



Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President Gaetz at 9:00 a.m. A quorum present—39:

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

MOMENT OF SILENCE

At the request of Senator Smith, the Senate observed a moment of silence, led by Rabbi Jeffrey Kurtz-Lendner, for Christina Oliver Joseph, Makita Campbell, Shonteria Grimsley, Jason Mahlung, and Orane Cummings, all of whom died in a car accident on April 13, 2013, in Riviera Beach.

PRAYER

The following prayer was offered by Rabbi Jeffrey Kurtz-Lendner, Temple Solel, Hollywood:

It is an honor and privilege to share blessings with this esteemed body. I would like to thank my Temple Member, Senator Eleanor Sobel, for arranging this invitation. I would like to begin with a story. It is a story of an old Jewish man who visits Auschwitz and he begins mumbling while at Auschwitz. His companion asks, "What are you mumbling?" and he says, "A prayer." His companion asks, "What are you praying for?"

and he says, "I'm thanking God." His companion says, "What on earth are you thanking God for here at Auschwitz?" and he says, "I am thanking God for making me not like them."

As we come together on this most somber of mornings to a most eternal source of all being, we ask your blessings upon this body of lawmakers that they recognize the holy spirit that you have imbued within each individual, within every human being, each one of us having been created in your image, each one of us, one of your children. We ask your blessings upon this body to affirm the wisdom you bestowed upon our forebearers. You foresaw the astuteness of debate by philosophical discourse with words and hands and not with swords. We must never forget that in this great nation our political disputes are resolved with dialectic and not with violence.

Let us remember that we have been bestowed with a forum where we can come together in this room: Democrats, Republicans, liberals, conservatives, Christians, Jews, Muslims, Buddhists, and atheists—let us never forget that we all love this country and we all love this state. Let us never forget that when the dialectic has ended we can and should depart, not as adversaries, but as friends, like Rabbinic scholars of the Talmud who debated in the halls of the academy and then celebrated great feasts together when the debate concluded.

Unlike those who perpetuate violence with hatred, let us fight the hatred that our nation faced yesterday. Let us fight that hatred with love and friendship. Remember in this forum and in our communities that, unlike those who do violence, we do not hate those from whom we diverge, but instead we remain friends and we fight violence with love. May we all remember that each one of us was granted our own gifts and talents from the supreme author of creation and all work that we do can be performed for the sake of a blessing or curse, for the sake of ourselves, or for the sake of our communities, for the improvement of our own personal lives, or for the improvement of the lives of other human beings.

We ask your guidance so that our work, our decisions, and our efforts shall be for good and not for selfishness, for blessing and not for curse, and may we be able on this somber day to thank God for making us, too, not like them. We ask your blessings in your holy name. Let us say, Amen.

PLEDGE

Senate Pages DJ Johnson of Tallahassee; Daniel Mayer of Boynton Beach; Doug Brantley of Ormond Beach; Lauren Jeffrey of Sarasota; and Elizabeth Bradford of Lithia led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Steele Lancaster of Tallahassee, sponsored by Senator Galvano, as doctor of the day. Dr. Lancaster specializes in Internal Medicine.

MOMENT OF SILENCE

By direction of the President, the Senate observed a moment of silence for those injured and killed in the bombing at the Boston Marathon in Boston, Massachusetts, on April 15, 2013.

ADOPTION OF RESOLUTIONS

On motion by Senator Richter—

By Senator Richter—

SR 414—A resolution recognizing July 2013 as “Bladder Cancer Awareness Month” in Florida.

WHEREAS, bladder cancer is the fifth most common cancer in the United States, and

WHEREAS, men have a 1 in 27 chance and women have a 1 in 86 chance of being diagnosed with bladder cancer in their lifetime, and

WHEREAS, every year in the United States approximately 70,000 new cases of bladder cancer are diagnosed and nearly 14,000 people die from the disease, and

WHEREAS, bladder cancer occurs in more women annually than cervical cancer, and

WHEREAS, women often have a delayed diagnosis due to bladder cancer being mistaken for common gynecological problems, and

WHEREAS, although bladder cancer can occur at any age, a high percentage of people suffering from the disease are over the age of 55, and

WHEREAS, due to a nearly 80 percent recurrence rate, bladder cancer is one of the most expensive cancers to treat, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That July 2013 is recognized as “Bladder Cancer Awareness Month” in Florida.

—was introduced out of order and read by title. On motion by Senator Richter, **SR 414** was read the second time by title and adopted.

On motion by Senator Sobel—

By Senators Sobel and Abruzzo—

SR 1292—A resolution recognizing the 65th anniversary of the independence of the State of Israel.

WHEREAS, on May 14, 1948, the State of Israel was established as a sovereign and independent country and the first Jewish state in 2,000 years, and

WHEREAS, based on the precepts of liberty, justice, and peace, Israel has provided the Jewish people worldwide with an opportunity to re-establish their ancient homeland while providing a home to religious sites that are sacred to Judaism, Christianity, and Islam, and

WHEREAS, the people of Israel have established a pluralistic democracy that incorporates the freedoms cherished by the people of the United States, including the freedom of speech, the freedom of religion, the freedom of association, and the freedom of the press, and

WHEREAS, Israel continues to serve as a shining model of democratic values by holding free and fair elections, promoting the free exchange of ideas, and maintaining a democratic government that is fully representative of its citizens, and

WHEREAS, the government of Israel has successfully worked with its neighboring governments of Egypt and Jordan to establish peaceful bilateral relations and, despite conflicts with other neighboring countries, continues to seek peace in the Middle East, and

WHEREAS, Israel has made significant global contributions in the fields of science, medicine, and technology, and

WHEREAS, Israel maintains a strategic partnership with the United States based on shared democratic values, friendship, and respect, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the State of Israel and its people are recognized for their numerous achievements and extended best wishes as they celebrate the 65th anniversary of the independence of their country.

—was introduced out of order and read by title. On motion by Senator Sobel, **SR 1292** was read the second time in full and adopted.

At the request of Senator Richter—

By Senator Richter—

SR 168—A resolution encouraging the observance of National Spirit of ‘45 Day in the state on August 11, 2013.

WHEREAS, on August 14, 1945, the people of the United States received word of the end of World War II and greeted the news of the Allies’ noble victory with joyous celebration, humility, and spiritual reflection, and

WHEREAS, the victory marked the culmination of an unprecedented national effort that defeated the forces of aggression, brought freedom to subjugated nations, and ended the horrors of the Holocaust, and

WHEREAS, these historic accomplishments were achieved through the collective service and personal sacrifice of the people of the United States, both those who served in uniform and those who supported them on the home front, and the more than 400,000 Americans who gave their lives in service to their country during World War II, and

WHEREAS, August 14, 1945, marked not only the end of the war but also the beginning of an unparalleled era of rebuilding led by the United States to restore the societies of both its allies and former foes alike and the formation of an array of organizations and institutions that helped to strengthen American democracy by promoting civic engagement, volunteerism, and service to community and country, and

WHEREAS, the courage, dedication, self-sacrifice, and compassion of the “ordinary heroes” of the World War II generation continue to inspire our nation, especially the men and women of the United States Armed Forces who are currently serving around the world protecting our country, and

WHEREAS, the entire World War II generation, military and civilian alike, has provided a model of national unity and community that will continue to serve as a source of inspiration for current and future generations of Americans to come together to work for the continued prosperity of the United States and the world, and

WHEREAS, National Spirit of ‘45 Day is observed each year on the second Sunday in August to commemorate the anniversary of the end of World War II on August 14, 1945, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate of the State of Florida encourages the observance of National Spirit of ‘45 Day in Florida on August 11, 2013.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the Florida Spirit of ‘45 Committee as a tangible token of the sentiments expressed herein.

—**SR 168** was introduced, read and adopted by publication.

At the request of Senator Montford—

By Senator Montford—

SR 426—A resolution recognizing the month of April as “Esophageal Cancer Awareness Month in Florida.”

WHEREAS, esophageal cancer is the fastest-growing cancer diagnosis in the United States, increasing more than 400 percent in the past 20 years, and

WHEREAS, esophageal cancer is among the deadliest of cancers, killing one American every 36 minutes, with fewer than one in five patients surviving 5 years, and

WHEREAS, esophageal cancer has low survival rates because it is usually discovered at advanced stages, when treatment outcomes are poor, and

WHEREAS, in the United States, esophageal cancer is most often caused by persistent heartburn or gastroesophageal reflux disease (GERD), yet many who are at risk are unaware of the potential danger GERD can present when it occurs over several weeks or months, and

WHEREAS, esophageal cancer is often a silent killer, with patients often unaware that cough, hoarse voice, sore throat, or chest pain may be a sign of GERD and a reason to discuss screening for the disease with their health care professional, and

WHEREAS, esophageal cancer may develop from GERD when acid from the stomach creates cellular change in the esophagus, resulting in a precancerous condition known as Barrett’s Esophagus, which can lead to a 125-fold increase in a patient’s risk of developing esophageal cancer, and

WHEREAS, esophageal cancer may be prevented through early detection of its precursor, Barrett’s Esophagus, which can be treated with new, curative techniques, and

WHEREAS, the Esophageal Cancer Action Network and Esophageal Cancer Support, Inc., are working to improve public awareness of the link between heartburn and cancer and actively support progress in the early detection and treatment of esophageal cancer, and

WHEREAS, increased awareness of esophageal cancer, coupled with improvements in prevention, early detection, and treatment strategies, will enhance the health and well-being of all Americans, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the month of April is recognized as “Esophageal Cancer Awareness Month” in Florida.

—**SR 426** was introduced, read and adopted by publication.

At the request of Senator Richter—

By Senator Richter—

SR 1296—A resolution recognizing July 27 and 28, 2013, as “Florida Family Golf Days.”

WHEREAS, the golf industry has become an integral part of the economy, identity, and quality of life in this state, and

WHEREAS, golf has become a major component of Florida’s economy, with a direct economic impact in 2007 of \$7.5 billion and an indirect economic benefit of \$13.8 billion, and

WHEREAS, the golf industry employs 167,000 Floridians and has an annual payroll of \$4.7 billion, and

WHEREAS, Florida is home to the PGA TOUR in Ponte Vedra Beach, the LPGA in Daytona Beach, the PGA of America in Palm Beach Gardens, The First Tee, the World Golf Hall of Fame, and the World Golf Foundation in St. Augustine, and

WHEREAS, Florida enjoys nationally recognized statewide golf industry associations, including the Florida Club Managers Association of America, The Golf Course Superintendents Association of America, the Florida State Golf Association, and the Florida Sections of the PGA of America, and

WHEREAS, Florida is home to more than 1,200 public and private golf course facilities, more than any other state in America, which generate revenues of \$3.4 billion, more than all other spectator sports in the state combined, and

WHEREAS, Florida will host 14 professional golf championships in 2013, including five PGA TOUR events, two Champions Tour events, a Web.com Tour event, an LPGA Tour event, three “Legends Tour” events, and five Symetra Tour events, and

WHEREAS, two of golf’s most prestigious events are played in Florida, THE PLAYERS Championship at TPC Sawgrass in Ponte Vedra Beach and the World Golf Championships – Cadillac Championship, played since 2007 at the Blue Monster Course of the Doral Golf Resort & Spa, and

WHEREAS, Florida’s golf industry is a top contributor to charitable organizations, with donations totaling more than \$312 million annually from numerous charitable golf outings and events as well as the charitable giving associated with professional golf tournaments, and

WHEREAS, beneficiaries of these charitable events include Miami Children’s Hospital, First Tee Miami, the Make-A-Wish Foundation, Baptist Children’s Hospital, the Children’s Miracle Network hospitals, the Nicklaus Children’s Health Care Foundation, The First Tee National School Program, Boy Scouts of America, the American Red Cross, the Alzheimer’s Support Network, Big Brothers/Big Sisters of Southwest Florida, and many others, and

WHEREAS, Florida’s golf courses and superintendents have continued to be stewards of the environment by using best practices in hazardous waste management, wetland and stormwater protection, and wastewater minimization, and

WHEREAS, the game of golf assists in the development of Florida’s youth through the introduction of life skills experiences, management of emotions, goal setting, conflict resolution, and improving relationships with family and community, and

WHEREAS, the concentration of golf activity in Florida in 2013 will bring an unprecedented amount of worldwide exposure to this state, and

WHEREAS, golf is a tremendous asset to this state, impacting quality of life and tourism and strengthening the state’s position as a great place to live and do business, and

WHEREAS, the golf industry has a tremendous impact on the state’s economy, provides recreation and wellness opportunities for residents of all ages, fosters strong character development for Florida’s youth, provides opportunities for family playtime together, contributes significantly to charitable organizations, and is intrinsic to the brand of the Sunshine State, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That, in recognition of the importance of golf in strengthening families and to the economy of this state, the Senate recognizes July 27 and 28, 2013, as “Florida Family Golf Days.”

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the affiliated organizations of the World Golf Foundation as a tangible token of the sentiments expressed in this resolution.

—**SR 1296** was introduced, read and adopted by publication.

At the request of Senator Soto—

By Senator Soto—

SR 1866—A resolution designating April 18, 2013, as “Puerto Rico Day” in Florida.

WHEREAS, the Commonwealth of Puerto Rico was discovered by Christopher Columbus in 1493 and ceded by Spain to the United States in 1898, following the Spanish-American War, and

WHEREAS, with a population of nearly 4 million people, the Commonwealth of Puerto Rico boasts an additional 2.7 million Puerto Ricans who live in the continental United States, approximately one-half of whom are second and third generation, and

WHEREAS, more than 250,000 Puerto Ricans reside in the State of Florida, predominantly in South Florida and the Orlando area, and

WHEREAS, the people of Puerto Rico represent a diverse cultural and racial mix, and

WHEREAS, Puerto Rico is a self-governing commonwealth in association with the United States, the commonwealth's chief of state is the President of the United States of America, and the head of Puerto Rico's government is an elected governor, and

WHEREAS, Puerto Rico has one of the most dynamic economies in the Caribbean region, with exports and imports nearly doubling between fiscal years 1987 and 1997, and

WHEREAS, the tourism industry has traditionally been an important source of income for Puerto Rico, with nearly 3.9 million tourists in 1993, providing 7 percent of the island's Gross National Product and employing over 60,000 people, and

WHEREAS, the State of Florida promotes the enhancement of trade, business, cultural, and educational exchanges with the Commonwealth of Puerto Rico, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That April 18, 2013, is designated as "Puerto Rico Day" in the State of Florida.

—**SR 1866** was introduced, read and adopted by publication.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **CS for CS for SB 1644** was removed from the Special Order Calendar and referred to the Committee on Appropriations.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed HB 5401 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

HB 5401—A bill to be entitled An act relating to transparency in state contracting; amending s. 215.985, F.S.; requiring the Chief Financial Officer to establish and maintain a secure website for public viewing of information contained in the contract tracking system; requiring state agencies to post certain information to the contract tracking system; requiring that exempt and confidential information be redacted from contracts posted on the system; providing a process for state agencies when a document has not been properly redacted; providing a method for a party to a contract to notify a state agency that a document has not been properly redacted and to request redaction; requiring the display of a notice of the right of an affected party to request redaction; providing that certain persons are not responsible for redacting confidential or exempt information and are not liable for failure of a state agency to redact the information; providing that posting information on the contract tracking system does not supersede the duty of a state agency to respond to a public records request; providing for service of a subpoena; authorizing the Chief Financial Officer to adopt rules; defining the term "state agency"; providing an effective date.

On motion by Senator Hays, by two-thirds vote, **HB 5401** was read the second time by title.

Senator Negron offered the following amendment which was moved by Senator Hays and adopted:

Amendment 1 (322536) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Hays, by two-thirds vote **HB 5401** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Garcia, Sachs

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed HB 5501 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

HB 5501—A bill to be entitled An act relating to weights and measures instruments and devices; creating s. 531.67, F.S., and repealing s. 40, ch. 2009-66, Laws of Florida, relating to commercial use permits for weights and measures instruments and devices, to provide for codification in the Florida Statutes of the expiration of specified provisions and extension of the expiration date; providing an effective date.

On motion by Senator Hays, by two-thirds vote, **HB 5501** was read the second time by title.

Senator Negron offered the following amendment which was moved by Senator Hays and adopted:

Amendment 1 (214886) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Hays, by two-thirds vote **HB 5501** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bean	Brandes
Abruzzo	Benacquisto	Braynon
Altman	Bradley	Bullard

Clemens	Hays	Ring
Dean	Hukill	Simmons
Detert	Joyner	Simpson
Diaz de la Portilla	Latvala	Smith
Evers	Lee	Sobel
Flores	Legg	Soto
Galvano	Margolis	Stargel
Gardiner	Montford	Thompson
Gibson	Negron	Thrasher
Grimsley	Richter	

Soto	Thompson
Stargel	Thrasher

Nays—None

Vote after roll call:

Yea—Garcia, Sachs

Nays—None

Vote after roll call:

Yea—Garcia, Sachs

DISCLOSURE

Pursuant to Senate Rule 1.39, I am disclosing that certain provisions in **HB 5501** provide a special private gain or loss to a principal by whom I or my spouse, parent, or child is retained or employed. The nature of the interest and the persons or entities involved are specified below:

While I do not believe I have a conflict, out of an abundance of caution, I file this disclosure. As a farmer, I employ the use of scales and other such weights and measures instruments and devices.

As permitted by Senate Rule, I may vote on this matter.

Senator Greg Evers, 2nd District

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed **HB 5503** and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

HB 5503—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending ss. 328.72 and 379.354, F.S.; deleting provisions for periodic adjustments of certain fees based on changes in the Consumer Price Index; providing an effective date.

On motion by Senator Hays, by two-thirds vote, **HB 5503** was read the second time by title.

