations  
Subcommittee on  
Finance and Tax

Military Affairs, Space,  
and Domestic Security

Regulated Industries

STAFF:

Joshua Freeman  
Legislative Assistant

Matthew Damsky  
Legislative Assistant

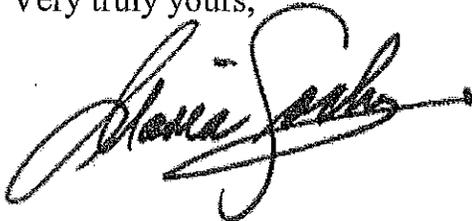
February 13, 2014

The Honorable Bill Montford  
214 Senate Office Building  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Dear Chair Montford,

I will not be able to attend the Committee on Agriculture meeting taking place at 4:00PM on February 17<sup>th</sup>, 2014, as I have a previously scheduled conflict in my district.

Very truly yours,



Senator Maria Sachs  
District 34

CC: Katherine Halley,  
Staff Director

100 NW 1st Avenue, Delray Beach, Florida 33444 (561) 279-1427  
216 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5091

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

Don Gaetz  
President of the Senate

Garrett Richter  
President Pro Tempore

# CourtSmart Tag Report

Room: SB 301  
Caption: Senate Agriculture Committee

Case:  
Judge:

Type:

Started: 2/17/2014 4:04:12 PM  
Ends: 2/17/2014 4:43:00 PM      Length: 00:38:49

4:04:18 PM Meeting called to order by Chairman Montford  
4:04:33 PM Roll call by Administrative Assistant, Joyce Butler  
4:04:39 PM Comments from Chairman Montford  
4:05:07 PM Tab 1, SB 536 by Senator Simpson  
4:05:29 PM Explanation of SB 536 and Amendment by Senator Simpson  
4:05:55 PM Amendment 684982 is adopted  
4:06:28 PM Speaker Doug Mann, Partner, AIF on SB 536  
4:07:52 PM Question from Senator Garcia  
4:07:59 PM Response from Doug Mann  
4:09:10 PM Question from Senator Bullard  
4:09:35 PM Response from Senator Simpson  
4:10:45 PM Follow-up question from Senator Bullard  
4:11:00 PM Response from Senator Simpson  
4:12:32 PM Additional question from Senator Bullard  
4:12:43 PM Response from Senator Simpson  
4:13:51 PM Follow-up question from Senator Bullard  
4:14:12 PM Response from Senator Simpson  
4:15:16 PM Speaker Mary Jean Yon, Legislative Director, Audubon Florida  
4:20:22 PM Leticia Adams, Senior Policy Director, Florida Chamber waives in support  
4:20:35 PM Stephen James, Florida Association of Counties waives in support  
4:20:40 PM Comments from Chairman Montford  
4:20:50 PM Comments from Senator Garcia  
4:22:22 PM Comments from Chairman Montford  
4:22:53 PM Comments and closing by Senator Simpson  
4:23:11 PM Senator Brandes moves for Committee Substitute  
4:23:26 PM Roll call on CS/SB 536 by Administrative Assistant, Joyce Butler  
4:23:37 PM CS/SB 536 reported favorably  
4:23:45 PM Tab 2 - Comments from Chairman Montford regarding SB 544  
4:24:15 PM Senator Simpson explains Amendment 723802  
4:25:02 PM Speaker Marion Hammer, NRA & Unified Sportsmen of Florida on Amendment 723802  
4:28:10 PM Amendment 723802 is adopted  
4:28:29 PM Carol Jean Jordon, Tax Collector, Indian River County waives in support  
4:28:51 PM Grace Lovett, Director of Legislative Affairs, Fla. Department of Agriculture & Consumer Services waives in support  
4:29:04 PM Tim Qualls, Executive Director, Florida Tax Collectors Association waives in support  
4:29:17 PM Eric Zwayer, Tax Collector, Highlands County Tax Collector's office waives in support  
4:29:41 PM Senator Simpson waives closure  
4:29:45 PM Senator Grimsley moves for Committee Substitute  
4:29:55 PM Roll call by Administrative Assistant, Joyce Butler on CS/SB 544  
4:30:05 PM CS/SB 544 reported favorably  
4:30:10 PM Tab 3 - SB 624  
4:30:21 PM Senator Simpson explains SB 624  
4:31:56 PM Question from Senator Bullard  
4:32:03 PM Response from Senator Simpson  
4:34:26 PM Follow-up question from Senator Bullard  
4:34:34 PM Response from Senator Bullard  
4:35:24 PM Speaker Phil Leary, Lobbyist, Florida Federation of Fairs  
4:36:25 PM Question from Senator Bullard  
4:36:45 PM Response from Senator Simpson  
4:38:25 PM Speaker Ryan Matthews, Legislative Advocate, Florida League of Cities  
4:41:23 PM Speaker Stephen James, Florida Association of Counties  
4:42:01 PM Comments from Senator Bullard

4:42:24 PM Senator Simpson waives closure  
4:42:35 PM Roll call by Administrative Assistant, Joyce Butler  
4:42:45 PM SB 624 reported favorably  
4:42:54 PM Senator Galvano moves to rise