Senator Negron offered the following amendment which was moved by Senator Hays and adopted:

Amendment 1 (210764) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Hays, by two-thirds vote **HB 5503** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Diaz de la Portilla	Lee
Abruzzo	Evers	Legg
Altman	Flores	Margolis
Bean	Galvano	Montford
Benacquisto	Gardiner	Negron
Bradley	Gibson	Richter
Brandes	Grimsley	Ring
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Dean	Joyner	Smith
Detert	Latvala	Sobel

MOTIONS

On motion by Senator Negron, the Senate having passed **HB 5401**, **HB 5501**, and **HB 5503** with amendments, acceded to the request of the House to include these bills in the appropriations conference.

On motion by Senator Thrasher, by two-thirds vote **HB 5401**, **HB 5501**, and **HB 5503** were ordered immediately certified to the House.

SPECIAL GUESTS

Senator Gardiner introduced former Representative Loranne Ausley who was present in the chamber.

BILLS ON THIRD READING

CS for CS for SB 86—A bill to be entitled An act relating to the distribution of materials harmful to minors; amending s. 847.012, F.S.; prohibiting an adult from knowingly distributing to a minor or posting on school property certain specified materials harmful to minors; providing that it is a third-degree felony for any person to knowingly distribute to a minor or post on school property certain materials harmful to minors; defining the term "school property"; providing an exception; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for SB 86**, on motion by Senator Flores, by two-thirds vote **CS for CS for HB 113** was withdrawn from the Committees on Education; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Flores, by two-thirds vote—

CS for CS for HB 113—A bill to be entitled An act relating to the distribution of materials harmful to minors; amending s. 847.012, F.S.; prohibiting an adult from knowingly distributing to a minor or posting on school property certain materials harmful to minors; providing that it is a third degree felony for any person to knowingly distribute to a minor or post on school property certain materials harmful to minors; defining the term "school property"; providing an exception; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 86** and read the second time by title.

On motion by Senator Flores, by two-thirds vote **CS for CS for HB 113** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Evers	Legg
Abruzzo	Flores	Margolis
Altman	Galvano	Montford
Bean	Garcia	Negron
Benacquisto	Gardiner	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Soto
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Lee	Thrasher

Nays—None

Vote after roll call:

Yea—Sachs, Simmons, Sobel

SB 356—A bill to be entitled An act relating to mutual insurance corporations; amending ss. 627.971 and 627.972, F.S.; providing that such corporations include licensed mutual insurers as well as licensed stock insurers; amending s. 617.01401, F.S.; revising the definition of the term “distribution” to exclude a not-for-profit insurance company subsidiary from ch. 617, F.S., relating to not-for-profit corporations; amending s. 628.371, F.S.; providing that certain dividends or distributions by a not-for-profit insurance company to its mutual insurance holding company which meet certain requirements are permitted under part I of ch. 628, F.S., relating to stock and mutual insurers; amending s. 628.703, F.S.; amending definitions relating to mutual insurance holding companies to add provisions for not-for-profit insurance companies and nonprofit health care plans; amending s. 628.707, F.S.; conforming terminology; amending s. 628.715, F.S.; adding not-for-profit insurance companies and nonprofit health plans to provisions relating to mergers and acquisitions; amending s. 628.727, F.S.; authorizing the articles of incorporation and bylaws of a mutual insurance holding company to restrict certain rights of policyholders to receive distributions; providing effective dates.

—as amended April 10 was read the third time by title.

On motion by Senator Abruzzo, **SB 356** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Simpson
Brandes	Grimsley	Smith
Braynon	Hays	Sobel
Bullard	Hukill	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Lee	Thrasher
Diaz de la Portilla	Legg	

Nays—None

Vote after roll call:

Yea—Sachs, Simmons

Consideration of **CS for SB 1770** was deferred.

SPECIAL ORDER CALENDAR

CS for CS for CS for SB 52—A bill to be entitled An act relating to the use of wireless communications devices while driving; creating s. 316.305, F.S.; creating the “Florida Ban on Texting While Driving Law”; providing legislative intent; prohibiting the operation of a motor vehicle while using a wireless communications device for certain purposes; defining the term “wireless communications device”; providing exceptions; specifying information that is admissible as evidence of a violation; providing penalties; providing for enforcement as a secondary action; amending s. 322.27, F.S.; providing for points to be assessed against a driver license for the unlawful use of a wireless communications device within a school safety zone or resulting in a crash; providing an effective date.

—was read the second time by title. On motions by Senator Detert, by two-thirds vote **CS for CS for CS for SB 52** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—36

Mr. President	Diaz de la Portilla	Lee
Abruzzo	Evers	Legg
Altman	Flores	Montford
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gardiner	Simpson
Brandes	Gibson	Smith
Braynon	Grimsley	Sobel
Bullard	Hays	Soto
Clemens	Hukill	Stargel
Dean	Joyner	Thompson
Detert	Latvala	Thrasher

Nays—None

Vote after roll call:

Yea—Margolis, Sachs, Simmons

Nay—Negron

MOTIONS

On motion by Senator Thrasher, by two-thirds vote **CS for CS for CS for SB 52** was ordered immediately certified to the House.

On motion by Senator Altman—

CS for SB 142—A bill to be entitled An act relating to intellectual disabilities; amending s. 39.502, F.S.; substituting the Arc of Florida for the Association for Retarded Citizens for purposes of certain proceedings relating to children; amending ss. 40.013, 86.041, 92.53, 92.54, and 92.55, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; amending s. 320.10, F.S.; substituting the Arc of Florida for the Association for Retarded Citizens; amending ss. 383.14, 393.063, 393.11, and 394.455, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; clarifying in s. 393.063, that the meaning of the terms “intellectual disability” or “intellectually disabled” is the same as the meaning of the terms “mental retardation,” “retarded,” and “mentally retarded” for purposes of matters relating to the criminal laws and court rules; amending s. 400.960, F.S.; revising definitions relating to intermediate care facilities for the developmentally disabled to delete unused terms; amending s. 408.032, F.S.; conforming a cross-reference; amending s. 409.908, F.S.; substituting the term “intellectually disabled” for the term “mentally retarded”; amending ss. 413.20, 440.49, and 499.0054, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; amending s. 514.072, F.S.; conforming a cross-reference and deleting obsolete provisions; amending ss. 627.6041, 627.6615, 641.31, 650.05, 765.204, 849.04, 914.16, 914.17, 916.105, and 916.106, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; amending s. 916.107, F.S.; substituting the term “intellectual disability” for the term “retardation”; providing a directive to the Division of Law Revision and Information; amending ss. 916.301, 916.3012, 916.302, 916.3025, 916.303, 916.304, 918.16, 921.137, 941.38, 944.602, 945.025, 945.12, 945.42, 947.185, 984.19, 985.14, 985.145, 985.18, 985.19, 985.195, and 985.61, F.S.; clarifying in s. 921.137, F.S., that the terms “intellectual disability” or “intellectually disabled” are interchangeable with and have the same meaning as the terms “mental retardation,” or “retardation” and “mentally retarded,” as defined before the effective date of the act; substituting the term “intellectual disability” for the term “mental retardation”; expressing legislative intent; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 142** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

SB 282—A bill to be entitled An act relating to consumer finance charges; amending s. 516.031, F.S.; increasing the proportionate loan

amounts that are subject to descending maximum rates of interest; increasing the maximum delinquency charge that may be imposed for each loan payment in default for not less than a specified time; reenacting and amending s. 516.19, F.S., relating to penalties, for the purpose of incorporating the amendment made to s. 516.031, F.S., in a reference thereto; providing penalties; making technical and grammatical changes; providing applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 282** was placed on the calendar of Bills on Third Reading.

On motion by Senator Evers—

CS for SB 320—A bill to be entitled An act relating to gasoline; amending s. 526.203, F.S.; providing that gasoline sold in this state is encouraged to be, rather than must be, blended gasoline; providing an effective date.

—was read the second time by title.

Senator Evers moved the following amendment which was adopted:

Amendment 1 (425028) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *Sections 526.201, 526.202, 526.203, 526.204, 526.205, 526.206, and 526.207, Florida Statutes, are repealed.*

Section 2. Subsection (2) of section 206.43, Florida Statutes, is amended to read:

206.43 Terminal supplier, importer, exporter, blender, and wholesaler to report to department monthly; deduction.—The taxes levied and assessed as provided in this part shall be paid to the department monthly in the following manner:

(2)(a) Such report may show in detail the number of gallons so sold and delivered by the terminal supplier, importer, exporter, blender, or wholesaler in the state, and the destination as to the county in the state to which the motor fuel was delivered for resale at retail or use shall be specified in the report. The total taxable gallons sold shall agree with the total gallons reported to the county destinations for resale at retail or use. All gallons of motor fuel sold shall be invoiced and shall name the county of destination for resale at retail or use.

~~(b) Each terminal supplier, importer, blender, and wholesaler shall also include in the report to the department the number of gallons of blended and unblended gasoline, as defined in s. 526.203, sold.~~

Section 3. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Florida Renewable Fuel Standard Act; repealing ss. 526.201-526.207, F.S., the Florida Renewable Fuel Standard Act, to remove the requirement that all gasoline offered for sale in this state include a percentage of ethanol, subject to specified exemptions, waivers, suspensions, extensions, enforcement, and reporting; amending s. 206.43, F.S.; conforming a cross-reference; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 320** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Bean—

CS for CS for SB 398—A bill to be entitled An act relating to supervisory assistants; amending ss. 458.347 and 459.022, F.S.; authorizing a supervisory physician to delegate to a licensed physician assistant the authority to order medications for the supervisory physician's patient in a facility licensed under ch. 395, F.S.; deleting provisions to conform to changes made by the act; providing that an order is not a prescription; authorizing a licensed physician assistant to order medication under the direction of the supervisory physician; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 398** was placed on the calendar of Bills on Third Reading.

CS for CS for CS for SB 600—A bill to be entitled An act relating to elections; amending s. 97.0555, F.S.; revising qualifications for late voter registration; amending s. 97.061, F.S.; revising restrictions relating to electors requiring assistance; prohibiting an individual from providing assistance to more than 10 electors during any election; creating s. 100.032, F.S.; requiring supervisors of elections to submit a report to the Secretary of State at least 3 months before a general election; specifying the content of the report; amending s. 100.061, F.S.; decreasing the time period between a primary election and a general election; amending s. 101.051, F.S.; revising restrictions relating to electors requiring assistance in casting ballots; conforming a provision to changes made by the act; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; deleting a provision providing that a ballot statement consisting of the full text of a constitutional amendment or revision is presumed to be a clear and unambiguous statement; amending s. 101.5605, F.S.; requiring a person to provide the name, mailing address, and telephone number of a registered agent of a voting systems vendor to the Department of State under certain circumstances; providing that proof of delivery or attempt to deliver constitutes valid notice; creating s. 101.56065, F.S.; providing definitions; requiring a vendor to file a written disclosure with the department; providing requirements for the disclosure; providing what constitutes a cure of a defect; requiring a vendor to file a new disclosure with the department if a vendor becomes aware of a defect within a specified period; authorizing the department to suspend all sales or leases or use in an election of a defective voting system; providing procedures for the suspension of voting systems; authorizing the department to withdraw approval of voting systems under certain circumstances; authorizing the department to initiate an investigation of a defective voting system; establishing procedures and requirements of investigations; providing a penalty; repealing s. 101.56075(4), F.S., relating to the requirement that all voting systems used by voters in a state election allow placement of the full text of a constitutional amendment or revision containing stricken or underlined text by a specified date; amending s. 101.591, F.S.; authorizing use of automated, independent audits of voting systems; providing audit requirements; requiring the Division of Elections to adopt rules; amending s. 101.62, F.S.; revising the requirements for a valid absentee ballot request; requiring the supervisor to record the absence of the voter's signature on the voter's certificate under specified circumstances; prohibiting the supervisor from providing an absentee ballot on the day of an election under certain circumstances; requiring a person who requests an absentee ballot to complete an affidavit under certain circumstances; amending s. 101.64, F.S.; revising the requirements for a voter's certificate; amending s. 101.65, F.S.; revising the instructions to absent electors; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; authorizing the supervisor to designate one additional early voting site per election; providing requirements; requiring each county to operate at least the same number of early voting sites as used for the 2012 general election; revising the number of days and hours for early voting; amending s. 101.67, F.S.; conforming a provision to changes made by the act; amending s. 101.68, F.S., and reenacting subsection (2), relating to the canvassing of absentee ballots; authorizing the supervisor to use the elector's signature in a precinct register to compare with the elector's signature on the voter's certificate; providing that an absentee ballot must clearly identify the name of the witness in order to be considered legal; requiring the supervisor to provide the elector with the specific reason his or her ballot was rejected; requiring the supervisor to allow electors to complete an affidavit to cure an unsigned absentee ballot prior to canvassing; providing the form and contents of the affidavit; providing instructions to accompany each absentee ballot affidavit; requiring the affidavit, instructions, and the supervisor's office mailing address to be posted on certain websites; requiring the supervisor to attach a received affidavit to the appropriate absentee ballot mailing envelope; amending s. 101.6921, F.S.; revising the voter's certificate accompanying a special absentee ballot; amending s. 101.6923, F.S.; revising special absentee ballot instructions; amending s. 101.6952, F.S.; providing that absentee ballots received from overseas voters in certain elections may be received up to 10 days after the date of the election; amending s. 102.031, F.S.; revising restrictions relating to the solicitation of voters; amending s.

102.141, F.S.; revising methods of selecting canvassing board members; requiring a supervisor to upload certain canvassed election results into a county's election management system prior to the election; prohibiting public disclosure of uploaded results before the close of the polls on election day; amending s. 104.0616, F.S.; providing a definition for the term "immediate family"; prohibiting possession of more than two absentee ballots under certain circumstances; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 600**, on motion by Senator Latvala, by two-thirds vote **CS for HB 7013** was withdrawn from the Committees on Ethics and Elections; Community Affairs; and Rules.

On motion by Senator Latvala, the rules were waived and—

CS for HB 7013—A bill to be entitled An act relating to the Florida Election Code; amending s. 97.0555, F.S.; revising the persons authorized to register late to vote; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; specifying that the limitation on the number of words does not apply to a ballot summary revised by the Attorney General; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; revising the number of days and hours for early voting; amending s. 101.68, F.S.; requiring the supervisor of elections to notify an elector whose absentee ballot is returned without a signature or with another defect that an absentee ballot may be re-issued upon completion of an affidavit; revising what a canvassing board may consider an illegal absentee ballot; providing a form for the affidavit; providing procedures for the reissuance of an absentee ballot; amending s. 102.141, F.S.; revising methods of selecting canvassing board members; requiring a supervisor of elections to upload certain canvassed election results into a county's election management system by the end of the early voting period; prohibiting disclosure of those results providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 600** and read the second time by title.

Senator Latvala moved the following amendment:

Amendment 1 (301346) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 97.0555, Florida Statutes, is amended to read:

97.0555 Late registration.—An individual or accompanying family member who has been discharged or separated from the uniformed services or the *United States Merchant Marine, has returned from a combat zone or forward-deployed area, or has separated from employment outside the territorial limits of the United States, after the book-closing date for an election pursuant to s. 97.055 and who is otherwise qualified may register to vote in such election until 5 p.m. on the Friday before that election in the office of the supervisor of elections. Such persons must produce sufficient documentation showing evidence of qualifying for late registration pursuant to this section.*

Section 2. Subsection (3) of section 97.061, Florida Statutes, is amended to read:

97.061 Special registration for electors requiring assistance.—

(3) The precinct register generated by the supervisor shall contain a notation that such person is eligible for assistance in voting, and the supervisor may make a notation on the voter information card that such person is eligible for assistance in voting. Such person shall be entitled to receive the assistance of two election officials or some other person of his or her own choice *that he or she knew before election day, other than the person's employer, the agent of the person's employer, or an officer or agent of the person's union,* without the necessity of executing the "Declaration to Secure Assistance" prescribed in s. 101.051. *However, a person entitled to assistance may not receive assistance from his or her employer, an agent of his or her employer, or an officer or agent of his or her union.* Such person shall notify the supervisor of any change in his or her condition which makes it unnecessary for him or her to receive assistance in voting. *An individual may not provide assistance to more than 10 electors during any election.*

Section 3. Section 100.032, Florida Statutes, is created to read:

100.032 Election preparation report; general election.—Each supervisor of elections must submit a report to the Secretary of State at least 3 months before a general election which outlines preparations for the upcoming general election. The report must include, at a minimum, the following elements: the anticipated staffing levels during the early voting period, on election day, and after election day; and the anticipated amount of automatic tabulating equipment at each early voting site and polling place.

Section 4. Section 100.061, Florida Statutes, is amended to read:

100.061 Primary election.—In each year in which a general election is held, a primary election for nomination of candidates of political parties shall be held on the Tuesday ~~10 to 12~~ weeks prior to the general election. The candidate receiving the highest number of votes cast in each contest in the primary election shall be declared nominated for such office. If two or more candidates receive an equal and highest number of votes for the same office, such candidates shall draw lots to determine which candidate is nominated.

Section 5. Subsection (1) of section 101.051, Florida Statutes, is amended to read:

101.051 Electors seeking assistance in casting ballots; oath to be executed; forms to be furnished.—

(1)(a) Any elector applying to vote in any election who requires assistance to vote by reason of blindness, disability, or inability to read or write may request the assistance of two election officials or some other person of the elector's own choice *that he or she knew before election day. However, such elector may not receive assistance from his or her employer, an agent of his or her employer, or an officer or agent of his or her union. An individual may not provide assistance to more than 10 electors during any election, other than the elector's employer, an agent of the employer, or an officer or agent of his or her union, to assist the elector in casting his or her vote.*

(b) Any such elector, before retiring to the voting booth, may have one of such persons read over to him or her, without suggestion or interference, the titles of the offices to be filled and the candidates therefor and the issues on the ballot. After the elector requests the aid of the two election officials or the person of the elector's choice, they shall retire to the voting booth for the purpose of casting the elector's vote according to the elector's choice.

Section 6. Subsection (3) of section 101.161, Florida Statutes, is amended to read:

101.161 Referenda; ballots.—

(3)(a) Each joint resolution that proposes a constitutional amendment or revision shall include one or more ballot statements set forth in order of priority. Each ballot statement shall consist of a ballot title, by which the measure is commonly referred to or spoken of, not exceeding 15 words in length, and ~~either a ballot summary that describes the chief purpose of the amendment or revision in clear and unambiguous language, or the full text of the amendment or revision.~~ *If a joint resolution that proposes a constitutional amendment or revision contains only one ballot statement, the ballot summary may not exceed 75 words in length. If a joint resolution that proposes a constitutional amendment or revision contains more than one ballot statement, the first ballot summary, in order of priority, may not exceed 75 words in length.*

(b) The Department of State shall furnish a designating number pursuant to subsection (2) and the appropriate ballot statement to the supervisor of elections of each county. The ballot statement shall be printed on the ballot after the list of candidates, followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the amendment or revision and a "no" vote will indicate rejection.

(c)(b)1. Any action for a judicial determination that one or more ballot statements embodied in a joint resolution are defective must be commenced by filing a complaint or petition with the appropriate court within 30 days after the joint resolution is filed with the Secretary of State. The complaint or petition shall assert all grounds for challenge to

each ballot statement. Any ground not asserted within 30 days after the joint resolution is filed with the Secretary of State is waived.

2. The court, including any appellate court, shall accord an action described in subparagraph 1. priority over other pending cases and render a decision as expeditiously as possible. If the court finds that all ballot statements embodied in a joint resolution are defective and further appeals are declined, abandoned, or exhausted, unless otherwise provided in the joint resolution, the Attorney General shall, within 10 days, prepare and submit to the Department of State a revised ballot title or ballot summary that corrects the deficiencies identified by the court, and the Department of State shall furnish a designating number and the revised ballot title or ballot summary to the supervisor of elections of each county for placement on the ballot. *The revised ballot summary may exceed 75 words in length.* The court shall retain jurisdiction over challenges to a revised ballot title or ballot summary prepared by the Attorney General, and any challenge to a revised ballot title or ballot summary must be filed within 10 days after a revised ballot title or ballot summary is submitted to the Department of State.

~~3. A ballot statement that consists of the full text of an amendment or revision shall be presumed to be a clear and unambiguous statement of the substance and effect of the amendment or revision, providing fair notice to the electors of the content of the amendment or revision and sufficiently advising electors of the issue upon which they are to vote.~~

Section 7. Subsection (3) of section 101.5605, Florida Statutes, is amended to read:

101.5605 Examination and approval of equipment.—

(3)(a) *Before the Department of State approves the electronic or electromechanical voting system, the person who submitted it for examination shall provide the department with the name, mailing address, and telephone number of a registered agent, which agent must have and continuously maintain an office in this state. Any change in the name, address, or telephone number of the registered agent shall promptly be made known to the department.*

(b) *Before entering into a contract for the sale or lease of a voting system approved under this section to any county, the person entering into such contract shall provide the department with the name, mailing address, and telephone number of a registered agent, which agent must have and continuously maintain an office in this state. Any change in the name, address, or telephone number of the registered agent shall promptly be made known to the department.*

(c) *The department's proof of delivery or attempted delivery to the last mailing address of the registered agent on file with the department at the time of delivery or attempted delivery is valid for all notice purposes.*

(d) *Within 30 days after completing the examination and upon approval of any electronic or electromechanical voting system, the Department of State shall make and maintain a report on the system, together with a written or printed description and drawings and photographs clearly identifying the system and the operation thereof. As soon as practicable after such filing, the department shall send a notice of certification and, upon request, a copy of the report to the governing bodies of the respective counties of the state. Any voting system that does not receive the approval of the department may shall not be adopted for or used at any election.*

~~(e)~~ (b) *After a voting system has been approved by the Department of State, any change or improvement in the system is required to be approved by the department prior to the adoption of such change or improvement by any county. If any such change or improvement does not comply with the requirements of this act, the department shall suspend all sales of the equipment or system in the state until the equipment or system complies with the requirements of this act.*

Section 8. Section 101.56065, Florida Statutes, is created to read:

101.56065 *Voting system defects; disclosure; investigations; penalties.—*

(1) *For purposes of this section, the term:*

(a) *“Defect” means:*

1. *Any failure, fault, or flaw in an electronic or electromechanical voting system approved pursuant to s. 101.5605 which results in non-conformance with the standards in a manner that affects the timeliness or accuracy of the casting or counting of ballots; or*

2. *Any failure or inability of the voting system manufacturer or vendor to make available or provide approved replacements of hardware or software to the counties that have purchased the approved voting system, the unavailability of which results in the system's nonconformance with the standards in a manner that affects the timeliness or accuracy of the casting or counting of ballots.*

(b) *“Standards” refers to the requirements in ss. 101.5606 and 101.56062 under which a voting system was approved for use in the state.*

(c) *“Vendor” means a person who submits or previously submitted a voting system that was approved by the Department of State in accordance with s. 101.5605, or a person who enters into a contract for the sale or lease of a voting system to any county, or that previously entered into such a contract that has not expired.*

(2)(a) *No later than December 31, 2013, and, thereafter, on January 1 of every odd-numbered year, each vendor shall file a written disclosure with the department identifying any known defect in the voting system or the fact that there is no known defect, the effect of any defect on the operation and use of the approved voting system, and any known corrective measures to cure a defect, including, but not limited to, advisories and bulletins issued to system users.*

(b) *Implementation of corrective measures approved by the department which enable a system to conform to the standards and ensure the timeliness and accuracy of the casting and counting of ballots constitutes a cure of a defect.*

(c) *If a vendor becomes aware of the existence of a defect, he or she must file a new disclosure with the department as provided in paragraph (a) within 30 days after the date the vendor determined or reasonably should have determined that the defect existed.*

(d) *If a vendor discloses to the department that a defect exists, the department may suspend all sales or leases of the voting system in the state and may suspend the use of the system in any election in the state. The department shall provide written notice of any such suspension to each affected vendor and supervisor of elections. If the department determines that the defect no longer exists, the department shall lift the suspension and provide written notice to each affected vendor and supervisor of elections.*

(e) *If a vendor fails to file a required disclosure for a voting system previously approved by the department, that system may not be sold, leased, or used for elections in the state until it has been submitted for examination and approval and adopted for use pursuant to s. 101.5605. The department shall provide written notice to all supervisors of elections that the system is no longer approved.*

(3)(a) *If the department has reasonable cause to believe a voting system approved pursuant to s. 101.5605 contains a defect either before, during, or after an election which has not been disclosed pursuant to subsection (2), the department may investigate whether the voting system has a defect.*

(b) *The department may initiate an investigation pursuant to paragraph (a) on its own initiative or upon the written request of the supervisor of elections of a county that purchased or leased a voting system that contains the alleged defect.*

(c) *Upon initiating an investigation, the department shall provide written notice to the vendor and all of the supervisors of elections.*

(4)(a) *If the department determines by a preponderance of the evidence that a defect exists in the voting system, or that a vendor failed to timely disclose a defect pursuant to subsection (2), the department shall provide written notice to the affected vendor and supervisors of elections.*

(b) *A vendor entitled to receive notice pursuant to paragraph (a) shall, within 10 days, file a written response to the department which:*

1. Denies that the alleged defect exists or existed as alleged by the department or that the vendor failed to timely disclose a defect, and sets forth the reasons for such denial; or

2. Admits that the defect exists or existed as alleged by the department or that the vendor failed to timely disclose a defect.

(c) If the defect has been cured, the vendor shall provide an explanation of how the defect was cured.

(d) If the defect has not been cured, the vendor shall inform the department whether the defect can be cured and shall provide the department with a plan for curing the defect. If the defect can be cured, the department shall establish a timeframe within which to cure the defect.

(5) If after receiving a response from the vendor, the department determines that a defect does not exist or has been cured within the timeframe established by the department, the department shall take no further action.

(6) If the department determines that: a vendor failed to timely disclose a defect; or that a defect exists and a vendor has not filed a written response or has failed to cure within the timeframe established by the department, or if the defect cannot be cured, the department shall impose a civil penalty of \$25,000 for the defect plus an amount equal to the actual costs incurred by the department in conducting the investigation.

(7) If the department finds that a defect existed:

(a) The department may suspend all sales and leases of the voting system and may suspend its use in any county in the state. The department shall provide written notice of the suspension to each affected vendor and supervisor of elections.

(b) If the department determines that a defect no longer exists in a voting system that has been suspended from use pursuant to paragraph (a), the department shall lift the suspension and authorize the sale, lease, and use of the voting system in any election in the state. The department shall provide written notice that the suspension has been lifted to each affected vendor and supervisor of elections.

(c) If the defect cannot be cured, the department may disapprove the voting system for use in elections in the state. The department shall provide written notice to all supervisors of elections that the system is no longer approved. After approval of a system has been withdrawn pursuant to this paragraph, the system may not be sold, leased, or used in elections in the state until it has been submitted for examination and approval and adopted for use pursuant to s. 101.5605.

(d) Any vendor against whom a civil penalty was imposed under this section may not submit a voting system for approval by the Department of State in accordance with s. 101.5605 or enter into a contract for sale or lease of a voting system in the state until the civil penalties have been paid and the department provides written confirmation to the supervisors of elections of the payment.

(8) The department shall prepare a written report of any investigation conducted pursuant to this section.

(9) The authority of the department under this section is in addition to, and not exclusive of, any other authority provided by law.

(10) All proceedings under this section are exempt from chapter 120.

Section 9. Subsection (4) of section 101.56075, Florida Statutes, is repealed.

Section 10. Subsections (1) and (2) of section 101.591, Florida Statutes, are amended, and subsection (4) of that section is republished, to read:

101.591 Voting system audit.—

(1) Immediately following the certification of each election, the county canvassing board or the local board responsible for certifying the election shall conduct a manual audit or an automated, independent audit of the voting systems used in randomly selected precincts.

(2)(a) A manual ~~The~~ audit shall consist of a public manual tally of the votes cast in one randomly selected race that appears on the ballot. The tally sheet shall include election-day, absentee, early voting, provisional, and overseas ballots, in at least 1 percent but no more than 2 percent of the precincts chosen at random by the county canvassing board or the local board responsible for certifying the election. If 1 percent of the precincts is less than one entire precinct, the audit shall be conducted using at least one precinct chosen at random by the county canvassing board or the local board responsible for certifying the election. Such precincts shall be selected at a publicly noticed canvassing board meeting.

(b) An automated audit shall consist of a public automated tally of the votes cast across every race that appears on the ballot. The tally sheet shall include election day, absentee, early voting, provisional, and overseas ballots in at least 20 percent of the precincts chosen at random by the county canvassing board or the local board responsible for certifying the election. Such precincts shall be selected at a publicly noticed canvassing board meeting.

(c) The division shall adopt rules for approval of an independent audit system which provide that the system, at a minimum, must be:

1. Completely independent of the primary voting system.
2. Fast enough to produce final audit results within the timeframe prescribed in subsection (4).
3. Capable of demonstrating that the ballots of record have been accurately adjudicated by the audit system.

(4) The audit must be completed and the results made public no later than 11:59 p.m. on the 7th day following certification of the election by the county canvassing board or the local board responsible for certifying the election.

Section 11. Subsections (1) and (3) and paragraph (c) of subsection (4) of section 101.62, Florida Statutes, are amended to read:

101.62 Request for absentee ballots.—

(1)(a) The supervisor shall accept a request for an absentee ballot from an elector in person or in writing. One request shall be deemed sufficient to receive an absentee ballot for all elections through the end of the calendar year of the second ensuing regularly scheduled general election, unless the elector or the elector's designee indicates at the time the request is made the elections for which the elector desires to receive an absentee ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable.

(b) The supervisor may accept a written or telephonic request for an absentee ballot to be mailed to an elector's address on file in the Florida Voter Registration System from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian; if the ballot is requested to be mailed to an address other than the elector's address on file in the Florida Voter Registration System, the request must be made in writing and signed by the elector. For purposes of this section, the term "immediate family" has the same meaning as specified in paragraph (4)(c). The person making the request must disclose:

1. The name of the elector for whom the ballot is requested.
2. The elector's address.
3. The elector's date of birth.
4. The requester's name.
5. The requester's address.
6. The requester's driver's license number, if available.
7. The requester's relationship to the elector.
8. The requester's signature (written requests only).

(c) Upon receiving a request for an absentee ballot from an absent voter, the supervisor of elections shall notify the voter of the free access system that has been designated by the department for determining the status of his or her absentee ballot.

(3) For each request for an absentee ballot received, the supervisor shall record the date the request was made, the date the absentee ballot was delivered to the voter or the voter's designee or the date the absentee ballot was delivered to the post office or other carrier, the date the ballot was received by the supervisor, *the absence of the voter's signature on the voter's certificate, if applicable*, and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by rule adopted by the division. The information shall be updated and made available no later than 8 a.m. of each day, including weekends, beginning 60 days before the primary until 15 days after the general election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from the provisions of s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees or registered committees of continuous existence, for political purposes only.

(4)

(c) The supervisor shall provide an absentee ballot to each elector by whom a request for that ballot has been made by one of the following means:

1. By nonforwardable, return-if-undeliverable mail to the elector's current mailing address on file with the supervisor or any other address the elector specifies in the request.

2. By forwardable mail, e-mail, or facsimile machine transmission to absent uniformed services voters and overseas voters. The absent uniformed services voter or overseas voter may designate in the absentee ballot request the preferred method of transmission. If the voter does not designate the method of transmission, the absentee ballot shall be mailed.

3. By personal delivery before 7 p.m. on election day to the elector, upon presentation of the identification required in s. 101.043.

4. By delivery to a designee on election day or up to 5 days prior to the day of an election. Any elector may designate in writing a person to pick up the ballot for the elector; however, the person designated may not pick up more than two absentee ballots per election, other than the designee's own ballot, except that additional ballots may be picked up for members of the designee's immediate family. For purposes of this section, "immediate family" means the designee's spouse or the parent, child, grandparent, or sibling of the designee or of the designee's spouse. The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and shall indicate if the elector is a member of the designee's immediate family and, if so, the relationship. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.

5. *Except as provided in s. 101.655, the supervisor may not deliver an absentee ballot to an elector or an elector's immediate family member on the day of the election unless there is an emergency, to the extent that the elector will be unable to go to his or her assigned polling place. If an absentee ballot is delivered, the elector or his or her designee shall execute an affidavit affirming to the facts which allow for delivery of the absentee ballot. The department shall adopt a rule providing for the form of the affidavit.*

Section 12. Subsections (1) through (3) of section 101.64, Florida Statutes, are amended to read:

101.64 Delivery of absentee ballots; envelopes; form.—

(1) The supervisor shall enclose with each absentee ballot two envelopes: a secrecy envelope, into which the absent elector shall enclose his or her marked ballot; and a mailing envelope, into which the absent elector shall then place the secrecy envelope, which shall be addressed to the supervisor and also bear on the back side a certificate in substantially the following form:

Note: Please Read Instructions Carefully Before
Marking Ballot and Completing Voter's Certificate.

VOTER'S CERTIFICATE

I, ..., do solemnly swear or affirm that I am a qualified and registered voter of ... County, Florida, and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt to commit any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I can be convicted of a felony of the third degree and fined up to \$5,000 and/or imprisoned for up to 5 years. I also understand that failure to sign this certificate will invalidate my ballot.

_____(Date)_____ (Voter's Signature)_____

Note: Your Signature Must Be Witnessed by One Witness 18 Years of Age or Older as Provided in the Instruction Sheet.

I swear or affirm that the voter signed this Voter's Certificate in my presence.

_____(Signature of Witness)_____

_____(Printed Name of Witness)_____

_____(Date)_____

...(Address)...

(2) The certificate shall be arranged on the back of the mailing envelope so that the line for the signature of the absent elector is across the seal of the envelope; however, no statement shall appear on the envelope which indicates that a signature of the voter must cross the seal of the envelope. The absent elector and the attesting witness shall execute the certificate on the envelope. *A candidate may not serve as an attesting witness.*

(3) In lieu of the voter's certificate provided in this section, the supervisor of elections shall provide each person voting absentee under the Uniformed and Overseas Citizens Absentee Voting Act with the standard oath prescribed by the presidential designee *with an appended section in substantially the following form:-*

Witness signature and date:

_____(Signature of Witness)_____

_____(Printed Name of Witness)_____

_____(Address)_____

_____(Date)_____

Section 13. Section 101.65, Florida Statutes, is amended to read:

101.65 Instructions to absent electors.—The supervisor shall enclose with each absentee ballot separate printed instructions in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

1. **VERY IMPORTANT.** In order to ensure that your absentee ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the day of the election. *However, if you are an overseas voter casting a ballot in a presidential preference primary or general election, your absentee ballot must be postmarked or signed and dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election.*

2. Mark your ballot in secret as instructed on the ballot. You must mark your own ballot unless you are unable to do so because of blindness, disability, or inability to read or write.

3. Mark only the number of candidates or issue choices for a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one candidate, your vote in that race will not be counted.

4. Place your marked ballot in the enclosed secrecy envelope.

5. Insert the secrecy envelope into the enclosed mailing envelope which is addressed to the supervisor.

6. Seal the mailing envelope and completely fill out the Voter's Certificate on the back of the mailing envelope.

7. **VERY IMPORTANT.** In order for your absentee ballot to be counted, you must sign your name on the line above (Voter's Signature). An absentee ballot will be considered illegal and not be counted if the signature on the voter's certificate does not match the signature on record. The signature on file at the start of the canvass of the absentee ballots is the signature that will be used to verify your signature on the voter's certificate. If you need to update your signature for this election, send your signature update on a voter registration application to your supervisor of elections so that it is received no later than the start of the canvassing of absentee ballots, which occurs no earlier than the 15th day before election day.

8. **VERY IMPORTANT.** In order for your absentee ballot to be counted, it must include the signature and legible address of an attesting witness 18 years of age or older affixed to the Voter's Certificate. If the signature is illegible, the Voter's Certificate must also include a readable printed name of the attesting witness. A candidate may not serve as an attesting witness.

9. **VERY IMPORTANT.** If you are an overseas voter, you must include the date you signed the Voter's Certificate on the line above (Date) or your ballot may not be counted.

10. ~~9.~~ Mail, deliver, or have delivered the completed mailing envelope. Be sure there is sufficient postage if mailed.

11. ~~10.~~ **FELONY NOTICE.** It is a felony under Florida law to accept any gift, payment, or gratuity in exchange for your vote for a candidate. It is also a felony under Florida law to vote in an election using a false identity or false address, or under any other circumstances making your ballot false or fraudulent.

Section 14. Paragraphs (a) and (d) of subsection (1) of section 101.657, Florida Statutes, are amended to read:

101.657 Early voting.—

(1)(a) As a convenience to the voter, the supervisor of elections shall allow an elector to vote early in the main or branch office of the supervisor. The supervisor shall mark, code, indicate on, or otherwise track the voter's precinct for each early voted ballot. In order for a branch office to be used for early voting, it shall be a permanent facility of the supervisor and shall have been designated and used as such for at least 1 year prior to the election. The supervisor may also designate any city hall, ~~or~~ permanent public library facility, fairground, civic center, courthouse, county commission building, stadium, convention center, government-owned senior center, or government-owned community center as early voting sites; however, if so designated, the sites must be geographically located so as to provide all voters in the county an equal opportunity to cast a ballot, insofar as is practicable. In addition, a supervisor may designate one early voting site per election in an area of the county that does not have any of the eligible early voting locations. Such additional early voting site must be geographically located so as to provide all voters in that area with an equal opportunity to cast a ballot, insofar as is practicable. Each county shall, at a minimum, operate the same total number of early voting sites for a general election which the county operated for the 2012 general election. The results or tabulation of votes cast during early voting may not be made before the close of the polls on election day. Results shall be reported by precinct.

(d) Early voting shall begin on the 10th day before an election that contains state or federal races and end on the 3rd day before the election,

and shall be provided for no less than 8 6 hours and no more than 12 hours per day at each site during the applicable period. In addition, early voting may be offered at the discretion of the supervisor of elections on the 15th, 14th, 13th, 12th, 11th, or 2nd day before an election that contains state or federal races for at least 8 hours per day, but not more than 12 hours per day. The supervisor of elections may provide early voting for elections that are not held in conjunction with a state or federal election. However, the supervisor has the discretion to determine the hours of operation of early voting sites in those elections.

Section 15. Subsection (2) of section 101.67, Florida Statutes, is amended to read:

101.67 Safekeeping of mailed ballots; deadline for receiving absentee ballots.—

(2) Except as provided in s. 101.6952(5), all marked absent electors' ballots to be counted must be received by the supervisor by 7 p.m. the day of the election. All ballots received thereafter shall be marked with the time and date of receipt and filed in the supervisor's office.

Section 16. Subsections (1) and (4) of section 101.68, Florida Statutes, are amended, and subsection (2) of that section is reenacted and amended, to read:

101.68 Canvassing of absentee ballot.—

(1) The supervisor of the county where the absent elector resides shall receive the voted ballot, at which time the supervisor shall compare the signature of the elector on the voter's certificate with the signature of the elector in the registration books or the precinct register to determine whether the elector is duly registered in the county and may record on the elector's registration certificate that the elector has voted. However, effective July 1, 2005, an elector who dies after casting an absentee ballot but on or before election day shall remain listed in the registration books until the results have been certified for the election in which the ballot was cast. The supervisor shall safely keep the ballot unopened in his or her office until the county canvassing board canvasses the vote. Except as provided in subsection (4), after an absentee ballot is received by the supervisor, the ballot is deemed to have been cast, and changes or additions may not be made to the voter's certificate.

(2)(a) The county canvassing board may begin the canvassing of absentee ballots at 7 a.m. on the 15th day before the election, but not later than noon on the day following the election. In addition, for any county using electronic tabulating equipment, the processing of absentee ballots through such tabulating equipment may begin at 7 a.m. on the 15th day before the election. However, notwithstanding any such authorization to begin canvassing or otherwise processing absentee ballots early, no result shall be released until after the closing of the polls in that county on election day. Any supervisor of elections, deputy supervisor of elections, canvassing board member, election board member, or election employee who releases the results of a canvassing or processing of absentee ballots prior to the closing of the polls in that county on election day commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) To ensure that all absentee ballots to be counted by the canvassing board are accounted for, the canvassing board shall compare the number of ballots in its possession with the number of requests for ballots received to be counted according to the supervisor's file or list.

(c)1. The canvassing board shall, if the supervisor has not already done so, compare the signature of the elector on the voter's certificate or on the absentee ballot affidavit as provided in subsection (4) with the signature of the elector in the registration books or the precinct register to see that the elector is duly registered in the county and to determine the legality of that absentee ballot. The ballot of an elector who casts an absentee ballot shall be counted even if the elector dies on or before election day, as long as, prior to the death of the voter, the ballot was postmarked by the United States Postal Service, date-stamped with a verifiable tracking number by common carrier, or already in the possession of the supervisor of elections. An absentee ballot shall be considered illegal if the voter's certificate or absentee ballot affidavit ~~is~~ does not include the signature of the elector, as shown by the registration records or the precinct register, along with the signature and legible address of an attesting witness; however, if the signature of the attesting witness is illegible, the printed name of the attesting witness must clearly

identify the name of the witness or the ballot shall be considered illegal. However, an absentee ballot is ~~shall~~ not be considered illegal if the signature of the elector does not cross the seal of the mailing envelope. If the canvassing board determines that any ballot is illegal, a member of the board shall, without opening the envelope, mark across the face of the envelope: "rejected as illegal." The absentee ballot affidavit, if applicable, the envelope and the ballot contained therein shall be preserved in the manner that official ballots voted are preserved.

2. If any elector or candidate present believes that an absentee ballot is illegal due to a defect apparent on the voter's certificate or the absentee ballot affidavit, he or she may, at any time before the ballot is removed from the envelope, file with the canvassing board a protest against the canvass of that ballot, specifying the precinct, the ballot, and the reason he or she believes the ballot to be illegal. A challenge based upon a defect in the voter's certificate or absentee ballot affidavit may not be accepted after the ballot has been removed from the mailing envelope.

(d) The canvassing board shall record the ballot upon the proper record, unless the ballot has been previously recorded by the supervisor. The mailing envelopes shall be opened and the secrecy envelopes shall be mixed so as to make it impossible to determine which secrecy envelope came out of which signed mailing envelope; however, in any county in which an electronic or electromechanical voting system is used, the ballots may be sorted by ballot styles and the mailing envelopes may be opened and the secrecy envelopes mixed separately for each ballot style. The votes on absentee ballots shall be included in the total vote of the county.

(4)(a) The supervisor of elections shall, on behalf of the county canvassing board, notify each elector whose ballot was rejected as illegal and provide the specific reason the ballot was rejected ~~because of a difference between the elector's signature on the ballot and that on the elector's voter registration record.~~ The supervisor shall mail a voter registration application to the elector to be completed indicating the elector's current signature if the elector's ballot was rejected due to a difference between the elector's signature on the voter's certificate or absentee ballot affidavit and the elector's signature in the registration books or precinct register. This section does not prohibit the supervisor from providing additional methods for updating an elector's signature.

(b) If the canvassing board has not begun the canvassing of absentee ballots pursuant to subsection (2), the supervisor shall allow an elector who has returned an absentee ballot that does not include the elector's signature to complete an affidavit in order to cure the unsigned absentee ballot.

(c) The elector shall provide identification to the supervisor and must complete an absentee ballot affidavit in substantially the following form:

ABSENTEE BALLOT AFFIDAVIT

I, ..., am a qualified voter in this election and registered voter of County, Florida. I do solemnly swear or affirm that I requested and returned the absentee ballot and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I may be convicted of a felony of the third degree and fined up to \$5,000 and imprisoned for up to 5 years. I understand that my failure to sign this affidavit means that my absentee ballot will be invalidated.

(Voter's Signature)

(Address)

Note: Your Signature Must Be Witnessed by One Witness 18 Years of Age or Older.

I swear or affirm that the voter signed this Absentee Ballot Affidavit in my presence.

(Signature of Witness)

(Printed Name of Witness)

(Date)

(Address)

(d) Instructions must accompany the absentee ballot affidavit in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. In order to ensure that your absentee ballot will be counted, your affidavit should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than the start of the canvassing of absentee ballots, which occurs no earlier than the 15th day before an election.

2. You must sign your name on the line above (Voter's Signature).

3. You must have your signature witnessed by a person 18 years of age or older. Have the witness sign on the line above (Signature of Witness) and include his or her legible address. If the signature is illegible, the affidavit must also include a readable, printed name of the attesting witness. A candidate may not serve as an attesting witness.

4. You must make a copy of one of the following forms of identification:

a. Identification which must include your name and photograph: United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; or public assistance identification; or

b. Identification which shows your name and current residence address: current utility bill, bank statement, government check, paycheck, or government document (excluding voter identification card).

5. Place the envelope bearing the affidavit into a mailing envelope addressed to the supervisor. Insert a copy of your identification in the mailing envelope.

6. Mail, deliver, or have delivered the completed affidavit along with the copy of your identification to your county supervisor of elections. Be sure there is sufficient postage if mailed and that the supervisor's address is correct.

(e) The department and each supervisor shall include the affidavit and instructions on their respective websites. The supervisor must include his or her office's mailing address on the page containing the affidavit instructions; the department's instruction page must include the office mailing addresses of all supervisors of elections or provide a conspicuous link to such addresses.

(f) The supervisor shall attach each affidavit received to the appropriate absentee ballot mailing envelope.

Section 17. Subsections (3) and (4) of section 101.6921, Florida Statutes, are amended to read:

101.6921 Delivery of special absentee ballot to certain first-time voters.—

(3) The Voter's Certificate shall be in substantially the following form:

Note: Please Read Instructions Carefully Before Marking Ballot and Completing Voter's Certificate.

VOTER'S CERTIFICATE

I, ..., do solemnly swear or affirm that I am a qualified and registered voter of County, Florida, and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt to commit any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I can be convicted of a felony of the third degree and fined up to \$5,000 and/or imprisoned for up to 5 years. I also understand that failure to sign this certificate will invalidate my ballot. I understand that unless I meet one of the exemptions below, I must provide a copy of a current and valid identification as provided in the instruction sheet to the supervisor of elections in order for my ballot to count.

I further certify that I am exempt from the requirements to furnish a copy of a current and valid identification with my ballot because of one or more of the following (check all that apply):

- I am 65 years of age or older.
- I have a permanent or temporary physical disability.
- I am a member of a uniformed service on active duty who, by reason of such active duty, will be absent from the county on election day.
- I am a member of the Merchant Marine who, by reason of service in the Merchant Marine, will be absent from the county on election day.
- I am the spouse or dependent of a member of the uniformed service or Merchant Marine who, by reason of the active duty or service of the member, will be absent from the county on election day.
- I am currently residing outside the United States.

(Date) _____
Voter's Signature

Note: Your Signature Must Be Witnessed as Provided in the Instruction Sheet By One Witness 18 Years of Age or Older.

I swear or affirm that the voter signed this Voter's Certificate in my presence.

(Signature of Witness)

(Printed Name of Witness)

(Date)

(Address)

(4) The certificate shall be arranged on the back of the envelope so that the line for the signature of the absent elector is across the seal of the envelope.

Section 18. Subsection (2) of section 101.6923, Florida Statutes, is amended to read:

101.6923 Special absentee ballot instructions for certain first-time voters.—

(2) A voter covered by this section shall be provided with printed instructions with his or her absentee ballot in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. In order to ensure that your absentee ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the date of the election. *However, if you are an overseas voter casting a ballot in a presidential preference primary or general election, your absentee ballot must be postmarked or signed and dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election.*

2. Mark your ballot in secret as instructed on the ballot. You must mark your own ballot unless you are unable to do so because of blindness, disability, or inability to read or write.

3. Mark only the number of candidates or issue choices for a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one, your vote in that race will not be counted.

4. Place your marked ballot in the enclosed secrecy envelope and seal the envelope.

5. Insert the secrecy envelope into the enclosed envelope bearing the Voter's Certificate. Seal the envelope and completely fill out the Voter's Certificate on the back of the envelope.

- a. You must sign your name on the line above (Voter's Signature).
- b. *You must have your signature witnessed by a person 18 years of age or older. Have the witness sign on the line above (Signature of Witness) and include his or her legible address. If the signature is illegible, the Voter's Certificate must also include a readable printed name of the attesting witness. A candidate may not serve as an attesting witness.*
- c. If you are an overseas voter, you must include the date you signed the Voter's Certificate on the line above (Date) or your ballot may not be counted.
- d. An absentee ballot will be considered illegal and will not be counted if the signature on the Voter's Certificate does not match the signature on record. The signature on file at the start of the canvass of the absentee ballots is the signature that will be used to verify your signature on the Voter's Certificate. If you need to update your signature for this election, send your signature update on a voter registration application to your supervisor of elections so that it is received no later than the start of canvassing of absentee ballots, which occurs no earlier than the 15th day before election day.

6. Unless you meet one of the exemptions in Item 7., you must make a copy of one of the following forms of identification:

a. Identification which must include your name and photograph: United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; or public assistance identification; or

b. Identification which shows your name and current residence address: current utility bill, bank statement, government check, paycheck, or government document (excluding voter identification card).

7. The identification requirements of Item 6. do not apply if you meet one of the following requirements:

- a. You are 65 years of age or older.
- b. You have a temporary or permanent physical disability.
- c. You are a member of a uniformed service on active duty who, by reason of such active duty, will be absent from the county on election day.
- d. You are a member of the Merchant Marine who, by reason of service in the Merchant Marine, will be absent from the county on election day.
- e. You are the spouse or dependent of a member referred to in paragraph c. or paragraph d. who, by reason of the active duty or service of the member, will be absent from the county on election day.
- f. You are currently residing outside the United States.

8. Place the envelope bearing the Voter's Certificate into the mailing envelope addressed to the supervisor. Insert a copy of your identification in the mailing envelope. **DO NOT PUT YOUR IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR BALLOT WILL NOT COUNT.**

9. Mail, deliver, or have delivered the completed mailing envelope. Be sure there is sufficient postage if mailed.

10. **FELONY NOTICE.** It is a felony under Florida law to accept any gift, payment, or gratuity in exchange for your vote for a candidate. It is also a felony under Florida law to vote in an election using a false identity or false address, or under any other circumstances making your ballot false or fraudulent.

Section 19. Subsection (5) is added to section 101.6952, Florida Statutes, to read:

101.6952 Absentee ballots for absent uniformed services and overseas voters.—

(5) *An absentee ballot from an overseas voter in any presidential preference primary or general election which is postmarked or signed and*

dated no later than the date of the election and is received by the supervisor of elections of the county in which the overseas voter is registered no later than 10 days after the date of the election shall be counted as long as the absentee ballot is otherwise proper.

Section 20. Paragraphs (a) and (b) of subsection (4) of section 102.031, Florida Statutes, are amended, and paragraph (d) is added to that subsection, to read:

102.031 Maintenance of good order at polls; authorities; persons allowed in polling rooms and early voting areas; unlawful solicitation of voters.—

(4)(a) No person, political committee, committee of continuous existence, or other group or organization may solicit voters inside the polling place or within 100 feet of the entrance to any polling place, a ~~or~~ polling room where the polling place is also a polling room, an ~~or~~ early voting site, or an office of the supervisor of elections where absentee ballots are requested and printed on demand for the convenience of electors who appear in person to request them. Before the opening of the polling place or early voting site, the clerk or supervisor shall designate the no-solicitation zone and mark the boundaries.

(b) For the purpose of this subsection, the terms “solicit” or “solicitation” shall include, but not be limited to, seeking or attempting to seek any vote, fact, opinion, or contribution; distributing or attempting to distribute any political or campaign material, leaflet, or handout; conducting a poll except as specified in this paragraph; seeking or attempting to seek a signature on any petition; and selling or attempting to sell any item. The terms “solicit” or “solicitation” may ~~shall~~ not be construed to prohibit exit polling.

(d) Except as provided in paragraph (a), the supervisor may not designate a no-solicitation zone or otherwise restrict access to any person, political committee, committee of continuous existence, candidate, or other group or organization for the purposes of soliciting voters. This paragraph applies to any public or private property used as a polling place or early voting site.

Section 21. Subsections (1) and (4) of section 102.141, Florida Statutes, are amended to read:

102.141 County canvassing board; duties.—

(1) The county canvassing board shall be composed of the supervisor of elections; a county court judge, who shall act as chair; and the chair of the board of county commissioners. *Alternate canvassing board members must be appointed pursuant to paragraph (e).* In the event any member of the county canvassing board is unable to serve, is a candidate who has opposition in the election being canvassed, or is an active participant in the campaign or candidacy of any candidate who has opposition in the election being canvassed, such member shall be replaced as follows:

(a) If no county court judge is able to serve or if all are disqualified, the chief judge of the judicial circuit in which the county is located shall appoint as a substitute member a qualified elector of the county who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed. In such event, the members of the county canvassing board shall meet and elect a chair.

(b) If the supervisor of elections is unable to serve or is disqualified, the chair of the board of county commissioners shall appoint as a substitute member a member of the board of county commissioners who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed. The supervisor, however, shall act in an advisory capacity to the canvassing board.

(c) If the chair of the board of county commissioners is unable to serve or is disqualified, the board of county commissioners shall appoint as a substitute member one of its members who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed.

(d) If a substitute member or alternate member cannot be appointed as provided elsewhere in this subsection, or in the event of a vacancy in such office, the chief judge of the judicial circuit in which the county is

located shall appoint as a substitute member or alternate member a qualified elector of the county who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed.

(e)1. The chief judge of the judicial circuit in which the county is located shall appoint a county court judge as an alternate member of the county canvassing board or, if each county court judge is unable to serve or is disqualified, shall appoint an alternate member who is qualified to serve as a substitute member under paragraph (a).

2. The chair of the board of county commissioners shall appoint a member of the board of county commissioners as an alternate member of the county canvassing board or, if each member of the board of county commissioners is unable to serve or is disqualified, shall appoint an alternate member who is qualified to serve as a substitute member under paragraph (d).

3. If a member of the county canvassing board is unable to participate in a meeting of the board, the chair of the county canvassing board or his or her designee shall designate which alternate member will serve as a member of the board in the place of the member who is unable to participate at that meeting.

4. If not serving as one of the three members of the county canvassing board, an alternate member may be present, observe, and communicate with the three members constituting the county canvassing board, but may not vote in the board's decisions or determinations.

(4)(a) The supervisor of elections shall upload into the county's election management system by 7 p.m. on the day before the election the results of all early voting and absentee ballots that have been canvassed and tabulated by the end of the early voting period. Pursuant to ss. 101.5614(9), 101.657, and 101.68(2), the tabulation of votes cast or the results of such uploads may not be made public before the close of the polls on election day.

(b) The canvassing board shall report all early voting and all tabulated absentee results to the Department of State within 30 minutes after the polls close. Thereafter, the canvassing board shall report, with the exception of provisional ballot results, updated precinct election results to the department at least every 45 minutes until all results are completely reported. The supervisor of elections shall notify the department immediately of any circumstances that do not permit periodic updates as required. Results shall be submitted in a format prescribed by the department.

Section 22. Effective January 1, 2014, section 104.0616, Florida Statutes, is amended to read:

104.0616 Absentee ballots and voting; violations.—

(1) For purposes of this section, the term “immediate family” means a person's spouse or the parent, child, grandparent, or sibling of the person or the person's spouse.

(2) Any person who provides or offers to provide, and any person who accepts, a pecuniary or other benefit in exchange for distributing, ordering, requesting, collecting, delivering, or otherwise physically possessing more than two absentee ballots per election in addition to his or her own ballot or a ballot belonging to an immediate family member, with intent to alter, change, modify, or erase any vote on the absentee ballot, except as provided in ss. 101.6105-101.695, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 23. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to elections; amending s. 97.0555, F.S.; revising qualifications for late voter registration; amending s. 97.061, F.S.; revising restrictions relating to electors requiring assistance; prohibiting an individual from providing assistance to more than 10 electors during any election; creating s. 100.032, F.S.; requiring supervisors of elections to submit a report to the Secretary of State at least 3 months before a general election; specifying the content of the report; amending s.

100.061, F.S.; decreasing the time period between a primary election and a general election; amending s. 101.051, F.S.; revising restrictions relating to electors requiring assistance in casting ballots; prohibiting an individual from providing assistance to more than 10 electors during any election; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; deleting a provision providing that a ballot statement consisting of the full text of a constitutional amendment or revision is presumed to be a clear and unambiguous statement; amending s. 101.5605, F.S.; requiring a person to provide the name, mailing address, and telephone number of a registered agent of a voting systems vendor to the Department of State under certain circumstances; providing that proof of delivery or attempt to deliver constitutes valid notice; creating s. 101.56065, F.S.; providing definitions; requiring a vendor to file a written disclosure with the department; providing requirements for the disclosure; providing what constitutes a cure of a defect; requiring a vendor to file a new disclosure with the department if a vendor becomes aware of a defect within a specified period; authorizing the department to suspend all sales or leases or use in an election of a defective voting system; providing procedures for the suspension of voting systems; authorizing the department to withdraw approval of voting systems under certain circumstances; authorizing the department to initiate an investigation of a defective voting system; establishing procedures and requirements of investigations; providing a penalty; repealing s. 101.56075(4), F.S., relating to the requirement that all voting systems used by voters in a state election allow placement of the full text of a constitutional amendment or revision containing stricken or underlined text by a specified date; amending s. 101.591, F.S.; authorizing use of automated, independent audits of voting systems; providing audit requirements; requiring the Division of Elections to adopt rules; amending s. 101.62, F.S.; revising the requirements for a valid absentee ballot request; requiring the supervisor to record the absence of the voter's signature on the voter's certificate under specified circumstances; prohibiting the supervisor from providing an absentee ballot on the day of an election under certain circumstances; requiring a person who requests an absentee ballot to complete an affidavit under certain circumstances; amending s. 101.64, F.S.; revising the requirements for a voter's certificate; amending s. 101.65, F.S.; revising the instructions to absent electors; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; authorizing the supervisor to designate one additional early voting site per election; providing requirements; requiring each county to operate at least the same number of early voting sites as used for the 2012 general election; revising the number of days and hours for early voting; amending s. 101.67, F.S.; conforming a provision to changes made by the act; amending s. 101.68, F.S., and reenacting subsection (2), relating to the canvassing of absentee ballots; authorizing the supervisor to use the elector's signature in a precinct register to compare with the elector's signature on the voter's certificate; providing that an absentee ballot must clearly identify the name of the witness in order to be considered legal; requiring the supervisor to provide the elector with the specific reason his or her ballot was rejected; requiring the supervisor to allow electors to complete an affidavit to cure an unsigned absentee ballot prior to canvassing; providing the form and contents of the affidavit; providing instructions to accompany each absentee ballot affidavit; requiring the affidavit, instructions, and the supervisor's office mailing address to be posted on certain websites; requiring the supervisor to attach a received affidavit to the appropriate absentee ballot mailing envelope; amending s. 101.6921, F.S.; revising the voter's certificate accompanying a special absentee ballot; amending s. 101.6923, F.S.; revising special absentee ballot instructions; amending s. 101.6952, F.S.; providing that absentee ballots received from overseas voters in certain elections may be received up to 10 days after the date of the election; amending s. 102.031, F.S.; revising restrictions relating to the solicitation of voters; amending s. 102.141, F.S.; revising methods of selecting canvassing board members; requiring a supervisor to upload certain canvassed election results into a county's election management system prior to the election; prohibiting public disclosure of uploaded results before the close of the polls on election day; amending s. 104.0616, F.S.; providing a definition for the term "immediate family"; prohibiting possession of more than two absentee ballots under certain circumstances; providing effective dates.

Senator Braynon moved the following amendment to **Amendment 1** which failed:

Amendment 1A (623538) (with title amendment)—Delete lines 19-85 and insert:

Section 2. Section 100.032, Florida Statutes, is created to read:

100.032 Election preparation report; general election.—Each supervisor of elections must submit a report to the Secretary of State at least 3 months before a general election which outlines preparations for the upcoming general election. The report must include, at a minimum, the following elements: the anticipated staffing levels during the early voting period, on election day, and after election day; and the anticipated amount of automatic tabulating equipment at each early voting site and polling place.

Section 3. Section 100.061, Florida Statutes, is amended to read:

100.061 Primary election.—In each year in which a general election is held, a primary election for nomination of candidates of political parties shall be held on the Tuesday 10 ~~12~~ weeks prior to the general election. The candidate receiving the highest number of votes cast in each contest in the primary election shall be declared nominated for such office. If two or more candidates receive an equal and highest number of votes for the same office, such candidates shall draw lots to determine which candidate is nominated.

And the title is amended as follows:

Delete lines 1161-1175 and insert: registration; creating s. 100.032, F.S.; requiring supervisors of elections to submit a report to the Secretary of State at least 3 months before a general election; specifying the content of the report; amending s. 100.061, F.S.; decreasing the time period between a primary election and a general election; amending s. 101.161, F.S.; providing a limitation

Senator Clemens moved the following amendment to **Amendment 1** which failed:

Amendment 1B (645956)—Delete line 102 and insert: *priority, may not exceed 75 words in length and additional ballot summaries may not exceed 150 words in length.*

Senator Clemens moved the following amendment to **Amendment 1** which was adopted:

Amendment 1C (588654) (with title amendment)—Delete lines 328-329 and insert:

Section 9. Section 101.56075, Florida Statutes, is amended to read:

101.56075 Voting methods.—

(1) Except as provided in subsection (2), all voting shall be by marksense ballot utilizing a marking device for the purpose of designating ballot selections.

(2) Persons with disabilities may vote on a voter interface device that meets the voting system accessibility requirements for individuals with disabilities pursuant to s. 301 of the federal Help America Vote Act of 2002 and s. 101.56062.

(3) By 2020 ~~2016~~, persons with disabilities shall vote on a voter interface device that meets the voter accessibility requirements for individuals with disabilities under s. 301 of the federal Help America Vote Act of 2002 and s. 101.56062 which are consistent with subsection (1) of this section.

~~(4) By December 31, 2013, all voting systems utilized by voters during a state election shall permit placement on the ballot of the full text of a constitutional amendment or revision containing stricken or underlined text.~~

And the title is amended as follows:

Delete lines 1202-1203 and insert: investigations; providing a penalty; amending s. 101.56075, F.S.; revising the date that persons with disabilities must vote with voter interface devices; removing the requirement that

Senator Gibson moved the following amendment to **Amendment 1** which failed:

Amendment 1D (581216) (with directory and title amendments)—Delete lines 375-409.

And the directory clause is amended as follows:

Delete line 371 and insert:

Section 11. Subsection (3) and paragraph (c) of

And the title is amended as follows:

Delete lines 1211-1212 and insert: adopt rules; amending s. 101.62, F.S.;

Senator Latvala moved the following amendment to **Amendment 1** which was adopted:

Amendment 1E (485382)—Delete lines 385-393 and insert:

(b) The supervisor may accept a written or telephonic request for an absentee ballot to be mailed to an elector's address on file in the Florida Voter Registration System from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian; *if the ballot is requested to be mailed to an address other than the elector's address on file in the Florida Voter Registration System, the request must be made in writing and signed by the elector. However, an absent uniformed service voter or an overseas voter seeking an absentee ballot is not required to submit a signed, written request for an absentee ballot that is being mailed to an address other than the elector's address on file in the Florida Voter Registration System.* For purposes of this section, the term

Senator Clemens moved the following amendment to **Amendment 1** which failed:

Amendment 1F (162906)—Delete lines 444-446 and insert: 3. By personal delivery at any supervisor of elections office ~~before 7 p.m. on election day~~ to the elector, upon presentation of the identification required in s. 101.043, beginning on the 28th day before an election through 7 p.m. on election day.

Senator Latvala moved the following amendment to **Amendment 1** which was adopted:

Amendment 1G (498932) (with title amendment)—Delete lines 478-1002 and insert:

Section 12. Section 101.65, Florida Statutes, is amended to read:

101.65 Instructions to absent electors.—The supervisor shall enclose with each absentee ballot separate printed instructions in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

1. VERY IMPORTANT. In order to ensure that your absentee ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the day of the election. *However, if you are an overseas voter casting a ballot in a presidential preference primary or general election, your absentee ballot must be postmarked or signed and dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election.*

2. Mark your ballot in secret as instructed on the ballot. You must mark your own ballot unless you are unable to do so because of blindness, disability, or inability to read or write.

3. Mark only the number of candidates or issue choices for a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one candidate, your vote in that race will not be counted.

4. Place your marked ballot in the enclosed secrecy envelope.

5. Insert the secrecy envelope into the enclosed mailing envelope which is addressed to the supervisor.

6. Seal the mailing envelope and completely fill out the Voter's Certificate on the back of the mailing envelope.

7. VERY IMPORTANT. In order for your absentee ballot to be counted, you must sign your name on the line above (Voter's Signature). An absentee ballot will be considered illegal and not be counted if the signature on the voter's certificate does not match the signature on record. The signature on file at the start of the canvass of the absentee ballots is the signature that will be used to verify your signature on the voter's certificate. If you need to update your signature for this election, send your signature update on a voter registration application to your supervisor of elections so that it is received no later than the start of the canvassing of absentee ballots, which occurs no earlier than the 15th day before election day.

8. VERY IMPORTANT. If you are an overseas voter, you must include the date you signed the Voter's Certificate on the line above (Date) or your ballot may not be counted.

9. Mail, deliver, or have delivered the completed mailing envelope. Be sure there is sufficient postage if mailed.

10. FELONY NOTICE. It is a felony under Florida law to accept any gift, payment, or gratuity in exchange for your vote for a candidate. It is also a felony under Florida law to vote in an election using a false identity or false address, or under any other circumstances making your ballot false or fraudulent.

Section 13. Paragraphs (a) and (d) of subsection (1) of section 101.657, Florida Statutes, are amended to read:

101.657 Early voting.—

(1)(a) As a convenience to the voter, the supervisor of elections shall allow an elector to vote early in the main or branch office of the supervisor. The supervisor shall mark, code, indicate on, or otherwise track the voter's precinct for each early voted ballot. In order for a branch office to be used for early voting, it shall be a permanent facility of the supervisor and shall have been designated and used as such for at least 1 year prior to the election. The supervisor may also designate any city hall, ~~or~~ permanent public library facility, fairground, civic center, courthouse, county commission building, stadium, convention center, government-owned senior center, or government-owned community center as early voting sites; however, if so designated, the sites must be geographically located so as to provide all voters in the county an equal opportunity to cast a ballot, insofar as is practicable. *In addition, a supervisor may designate one early voting site per election in an area of the county that does not have any of the eligible early voting locations. Such additional early voting site must be geographically located so as to provide all voters in that area with an equal opportunity to cast a ballot, insofar as is practicable. Each county shall, at a minimum, operate the same total number of early voting sites for a general election which the county operated for the 2012 general election.* The results or tabulation of votes cast during early voting may not be made before the close of the polls on election day. Results shall be reported by precinct.

(d) Early voting shall begin on the 10th day before an election that contains state or federal races and end on the 3rd day before the election, and shall be provided for no less than 8 ½ hours and no more than 12 hours per day at each site during the applicable period. *In addition, early voting may be offered at the discretion of the supervisor of elections on the 15th, 14th, 13th, 12th, 11th, or 2nd day before an election that contains state or federal races for at least 8 hours per day, but not more than 12 hours per day.* The supervisor of elections may provide early voting for elections that are not held in conjunction with a state or federal election. However, the supervisor has the discretion to determine the hours of operation of early voting sites in those elections.

Section 14. Subsection (2) of section 101.67, Florida Statutes, is amended to read:

101.67 Safekeeping of mailed ballots; deadline for receiving absentee ballots.—

(2) *Except as provided in s. 101.6952(5),* all marked absent electors' ballots to be counted must be received by the supervisor by 7 p.m. the day of the election. All ballots received thereafter shall be marked with the time and date of receipt and filed in the supervisor's office.

Section 15. Subsections (1) and (4) of section 101.68, Florida Statutes, are amended, and subsection (2) of that section is reenacted and amended, to read:

101.68 Canvassing of absentee ballot.—

(1) The supervisor of the county where the absent elector resides shall receive the voted ballot, at which time the supervisor shall compare the signature of the elector on the voter's certificate with the signature of the elector in the registration books or the precinct register to determine whether the elector is duly registered in the county and may record on the elector's registration certificate that the elector has voted. However, effective July 1, 2005, an elector who dies after casting an absentee ballot but on or before election day shall remain listed in the registration books until the results have been certified for the election in which the ballot was cast. The supervisor shall safely keep the ballot unopened in his or her office until the county canvassing board canvasses the vote. *Except as provided in subsection (4)*, after an absentee ballot is received by the supervisor, the ballot is deemed to have been cast, and changes or additions may not be made to the voter's certificate.

(2)(a) The county canvassing board may begin the canvassing of absentee ballots at 7 a.m. on the 15th day before the election, but not later than noon on the day following the election. In addition, for any county using electronic tabulating equipment, the processing of absentee ballots through such tabulating equipment may begin at 7 a.m. on the 15th day before the election. However, notwithstanding any such authorization to begin canvassing or otherwise processing absentee ballots early, no result shall be released until after the closing of the polls in that county on election day. Any supervisor of elections, deputy supervisor of elections, canvassing board member, election board member, or election employee who releases the results of a canvassing or processing of absentee ballots prior to the closing of the polls in that county on election day commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) To ensure that all absentee ballots to be counted by the canvassing board are accounted for, the canvassing board shall compare the number of ballots in its possession with the number of requests for ballots received to be counted according to the supervisor's file or list.

(c)1. The canvassing board shall, if the supervisor has not already done so, compare the signature of the elector on the voter's certificate or on the absentee ballot affidavit as provided in subsection (4) with the signature of the elector in the registration books or the precinct register to see that the elector is duly registered in the county and to determine the legality of that absentee ballot. The ballot of an elector who casts an absentee ballot shall be counted even if the elector dies on or before election day, as long as, prior to the death of the voter, the ballot was postmarked by the United States Postal Service, date-stamped with a verifiable tracking number by common carrier, or already in the possession of the supervisor of elections. An absentee ballot shall be considered illegal if the voter's certificate or absentee ballot affidavit ~~is~~ does not include the signature of the elector, as shown by the registration records or the precinct register. However, an absentee ballot ~~is~~ shall not be considered illegal if the signature of the elector does not cross the seal of the mailing envelope. If the canvassing board determines that any ballot is illegal, a member of the board shall, without opening the envelope, mark across the face of the envelope: "rejected as illegal." *The absentee ballot affidavit, if applicable, the envelope, and the ballot contained therein shall be preserved in the manner that official ballots voted are preserved.*

2. If any elector or candidate present believes that an absentee ballot is illegal due to a defect apparent on the voter's certificate or the absentee ballot affidavit, he or she may, at any time before the ballot is removed from the envelope, file with the canvassing board a protest against the canvass of that ballot, specifying the precinct, the ballot, and the reason he or she believes the ballot to be illegal. A challenge based upon a defect in the voter's certificate or absentee ballot affidavit may not be accepted after the ballot has been removed from the mailing envelope.

(d) The canvassing board shall record the ballot upon the proper record, unless the ballot has been previously recorded by the supervisor. The mailing envelopes shall be opened and the secrecy envelopes shall be mixed so as to make it impossible to determine which secrecy envelope came out of which signed mailing envelope; however, in any county in which an electronic or electromechanical voting system is used,

the ballots may be sorted by ballot styles and the mailing envelopes may be opened and the secrecy envelopes mixed separately for each ballot style. The votes on absentee ballots shall be included in the total vote of the county.

(4)(a) The supervisor of elections shall, on behalf of the county canvassing board, notify each elector whose ballot was rejected as illegal and provide the specific reason the ballot was rejected ~~because of a difference between the elector's signature on the ballot and that on the elector's voter registration record.~~ The supervisor shall mail a voter registration application to the elector to be completed indicating the elector's current signature if the elector's ballot was rejected due to a difference between the elector's signature on the voter's certificate or absentee ballot affidavit and the elector's signature in the registration books or precinct register. This section does not prohibit the supervisor from providing additional methods for updating an elector's signature.

(b) *Until 5 p.m. on the 2nd day before an election, the supervisor shall allow an elector who has returned an absentee ballot that does not include the elector's signature to complete an affidavit in order to cure the unsigned absentee ballot.*

(c) *The elector shall provide identification to the supervisor and must complete an absentee ballot affidavit in substantially the following form:*

ABSENTEE BALLOT AFFIDAVIT

I, ..., am a qualified voter in this election and registered voter of ... County, Florida. I do solemnly swear or affirm that I requested and returned the absentee ballot and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I may be convicted of a felony of the third degree and fined up to \$5,000 and imprisoned for up to 5 years. I understand that my failure to sign this affidavit means that my absentee ballot will be invalidated.

(Voter's Signature)

(Address)

(d) *Instructions must accompany the absentee ballot affidavit in substantially the following form:*

READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. *In order to ensure that your absentee ballot will be counted, your affidavit should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 5 p.m. on the 2nd day before the election.*

2. *You must sign your name on the line above (Voter's Signature).*

3. *You must make a copy of one of the following forms of identification:*

a. *Identification that includes your name and photograph: United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; or public assistance identification; or*

b. *Identification that shows your name and current residence address: current utility bill, bank statement, government check, paycheck, or government document (excluding voter identification card).*

4. *Place the envelope bearing the affidavit into a mailing envelope addressed to the supervisor. Insert a copy of your identification in the mailing envelope. Mail, deliver, or have delivered the completed affidavit along with the copy of your identification to your county supervisor of elections. Be sure there is sufficient postage if mailed and that the supervisor's address is correct.*

5. *Alternatively, you may fax or e-mail your completed affidavit and a copy of your identification to the supervisor of elections. If e-mailing, please provide these documents as attachments.*

(e) The department and each supervisor shall include the affidavit and instructions on their respective websites. The supervisor must include his or her office's mailing address, e-mail address, and fax number on the page containing the affidavit instructions; the department's instruction page must include the office mailing addresses, e-mail addresses, and fax numbers of all supervisors of elections or provide a conspicuous link to such addresses.

(f) The supervisor shall attach each affidavit received to the appropriate absentee ballot mailing envelope.

Section 16. Subsection (2) of section 101.6923, Florida Statutes, is amended to read:

101.6923 Special absentee ballot instructions for certain first-time voters.—

(2) A voter covered by this section shall be provided with printed instructions with his or her absentee ballot in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. In order to ensure that your absentee ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the date of the election. *However, if you are an overseas voter casting a ballot in a presidential preference primary or general election, your absentee ballot must be postmarked or signed and dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election.*

2. Mark your ballot in secret as instructed on the ballot. You must mark your own ballot unless you are unable to do so because of blindness, disability, or inability to read or write.

3. Mark only the number of candidates or issue choices for a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one, your vote in that race will not be counted.

4. Place your marked ballot in the enclosed secrecy envelope and seal the envelope.

5. Insert the secrecy envelope into the enclosed envelope bearing the Voter's Certificate. Seal the envelope and completely fill out the Voter's Certificate on the back of the envelope.

- a. You must sign your name on the line above (Voter's Signature).
- b. If you are an overseas voter, you must include the date you signed the Voter's Certificate on the line above (Date) or your ballot may not be counted.
- c. An absentee ballot will be considered illegal and will not be counted if the signature on the Voter's Certificate does not match the signature on record. The signature on file at the start of the canvass of the absentee ballots is the signature that will be used to verify your signature on the Voter's Certificate. If you need to update your signature for this election, send your signature update on a voter registration application to your supervisor of elections so that it is received no later than the start of canvassing of absentee ballots, which occurs no earlier than the 15th day before election day.

6. Unless you meet one of the exemptions in Item 7., you must make a copy of one of the following forms of identification:

- a. Identification which must include your name and photograph: United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; or public assistance identification; or
- b. Identification which shows your name and current residence address: current utility bill, bank statement, government check, paycheck, or government document (excluding voter identification card).

7. The identification requirements of Item 6. do not apply if you meet one of the following requirements:

- a. You are 65 years of age or older.
- b. You have a temporary or permanent physical disability.
- c. You are a member of a uniformed service on active duty who, by reason of such active duty, will be absent from the county on election day.
- d. You are a member of the Merchant Marine who, by reason of service in the Merchant Marine, will be absent from the county on election day.
- e. You are the spouse or dependent of a member referred to in paragraph c. or paragraph d. who, by reason of the active duty or service of the member, will be absent from the county on election day.

f. You are currently residing outside the United States.

8. Place the envelope bearing the Voter's Certificate into the mailing envelope addressed to the supervisor. Insert a copy of your identification in the mailing envelope. **DO NOT PUT YOUR IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR BALLOT WILL NOT COUNT.**

9. Mail, deliver, or have delivered the completed mailing envelope. Be sure there is sufficient postage if mailed.

10. **FELONY NOTICE.** It is a felony under Florida law to accept any gift, payment, or gratuity in exchange for your vote for a candidate. It is also a felony under Florida law to vote in an election using a false identity or false address, or under any other circumstances making your ballot false or fraudulent.

And the title is amended as follows:

Delete lines 1219-1251 and insert: affidavit under certain circumstances; amending s. 101.65, F.S.; revising the instructions to absent electors; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; authorizing the supervisor to designate one additional early voting site per election; providing requirements; requiring each county to operate at least the same number of early voting sites for a general election as used for the 2012 general election; revising the number of days and hours for early voting; amending s. 101.67, F.S.; conforming a provision to changes made by the act; amending s. 101.68, F.S., and reenacting subsection (2), relating to the canvassing of absentee ballots; authorizing the supervisor to use the elector's signature in a precinct register to compare with the elector's signature on the voter's certificate; requiring the supervisor to provide the elector with the specific reason his or her ballot was rejected; requiring the supervisor to allow electors to complete an affidavit to cure an unsigned absentee ballot before a specified time; providing the form and contents of the affidavit; providing instructions to accompany each absentee ballot affidavit; requiring the affidavit, instructions, and the supervisor's office mailing address to be posted on certain websites; requiring the supervisor to attach a received affidavit to the appropriate absentee ballot mailing envelope; amending s.

Senator Braynon moved the following amendment to **Amendment 1** which failed:

Amendment 1H (149418)—Delete lines 613-620 and insert: designate any suitable location as an early voting site ~~any city hall or permanent public library facility as early voting sites~~; however, if so designated, the sites must be geographically located so as to provide all voters in the county an equal opportunity to cast a ballot, insofar as is practicable. *In addition, a supervisor may designate one early*

Senator Soto moved the following amendment to **Amendment 1** which failed:

Amendment 1I (290338) (with title amendment)—Delete line 628 and insert: *general election. Each county shall operate at least one early voting site for each complete set of 50,000 registered voters in the county as of July 1 of each general election year.* The results or tabulation of votes cast during

And the title is amended as follows:

Delete line 1229 and insert: providing requirements for determining the number of early voting sites each county must operate; revising the number of days and hours for early

Senators Smith, Joyner, Braynon, Gibson, Bullard, and Thompson offered the following amendment to **Amendment 1** which was moved by Senator Smith and failed:

Amendment 1J (359560)—Delete lines 631-639 and insert:

(d) Early voting shall begin on the 10th day before an election that contains state or federal races and end on the 2nd ~~3rd~~ day before the election, and shall be provided for no less than ~~6 hours and no more than~~ 12 hours per day at each site during the applicable period. *In addition, early voting may be offered, at the discretion of the supervisor of elections, on the 15th, 14th, 13th, 12th, and 11th days before an election that contains state or federal races. On the 2nd day before an election that contains state or federal races, the supervisor must provide early voting in the main office of the supervisor and any branch offices. The opening of additional early voting sites on the 2nd day before an election is at the discretion of the supervisor.* The supervisor of elections

Senator Soto moved the following amendment to **Amendment 1** which failed:

Amendment 1K (716576) (with title amendment)—Delete line 639 and insert: *but not more than 12 hours per day. Counties must have one additional day of early voting for every 50,000 registered voters beyond the first 400,000 registered voters in the county as of July 1 of each general election year. For counties that require at least one additional day of early voting, the first additional day must be the 2nd day before the election. Further additional days will be at the supervisor's discretion, but must be on the 15th, 14th, 13th, 12th, or 11th day before an election.* The supervisor of elections

And the title is amended as follows:

Delete line 1230 and insert: voting; providing requirements for determining the number of early voting days each county must provide; amending s. 101.67, F.S.; conforming a

Senator Joyner moved the following amendment to **Amendment 1** which failed:

Amendment 1L (317820) (with title amendment)—Delete line 763 and insert: *affidavit in order to cure the unsigned absentee ballot. A supervisor who receives an absentee ballot that does not include the elector's signature must notify the elector of that fact along with the procedure for curing such deficiency within 48 hours of receipt.*

And the title is amended as follows:

Delete line 1243 and insert: to canvassing; requiring the supervisor to notify the elector of the missing signature within 48 hours of receipt; providing the form and contents of the

Senator Soto moved the following amendment to **Amendment 1** which failed:

Amendment 1M (734632) (with title amendment)—Delete lines 1135-1152 and insert:

Section 22. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete lines 1264-1268 and insert: election day; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Clemens moved the following amendment to **Amendment 1** which was adopted:

Amendment 1N (870950) (with title amendment)—Delete lines 40-50 and insert:

Section 3. Section 100.032, Florida Statutes, is created to read:

100.032 Election preparation report; general election.—Each supervisor of elections must submit a report to the county commission of the county in which he or she serves at least 3 months before a general election which outlines preparations for the upcoming general election. The report must include, at a minimum, the following elements: the anticipated staffing levels during the early voting period, on election day, and after election day; and the anticipated amount of automatic tabulating equipment at each early voting site and polling place. Each supervisor of elections shall also post such report on the supervisor of elections' official website.

And the title is amended as follows:

Delete lines 1166-1168 and insert: each supervisor of elections to submit a report to his or her county commission at least 3 months before a general election; specifying the content of the report; requiring that such report be posted on the supervisor's website;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Joyner moved the following amendment to **Amendment 1** which was adopted:

Amendment 1O (977492) (with title amendment)—Between lines 61 and 62 insert:

Section 5. Paragraphs (a) and (b) of subsection (2) of section 101.045, Florida Statutes, are amended to read:

101.045 Electors must be registered in precinct; provisions for change of residence or name.—

(2)(a) An elector who moves from the precinct in which the elector is registered may ~~be permitted to~~ vote in the precinct to which he or she has moved his or her legal residence, if the change of residence is within the same county or the precinct to which the elector has moved his or her legal residence is within a county that uses an electronic database as a precinct register at the polling place, and the elector completes an affirmation in substantially the following form:

Change of Legal Residence of Registered Voter

Under penalties for false swearing, I, (Name of voter), swear (or affirm) that the former address of my legal residence was (Address of legal residence) in the municipality of ..., in ... County, Florida, and I was registered to vote in the ... precinct of ... County, Florida; that I have not voted in the precinct of my former registration in this election; that I now reside at (Address of legal residence) in the Municipality of ..., in ... County, Florida, and am therefore eligible to vote in the ... precinct of ... County, Florida; and I further swear (or affirm) that I am otherwise legally registered and entitled to vote.

(Signature of voter whose address of legal residence has changed)

(b) Except for an active uniformed services voter or a member of his or her family and except for an elector who has moved his or her legal residence to a precinct within a county that uses an electronic database as a precinct register at the polling place, an elector whose change of address is from outside the county may not change his or her legal residence at the polling place and must vote a ~~provisional regular~~ ballot; ~~however, such elector is entitled to vote a provisional ballot.~~

And the title is amended as follows:

Delete line 1171 and insert: amending s. 101.045, F.S.; authorizing an elector to vote at the polling place in the precinct to which he or she has moved if such county uses an electronic database as a precinct register; amending s. 101.051, F.S.; revising restrictions

Senator Diaz de la Portilla moved the following amendment to **Amendment 1** which was adopted:

Amendment 1P (672270) (with title amendment)—Delete lines 5-50 and insert:

Section 1. Subsection (17) is added to section 97.012, Florida Statutes, to read:

97.012 Secretary of State as chief election officer.—The Secretary of State is the chief election officer of the state, and it is his or her responsibility to:

(17) When warranted, place a supervisor of elections in noncompliant status pursuant to s. 98.025.

Section 2. Section 97.0555, Florida Statutes, is amended to read:

97.0555 Late registration.—An individual or accompanying family member who has been discharged or separated from the uniformed services or the United States Merchant Marine, has returned from a combat zone or forward-deployed area, or has separated from employment outside the territorial limits of the United States, after the book-closing date for an election pursuant to s. 97.055 and who is otherwise qualified may register to vote in such election until 5 p.m. on the Friday before that election in the office of the supervisor of elections. Such persons must produce sufficient documentation showing evidence of qualifying for late registration pursuant to this section.

Section 3. Subsection (3) of section 97.061, Florida Statutes, is amended to read:

97.061 Special registration for electors requiring assistance.—

(3) The precinct register generated by the supervisor shall contain a notation that such person is eligible for assistance in voting, and the supervisor may make a notation on the voter information card that such person is eligible for assistance in voting. Such person shall be entitled to receive the assistance of two election officials or some other person of his or her own choice, other than the person’s employer, ~~an~~ the agent of the person’s employer, or an officer or agent of the person’s union, without the necessity of executing the “Declaration to Secure Assistance” prescribed in s. 101.051, so long as the person is known to the elector before election day. Such person shall notify the supervisor of any change in his or her condition which makes it unnecessary for him or her to receive assistance in voting. *An individual may not provide assistance to more than 10 electors during any election.*

Section 4. Section 98.025, Florida Statutes, is created to read:

98.025 Supervisors of elections; noncompliant status.—

(1) *The Secretary of State may place a supervisor of elections in noncompliant status whenever that supervisor does not perform one or more of the following:*

- (a) *Timely file any report required by the Florida Election Code.*
- (b) *Ensure that ballots are distributed, collected, counted, and reported in accordance with applicable law.*
- (c) *Safeguard and account for voted ballots.*
- (d) *Follow any statute that imposes a duty or responsibility on a supervisor of elections.*
- (e) *Follow rules adopted by the Department of State concerning the implementation of any provision of the Florida Election Code.*

(2) *The Secretary of State shall submit the written decision to place or remove a supervisor of elections in noncompliant status to the affected supervisor and provide a copy of the decision to the Governor and the chair of the board of county commissioners in the supervisor’s county.*

(3) *While a supervisor of elections is in noncompliant status, the supervisor is not entitled to receive the special qualification salary available pursuant to s. 145.09. When removed from noncompliant status, if otherwise eligible to receive the special qualification salary, the supervisor is entitled to a pro rata share of the special qualification salary based on the remaining period of the year.*

(4) *The Secretary of State may remove a supervisor from non-compliant status after 1 year of being placed in such status, provided that:*

(a) *The supervisor has complied with any of the duties identified in subsection (1) while in a noncompliant status;*

(b) *The supervisor has completed during each year while in non-compliant status a course of continuing education pursuant to s. 145.09 as prescribed by the Division of Elections; and*

(c) *The supervisor has taken and received while in noncompliant status a grade of 90 percent or greater on a uniform statewide open-book examination testing the supervisor’s knowledge of the Florida Election Code. The Florida State Association of Supervisors of Elections shall annually develop the examination, but the examination shall be approved and administered by the Division of Elections.*

(5) *If a supervisor has been in noncompliant status for 3 consecutive years, the Secretary of State shall provide written notice of such event to the Governor for consideration of exercising the Governor’s authority to suspend the supervisor pursuant to s. 7, Art. IV of the State Constitution.*

(6) *The decision of the Secretary of State to place a supervisor of elections in noncompliant status or remove a supervisor of elections from noncompliant status is exempt from the provisions of chapter 120.*

(7) *This section is in addition to, and not exclusive of, the authority of the Governor to suspend and remove a supervisor of elections pursuant to s. 7, Art. IV of the State Constitution.*

And the title is amended as follows:

Delete lines 1159-1168 and insert: An act relating to elections; amending s. 97.012, F.S.; expanding the list of responsibilities of the Secretary of State when acting in his or her capacity as chief election officer; amending s. 97.0555, F.S.; revising qualifications for late voter registration; amending s. 97.061, F.S.; revising restrictions relating to electors requiring assistance; prohibiting an individual from providing assistance to more than 10 electors during any election; creating s. 98.025, F.S.; authorizing the Secretary of State to place a supervisor of elections in noncompliant status under specified conditions; requiring the secretary to submit a written decision of placing or removing a supervisor in noncompliant status with specified persons; providing that a supervisor in noncompliant status is not entitled to receive the special qualification salary; providing requirements to remove a supervisor from noncompliant status; requiring the secretary to provide written notice to the Governor if a supervisor has been in noncompliant status for 3 consecutive years;

The vote was:

Yeas—22

Altman	Evers	Latvala
Bean	Flores	Lee
Benacquisto	Galvano	Margolis
Bradley	Garcia	Richter
Brandes	Gardiner	Simmons
Dean	Grimsley	Stargel
Detert	Hays	
Diaz de la Portilla	Hukill	

Nays—18

Mr. President	Joyner	Simpson
Abruzzo	Legg	Smith
Braynon	Montford	Sobel
Bullard	Negron	Soto
Clemens	Ring	Thompson
Gibson	Sachs	Thrasher

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Sobel moved the following amendment to **Amendment 1** which failed:

Amendment 1Q (770440) (with title amendment)—Between lines 1150 and 1151 insert:

(3) *The restrictions in subsection (2) do not prohibit an administrator of a nursing home, assisted living facility, adult family-care home, or any other similar residential adult care facility from distributing, ordering, requesting, collecting, delivering, or otherwise physically possessing more than two absentee ballots of residents of the facility per election.*

And the title is amended as follows:

Delete line 1267 and insert: ballots under certain circumstances; providing an exception; providing

On motion by Senator Latvala, further consideration of **CS for HB 7013** with pending **Amendment 1 (301346)** as amended was deferred.

On motion by Senator Detert, by unanimous consent—

CS for SB 300—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was taken up out of order and read the second time by title.

Senator Latvala moved the following amendment which was adopted:

Amendment 1 (587204)—Before line 11 insert:

Section 1. *Larcenia Bullard Way designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of S.R. 992/Coral Reef Drive/S.W. 152nd Street between S.R. 5/U.S. 1/South Dixie Highway and 137th Avenue in Miami-Dade County is designated as “Larcenia Bullard Way.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Larcenia Bullard Way as described in subsection (1).*

Senator Joyner moved the following amendment which was adopted:

Amendment 2 (698454) (with title amendment)—Between lines 262 and 263 insert:

Section 31. *The Department of Transportation may permit the erection by a private entity of a suitable marker in the wayside park on the north end of the Sunshine Skyway Bridge in memory of those who died on May 9, 1980, when the MV Summit Venture collided with the bridge. The type of marker and its location shall be subject to the approval of the department. The private entity shall be responsible for all costs of the marker and its installation. The private entity shall also provide an annual renewable bond, an irrevocable letter of credit, or another form of security as approved by the department’s comptroller, for the purpose of securing the cost of removal of the monument and any modifications made to the site as part of the placement of the monument should the department determine it necessary to remove or relocate the monument.*

And the title is amended as follows:

Delete line 6 and insert: to erect suitable markers; authorizing the department to permit the installation of a specified marker under certain conditions; providing an effective

Senator Altman moved the following amendment which was adopted:

Amendment 3 (878666)—Between lines 262 and 263 insert:

Section 31. *Dr. Martin Luther King, Jr., Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of S.R. 501/Clearlake Road between S.R. 520 and S.R. 524 in Brevard County is designated as “Dr. Martin Luther King, Jr., Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Dr. Martin Luther King, Jr., Memorial Highway as described in subsection (1).*

Senator Detert moved the following amendment which was adopted:

Amendment 4 (594092)—Between lines 262 and 263 insert:

Section 31. *Arthur & Polly Mays Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of U.S. 1/S.R. 5/S. Dixie Highway between S.W. 220th Street/Old Cutler Road and S.W. 216th Street/Hainlin Mill Drive in Miami-Dade County is designated as “Arthur & Polly Mays Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Arthur & Polly Mays Memorial Highway as described in subsection (1).*

Section 32. *Lourdes Guzman-DeJesus Street designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of U.S. 1/S.R. 5/S. Dixie Highway between S.W. 296th Street/Avocado Drive and S.W. 288th Street/Biscayne Drive in Miami-Dade County is designated as “Lourdes Guzman-DeJesus Street.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Lourdes Guzman-DeJesus Street as described in subsection (1).*

Section 33. *Fred Karl Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of S.R. 40 between the City of Ormond Beach and the Lake County line in Volusia County is designated as “Fred Karl Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Fred Karl Memorial Highway as described in subsection (1).*

On motion by Senator Detert, by two-thirds vote **CS for SB 300** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

MOTIONS

On motion by Senator Thrasher, the rules were waived and time of adjournment was extended until 12:30 p.m.

On motion by Senator Latvala, the Senate resumed consideration of—

CS for HB 7013—A bill to be entitled An act relating to the Florida Election Code; amending s. 97.0555, F.S.; revising the persons authorized to register late to vote; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; specifying that the limitation on the number of words does not apply to a ballot summary revised by the Attorney General; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; revising the number of days and hours for early voting; amending s. 101.68, F.S.; requiring the supervisor

of elections to notify an elector whose absentee ballot is returned without a signature or with another defect that an absentee ballot may be re-issued upon completion of an affidavit; revising what a canvassing board may consider an illegal absentee ballot; providing a form for the affidavit; providing procedures for the reissuance of an absentee ballot; amending s. 102.141, F.S.; revising methods of selecting canvassing board members; requiring a supervisor of elections to upload certain canvassed election results into a county's election management system by the end of the early voting period; prohibiting disclosure of those results; providing an effective date.

—which was previously considered this day. Pending **Amendment 1 (301346)** as amended, by Senator Latvala, was adopted.

Senators Smith, Sachs, Braynon, Soto, Montford, Joyner, Ring, Margolis, Abruzzo, Bullard, Thompson, Clemens, Gibson, and Sobel offered the following amendment which was moved by Senator Smith and failed:

Amendment 2 (757918) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (1) and (2) of section 97.041, Florida Statutes, are amended to read:

97.041 Qualifications to register or vote.—

(1)(a) A person may become a registered voter only if that person:

1. Is at least 18 years of age;
2. Is a citizen of the United States;
3. Is a legal resident of the State of Florida;
4. Is a legal resident of the county in which that person seeks to be registered; and
5. Registers pursuant to the Florida Election Code.

(b) A person who is otherwise qualified may preregister on or after that person's 16th birthday and may vote in any election occurring on or after that person's 18th birthday.

(c) *A person who has been convicted of a felony by any court of record and has served his or her sentence may preregister to vote and may vote in any election after his or her right to vote has been restored.*

~~(2) The following persons, who might be otherwise qualified, are not entitled to register or vote:~~

~~(a) A person who has been adjudicated mentally incapacitated with respect to voting in this or any other state and who has not had his or her right to vote restored pursuant to law is not entitled to register to vote.~~

~~(b) A person who has been convicted of any felony by any court of record and who has not had his or her right to vote restored pursuant to law.~~

Section 2. Subsection (2) of section 97.052, Florida Statutes, is amended to read:

97.052 Uniform statewide voter registration application.—

(2) The uniform statewide voter registration application must be designed to elicit the following information from the applicant:

- (a) Last, first, and middle name, including any suffix.
- (b) Date of birth.
- (c) Address of legal residence.
- (d) Mailing address, if different.
- (e) County of legal residence.
- (f) Race or ethnicity that best describes the applicant:
 1. American Indian or Alaskan Native.

2. Asian or Pacific Islander.
3. Black, not Hispanic.
4. White, not Hispanic.
5. Hispanic.

(g) State or country of birth.

(h) Sex.

(i) Party affiliation.

(j) Whether the applicant needs assistance in voting.

(k) Name and address where last registered.

(l) Last four digits of the applicant's social security number.

(m) Florida ~~driver~~ ~~driver's~~ license number or the identification number from a Florida identification card issued under s. 322.051.

(n) An indication, if applicable, that the applicant has not been issued a Florida ~~driver~~ ~~driver's~~ license, a Florida identification card, or a social security number.

(o) Telephone number (optional).

(p) Signature of applicant under penalty for false swearing pursuant to s. 104.011, by which the person subscribes to the oath required by s. 3, Art. VI of the State Constitution and s. 97.051, and swears or affirms that the information contained in the registration application is true.

(q) Whether the application is being used for initial registration, to update a voter registration record, or to request a replacement voter information card.

(r) Whether the applicant is a citizen of the United States by asking the question "Are you a citizen of the United States of America?" and providing boxes for the applicant to check to indicate whether the applicant is or is not a citizen of the United States.

(s) Whether the applicant has been convicted of a felony, and, if convicted, has ~~completed his or her sentence had his or her civil rights restored~~ by including the statement "I affirm I am not a convicted felon, or, if I am, I have completed my sentence ~~my rights relating to voting have been restored.~~" and providing a box for the applicant to check to affirm the statement.

(t) Whether the applicant has been adjudicated mentally incapacitated with respect to voting or, if so adjudicated, has had his or her right to vote restored by including the statement "I affirm I have not been adjudicated mentally incapacitated with respect to voting, or, if I have, my competency has been restored." and providing a box for the applicant to check to affirm the statement.

The registration application must be in plain language and designed so that convicted felons whose civil rights have been restored and persons who have been adjudicated mentally incapacitated and have had their voting rights restored are not required to reveal their prior conviction or adjudication. *In addition, the registration application must indicate that a convicted felon who has completed his or her sentence is entitled to preregister to vote and may vote in any election after his or her right to vote has been restored.*

Section 3. Paragraph (a) of subsection (5) of section 97.053, Florida Statutes, is amended to read:

97.053 Acceptance of voter registration applications.—

(5)(a) A voter registration application is complete if it contains the following information necessary to establish the applicant's eligibility pursuant to s. 97.041, including:

1. The applicant's name.
2. The applicant's legal residence address.
3. The applicant's date of birth.

4. A mark in the checkbox affirming that the applicant is a citizen of the United States.

5.a. The applicant's current and valid Florida ~~driver~~ driver's license number or the identification number from a Florida identification card issued under s. 322.051, or

b. If the applicant has not been issued a current and valid Florida ~~driver~~ driver's license or a Florida identification card, the last four digits of the applicant's social security number.

In case an applicant has not been issued a current and valid Florida ~~driver~~ driver's license, Florida identification card, or social security number, the applicant shall affirm this fact in the manner prescribed in the uniform statewide voter registration application.

6. A mark in the checkbox affirming that the applicant has not been convicted of a felony or that, if convicted, ~~has completed his or her sentence~~ has had his or her civil rights restored.

7. A mark in the checkbox affirming that the applicant has not been adjudicated mentally incapacitated with respect to voting or that, if so adjudicated, has had his or her right to vote restored.

8. The original signature or a digital signature transmitted by the Department of Highway Safety and Motor Vehicles of the applicant swearing or affirming under the penalty for false swearing pursuant to s. 104.011 that the information contained in the registration application is true and subscribing to the oath required by s. 3, Art. VI of the State Constitution and s. 97.051.

Section 4. Section 97.055, Florida Statutes, is amended to read:

97.055 Registration books; when closed for an election.—

(1)(a) The registration books must be closed on the 5th ~~29th~~ day before each election and must remain closed until after that election. If an election is called and there are fewer than 5 ~~29~~ days before that election, the registration books must be closed immediately.

(b) Except as provided in paragraph (c), when the registration books are closed for an election, updates to a voter's name, address, and signature pursuant to ss. 98.077 and 101.045 shall be the only changes permitted for purposes of the upcoming election. New voter registration applications must be accepted but only for the purpose of subsequent elections.

(c) When the registration books are closed for an upcoming election, an update or change to a voter's party affiliation made pursuant to s. 97.1031 shall be permitted for that upcoming election unless such election is for the purpose of nominating a political party nominee, in which case the update or change shall be permitted only for the purpose of subsequent elections.

(2) In computing the 5-day ~~29-day~~ period for the closing of the registration books, the day of the election is excluded and all other days are included. If the 5th ~~29th~~ day preceding an election falls on a Sunday or a legal holiday, the registration books must be closed on the next day that is not a Sunday or a legal holiday.

Section 5. Subsection (1) and paragraph (a) of subsection (2) of section 98.045, Florida Statutes, are amended to read:

98.045 Administration of voter registration.—

(1) ELIGIBILITY OF APPLICANT.—The supervisor must ensure that any eligible applicant for voter registration is registered to vote and that each application for voter registration is processed in accordance with law. The supervisor shall determine whether a voter registration applicant is ineligible based on any of the following:

(a) The failure to complete a voter registration application as specified in s. 97.053.

(b) The applicant is deceased.

~~(c) The applicant has been convicted of a felony for which his or her civil rights have not been restored.~~

~~(c)(d)~~ The applicant has been adjudicated mentally incapacitated with respect to the right to vote and such right has not been restored.

~~(d)(e)~~ The applicant does not meet the age requirement pursuant to s. 97.041.

~~(e)(f)~~ The applicant is not a United States citizen.

~~(f)(g)~~ The applicant is a fictitious person.

~~(g)(h)~~ The applicant has provided an address of legal residence that is not his or her legal residence.

~~(h)(i)~~ The applicant has provided a ~~driver~~ driver's license number, Florida identification card number, or the last four digits of a social security number that is not verifiable by the department.

(2) REMOVAL OF REGISTERED VOTERS.—

(a) Once a voter is registered, the name of that voter may not be removed from the statewide voter registration system except at the written request of the voter, by reason of the voter's conviction of a felony or adjudication as mentally incapacitated with respect to voting, by death of the voter, or pursuant to a registration list maintenance activity conducted pursuant to s. 98.065 or s. 98.075. *However, a convicted felon who has served his or her sentence and has preregistered pursuant to s. 97.041(1)(c) may not be removed from the statewide voter registration system.*

Section 6. Subsections (5) and (6) of section 98.075, Florida Statutes, are amended to read:

98.075 Registration records maintenance activities; ineligibility determinations.—

(5) FELONY CONVICTION.—The department shall identify those registered voters who have been convicted of a felony and whose rights have not been restored by comparing information received from, but not limited to, a clerk of the circuit court, the Board of Executive Clemency, the Department of Corrections, the Department of Law Enforcement, or a United States Attorney's Office, as provided in s. 98.093. The department shall review such information and make an initial determination as to whether the information is credible and reliable. If the department determines that the information is credible and reliable, the department shall notify the supervisor and provide a copy of the supporting documentation ~~indicating the potential ineligibility of the voter to be registered.~~ Upon receipt of the notice that the department has made a determination of initial credibility and reliability, the supervisor shall adhere to the procedures set forth in subsection (7) prior to the removal of a registered voter's name from the statewide voter registration system.

(6) OTHER BASES FOR INELIGIBILITY.—If the department or supervisor receives information from sources other than those identified in subsections (2)-(5) that a registered voter is ineligible because he or she is deceased, ~~adjudicated a convicted felon without having had his or her civil rights restored,~~ adjudicated mentally incapacitated without having had his or her voting rights restored, does not meet the age requirement pursuant to s. 97.041, is not a United States citizen, is a fictitious person, or has listed a residence that is not his or her legal residence, the supervisor must adhere to the procedures set forth in subsection (7) ~~before~~ prior to the removal of a registered voter's name from the statewide voter registration system. *However, a convicted felon who has served his or her sentence and has preregistered pursuant to s. 97.041(1)(c) may not be removed from the statewide voter registration system.*

Section 7. Section 100.032, Florida Statutes, is created to read:

100.032 Election preparation report; general election.—*Each supervisor of elections must submit a report to the Secretary of State at least 3 months before a general election which outlines preparations for the upcoming general election. The report must include, at a minimum, the following elements: the anticipated staffing levels during the early voting period, on election day, and after election day; and the anticipated amount of automatic tabulating equipment at each early voting site and polling place.*

Section 8. Section 101.045, Florida Statutes, is amended to read:

101.045 Electors must be registered in precinct; provisions for change of residence or name.—

(1) A person may is not permitted to vote in any election precinct or district other than the one in which the person has his or her legal residence and in which the person is registered. However, a person temporarily residing outside the county must shall be registered in the precinct in which the main office of the supervisor, as designated by the supervisor, is located if when the person has no permanent address in the county and if it is the person's intention to remain a resident of this state Florida and of the county in which he or she is registered to vote. Such persons who are registered in the precinct in which the main office of the supervisor, as designated by the supervisor, is located and who are residing outside the county with no permanent address in the county are shall not be registered electors of a municipality and therefore may not shall not be permitted to vote in any municipal election.

(2)(a) An elector who moves from the precinct in which the elector is registered may be permitted to vote in the precinct to which he or she has moved his or her legal residence; if the change of residence is within the same county and the elector completes an affirmation in substantially the following form:

Change of Legal Residence of Registered Voter

Under penalties for false swearing, I, _____(Name of voter)_____, swear (or affirm) that the former address of my legal residence was _____(Address of legal residence)_____ in the municipality of _____, in _____ County, Florida, and I was registered to vote in the _____ precinct of _____ County, Florida; that I have not voted in the precinct of my former registration in this election; that I now reside at _____(Address of legal residence)_____ in the Municipality of _____, in _____ County, Florida, and am therefore eligible to vote in the _____ precinct of _____ County, Florida; and I further swear (or affirm) that I am otherwise legally registered and entitled to vote.

_____(Signature of voter whose address of legal residence has changed)_____

~~(b) Except for an active uniformed services voter or a member of his or her family, an elector whose change of address is from outside the county may not change his or her legal residence at the polling place and vote a regular ballot; however, such elector is entitled to vote a provisional ballot.~~

(b)(e) An elector whose name changes because of marriage or other legal process may be permitted to vote if the elector, provided such elector completes an affirmation in substantially the following form:

Change of Name of Registered Voter

Under penalties for false swearing, I, _____(New name of voter)_____, swear (or affirm) that my name has been changed because of marriage or other legal process. My former name and address of legal residence appear on the registration records of precinct _____ as follows:

Name
Address
Municipality
County
Florida, Zip
My present name and address of legal residence are as follows:
Name
Address
Municipality
County
Florida, Zip

and I further swear (or affirm) that I am otherwise legally registered and entitled to vote.

_____(Signature of voter whose name has changed)_____

(c)(d) Instead of the affirmation contained in paragraph (a) or paragraph (b) (e), an elector may complete a voter registration application that indicates the change of name or change of address of legal residence.

(d)(e) Such affirmation or application, when completed and presented at the precinct in which such elector is entitled to vote, and upon verification of the elector's registration, entitles shall entitle such elector to vote as provided in this subsection. If the elector's eligibility to vote cannot be determined, he or she is shall be entitled to vote a provisional ballot, subject to the requirements and procedures in s. 101.048. Upon receipt of an affirmation or application certifying a change in address of legal residence or name, the supervisor shall as soon as practicable make the necessary changes in the statewide voter registration system as soon as practicable to indicate the change in address of legal residence or name of such elector.

Section 9. Subsection (3) of section 101.161, Florida Statutes, is amended to read:

101.161 Referenda; ballots.—

(3)(a) Each joint resolution that proposes a constitutional amendment or revision shall include one or more ballot statements set forth in order of priority. Each ballot statement shall consist of a ballot title, by which the measure is commonly referred to or spoken of, not exceeding 15 words in length, and either a ballot summary that describes the chief purpose of the amendment or revision in clear and unambiguous language, or the full text of the amendment or revision. If a joint resolution that proposes a constitutional amendment or revision contains only one ballot statement, the ballot summary may not exceed 75 words in length. If a joint resolution that proposes a constitutional amendment or revision contains more than one ballot statement, no ballot summary may exceed 75 words in length.

(b) The Department of State shall furnish a designating number pursuant to subsection (2) and the appropriate ballot statement to the supervisor of elections of each county. The ballot statement shall be printed on the ballot after the list of candidates, followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the amendment or revision and a "no" vote will indicate rejection.

(c)(b)1. Any action for a judicial determination that one or more ballot statements embodied in a joint resolution are defective must be commenced by filing a complaint or petition with the appropriate court within 30 days after the joint resolution is filed with the Secretary of State. The complaint or petition shall assert all grounds for challenge to each ballot statement. Any ground not asserted within 30 days after the joint resolution is filed with the Secretary of State is waived.

2. The court, including any appellate court, shall accord an action described in subparagraph 1. priority over other pending cases and render a decision as expeditiously as possible. If the court finds that all ballot statements embodied in a joint resolution are defective and further appeals are declined, abandoned, or exhausted, unless otherwise provided in the joint resolution, the Attorney General shall, within 10 days, prepare and submit to the Department of State a revised ballot title or ballot summary that corrects the deficiencies identified by the court, and the Department of State shall furnish a designating number and the revised ballot title or ballot summary to the supervisor of elections of each county for placement on the ballot. The revised ballot summary may not exceed 75 words in length. The court shall retain jurisdiction over challenges to a revised ballot title or ballot summary prepared by the Attorney General, and any challenge to a revised ballot title or ballot summary must be filed within 10 days after a revised ballot title or ballot summary is submitted to the Department of State.

~~3. A ballot statement that consists of the full text of an amendment or revision shall be presumed to be a clear and unambiguous statement of the substance and effect of the amendment or revision, providing fair notice to the electors of the content of the amendment or revision and sufficiently advising electors of the issue upon which they are to vote.~~

Section 10. Subsection (3) of section 101.5605, Florida Statutes, is amended to read:

101.5605 Examination and approval of equipment.—

(3)(a) *Before the Department of State approves the electronic or electromechanical voting system, the person who submitted it for examination shall provide the department with the name, mailing address, and telephone number of a registered agent, which agent must have and continuously maintain an office in this state. Any change in the name, address, or telephone number of the registered agent shall promptly be made known to the department.*

(b) *Before entering into a contract for the sale or lease of a voting system approved under this section to any county, the person entering into such contract shall provide the department with the name, mailing address, and telephone number of a registered agent, which agent must have and continuously maintain an office in this state. Any change in the name, address, or telephone number of the registered agent shall promptly be made known to the department.*

(c) *The department's proof of delivery or attempted delivery to the last mailing address of the registered agent on file with the department at the time of delivery or attempted delivery is valid for all notice purposes.*

(d) *Within 30 days after completing the examination and upon approval of any electronic or electromechanical voting system, the Department of State shall make and maintain a report on the system, together with a written or printed description and drawings and photographs clearly identifying the system and the operation thereof. As soon as practicable after such filing, the department shall send a notice of certification and, upon request, a copy of the report to the governing bodies of the respective counties of the state. Any voting system that does not receive the approval of the department may ~~shall~~ not be adopted for or used at any election.*

(e)(~~b~~) *After a voting system has been approved by the Department of State, any change or improvement in the system is required to be approved by the department prior to the adoption of such change or improvement by any county. If any such change or improvement does not comply with the requirements of this act, the department shall suspend all sales of the equipment or system in the state until the equipment or system complies with the requirements of this act.*

Section 11. Section 101.56065, Florida Statutes, is created to read:

101.56065 *Voting system defects; disclosure; investigations; penalties.—*

(1) *For purposes of this section, the term:*

(a) *“Defect” means:*

1. *Any failure, fault, or flaw in an electronic or electromechanical voting system approved pursuant to s. 101.5605 which results in nonconformance with the standards in a manner that affects the timeliness or accuracy of the casting or counting of ballots; or*

2. *Any failure or inability of the voting system manufacturer or vendor to make available or provide approved replacements of hardware or software to the counties that have purchased the approved voting system, the unavailability of which results in the system's nonconformance with the standards in a manner that affects the timeliness or accuracy of the casting or counting of ballots.*

(b) *“Standards” refers to the requirements in ss. 101.5606 and 101.56062 under which a voting system was approved for use in the state.*

(c) *“Vendor” means a person who submits or previously submitted a voting system that was approved by the Department of State in accordance with s. 101.5605, or a person who enters into a contract for the sale or lease of a voting system to any county, or that previously entered into such a contract that has not expired.*

(2)(a) *No later than December 31, 2013, and, thereafter, on January 1 of every odd-numbered year, each vendor shall file a written disclosure with the department identifying any known defect in the voting system or the fact that there is no known defect, the effect of any defect on the operation and use of the approved voting system, and any known corrective measures to cure a defect, including, but not limited to, advisories and bulletins issued to system users.*

(b) *Implementation of corrective measures approved by the department which enable a system to conform to the standards and ensure the*

timeliness and accuracy of the casting and counting of ballots constitutes a cure of a defect.

(c) *If a vendor becomes aware of the existence of a defect, he or she must file a new disclosure with the department as provided in paragraph (a) within 30 days after the date the vendor determined or reasonably should have determined that the defect existed.*

(d) *If a vendor discloses to the department that a defect exists, the department may suspend all sales or leases of the voting system in the state and may suspend the use of the system in any election in the state. The department shall provide written notice of any such suspension to each affected vendor and supervisor of elections. If the department determines that the defect no longer exists, the department shall lift the suspension and provide written notice to each affected vendor and supervisor of elections.*

(e) *If a vendor fails to file a required disclosure for a voting system previously approved by the department, that system may not be sold, leased, or used for elections in the state until it has been submitted for examination and approval and adopted for use pursuant to s. 101.5605. The department shall provide written notice to all supervisors of elections that the system is no longer approved.*

(3)(a) *If the department has reasonable cause to believe a voting system approved pursuant to s. 101.5605 contains a defect either before, during, or after an election which has not been disclosed pursuant to subsection (2), the department may investigate whether the voting system has a defect.*

(b) *The department may initiate an investigation pursuant to paragraph (a) on its own initiative or upon the written request of the supervisor of elections of a county that purchased or leased a voting system that contains the alleged defect.*

(c) *Upon initiating an investigation, the department shall provide written notice to the vendor and all of the supervisors of elections.*

(4)(a) *If the department determines by a preponderance of the evidence that a defect exists in the voting system, or that a vendor failed to timely disclose a defect pursuant to subsection (2), the department shall provide written notice to the affected vendor and supervisors of elections.*

(b) *A vendor entitled to receive notice pursuant to paragraph (a) shall, within 10 days, file a written response to the department which:*

1. *Denies that the alleged defect exists or existed as alleged by the department or that the vendor failed to timely disclose a defect, and sets forth the reasons for such denial; or*

2. *Admits that the defect exists or existed as alleged by the department or that the vendor failed to timely disclose a defect.*

(c) *If the defect has been cured, the vendor shall provide an explanation of how the defect was cured.*

(d) *If the defect has not been cured, the vendor shall inform the department whether the defect can be cured and shall provide the department with a plan for curing the defect. If the defect can be cured, the department shall establish a timeframe within which to cure the defect.*

(5) *If after receiving a response from the vendor, the department determines that a defect does not exist or has been cured within the timeframe established by the department, the department shall take no further action.*

(6) *If the department determines that a vendor failed to timely disclose a defect, that a defect exists and a vendor has not filed a written response or has failed to cure within the timeframe established by the department, or that the defect cannot be cured, the department shall impose a civil penalty of \$25,000 for the defect plus an amount equal to the actual costs incurred by the department in conducting the investigation.*

(7) *If the department finds that a defect existed:*

(a) *The department may suspend all sales and leases of the voting system and may suspend its use in any county in the state. The department shall provide written notice of the suspension to each affected vendor and supervisor of elections.*

(b) If the department determines that a defect no longer exists in a voting system that has been suspended from use pursuant to paragraph (a), the department shall lift the suspension and authorize the sale, lease, and use of the voting system in any election in the state. The department shall provide written notice that the suspension has been lifted to each affected vendor and supervisor of elections.

(c) If the defect cannot be cured, the department may disapprove the voting system for use in elections in the state. The department shall provide written notice to all supervisors of elections that the system is no longer approved. After approval of a system has been withdrawn pursuant to this paragraph, the system may not be sold, leased, or used in elections in the state until it has been submitted for examination and approval and adopted for use pursuant to s. 101.5605.

(d) Any vendor against whom a civil penalty was imposed under this section may not submit a voting system for approval by the Department of State in accordance with s. 101.5605 or enter into a contract for sale or lease of a voting system in the state until the civil penalties have been paid and the department provides written confirmation to the supervisors of elections of the payment.

(8) The department shall prepare a written report of any investigation conducted pursuant to this section.

(9) The authority of the department under this section is in addition to, and not exclusive of, any other authority provided by law.

(10) All proceedings under this section are exempt from chapter 120.

Section 12. Subsection (4) of section 101.56075, Florida Statutes, is repealed.

Section 13. Subsections (1) and (2) of section 101.591, Florida Statutes, are amended, and subsection (4) of that section is republished, to read:

101.591 Voting system audit.—

(1) Immediately following the certification of each election, the county canvassing board or the local board responsible for certifying the election shall conduct a manual audit or an automated, independent audit of the voting systems used in randomly selected precincts.

(2)(a) A manual The audit shall consist of a public manual tally of the votes cast in one randomly selected race that appears on the ballot. The tally sheet shall include election-day, absentee, early voting, provisional, and overseas ballots, in at least 1 percent but no more than 2 percent of the precincts chosen at random by the county canvassing board or the local board responsible for certifying the election. If 1 percent of the precincts is less than one entire precinct, the audit shall be conducted using at least one precinct chosen at random by the county canvassing board or the local board responsible for certifying the election. Such precincts shall be selected at a publicly noticed canvassing board meeting.

(b) An automated audit shall consist of a public automated tally of the votes cast across every race that appears on the ballot. The tally sheet shall include election day, absentee, early voting, provisional, and overseas ballots in at least 20 percent of the precincts chosen at random by the county canvassing board or the local board responsible for certifying the election. Such precincts shall be selected at a publicly noticed canvassing board meeting.

(c) The division shall adopt rules for approval of an independent audit system which provide that the system, at a minimum, must be:

1. Completely independent of the primary voting system.
2. Fast enough to produce final audit results within the timeframe prescribed in subsection (4).
3. Capable of demonstrating that the ballots of record have been accurately adjudicated by the audit system.

(4) The audit must be completed and the results made public no later than 11:59 p.m. on the 7th day following certification of the election by the county canvassing board or the local board responsible for certifying the election.

Section 14. Subsections (1) and (3) and paragraph (c) of subsection (4) of section 101.62, Florida Statutes, are amended to read:

101.62 Request for absentee ballots.—

(1)(a) The supervisor shall accept a request for an absentee ballot from an elector in person or in writing. One request shall be deemed sufficient to receive an absentee ballot for all elections through the end of the calendar year of the second ensuing regularly scheduled general election, unless the elector or the elector's designee indicates at the time the request is made the elections for which the elector desires to receive an absentee ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable.

(b) The supervisor may accept a written or telephonic request for an absentee ballot to be mailed to an elector's address on file in the Florida Voter Registration System from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian. For purposes of this section, the term "immediate family" has the same meaning as specified in paragraph (4)(c). The person making the request must disclose:

1. The name of the elector for whom the ballot is requested.
2. The elector's address.
3. The elector's date of birth.
4. The requester's name.
5. The requester's address.
6. The requester's driver driver's license number, if available.
7. The requester's relationship to the elector.
8. The requester's signature (written requests only).

(c) Upon receiving a request for an absentee ballot from an absent voter, the supervisor of elections shall notify the voter of the free access system that has been designated by the department for determining the status of his or her absentee ballot.

(3) For each request for an absentee ballot received, the supervisor shall record the date the request was made, the date the absentee ballot was delivered to the voter or the voter's designee or the date the absentee ballot was delivered to the post office or other carrier, the date the ballot was received by the supervisor, the absence of the voter's signature on the voter's certificate, if applicable, and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by rule adopted by the division. The information shall be updated and made available no later than 8 a.m. of each day, including weekends, beginning 60 days before the primary until 15 days after the general election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from the provisions of s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees or registered committees of continuous existence, for political purposes only.

(4)

(c) The supervisor shall provide an absentee ballot to each elector by whom a request for that ballot has been made by one of the following means:

1. By nonforwardable, return-if-undeliverable mail to the elector's current mailing address on file with the supervisor or any other address the elector specifies in the request.
2. By forwardable mail, e-mail, or facsimile machine transmission to absent uniformed services voters and overseas voters. The absent uniformed services voter or overseas voter may designate in the absentee ballot request the preferred method of transmission. If the voter does not designate the method of transmission, the absentee ballot shall be mailed.

3. By personal delivery *at any supervisor of elections office before 7 p.m. on election day* to the elector, upon presentation of the identification required in s. 101.043, *beginning on the 28th day before an election through 7 p.m. on election day.*

4. By delivery to a designee on election day or up to 5 days prior to the day of an election. Any elector may designate in writing a person to pick up the ballot for the elector; however, the person designated may not pick up more than two absentee ballots per election, other than the designee's own ballot, except that additional ballots may be picked up for members of the designee's immediate family. For purposes of this section, "immediate family" means the designee's spouse or the parent, child, grandparent, or sibling of the designee or of the designee's spouse. The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and shall indicate if the elector is a member of the designee's immediate family and, if so, the relationship. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.

Section 15. Paragraphs (a) and (d) of subsection (1) of section 101.657, Florida Statutes, are amended to read:

101.657 Early voting.—

(1)(a) As a convenience to the voter, the supervisor of elections shall allow an elector to vote early in the main or branch office of the supervisor. The supervisor shall mark, code, indicate on, or otherwise track the voter's precinct for each early voted ballot. In order for a branch office to be used for early voting, it shall be a permanent facility of the supervisor and shall have been designated and used as such for at least 1 year prior to the election. The supervisor may also designate any *suitable location as an early voting site* ~~city hall or permanent public library facility as early voting sites~~; however, if so designated, *such* the sites must be geographically located so as to provide all voters in the county an equal opportunity to cast a ballot, insofar as is practicable. *Each county shall, at a minimum, operate the same total number of early voting sites for a general election which the county operated for the 2012 general election and at least one early voting site for each complete set of 50,000 registered voters in the county as of July 1 of each general election year.* The results or tabulation of votes cast during early voting may not be made before the close of the polls on election day. Results shall be reported by precinct.

(d) Early voting shall begin on the *15th 10th* day before an election that contains state or federal races and end on the *2nd 3rd* day before the election, and shall be provided for no less than *6 hours and no more than 12 hours* per day at each site during the applicable period. The supervisor of elections may provide early voting for elections that are not held in conjunction with a state or federal election. However, the supervisor has the discretion to determine the hours of operation of early voting sites in those elections.

Section 16. Subsections (1) and (4) of section 101.68, Florida Statutes, are amended, and subsection (2) of that section is reenacted and amended, to read:

101.68 Canvassing of absentee ballot.—

(1) The supervisor of the county where the absent elector resides shall receive the voted ballot, at which time the supervisor shall compare the signature of the elector on the voter's certificate with the signature of the elector in the registration books *or the precinct register* to determine whether the elector is duly registered in the county and may record on the elector's registration certificate that the elector has voted. However, effective July 1, 2005, an elector who dies after casting an absentee ballot but on or before election day shall remain listed in the registration books until the results have been certified for the election in which the ballot was cast. The supervisor shall safely keep the ballot unopened in his or her office until the county canvassing board canvasses the vote. *Except as provided in subsection (4),* after an absentee ballot is received by the supervisor, the ballot is deemed to have been cast, and changes or additions may not be made to the voter's certificate.

(2)(a) The county canvassing board may begin the canvassing of absentee ballots at 7 a.m. on the 15th day before the election, but not later than noon on the day following the election. In addition, for any county using electronic tabulating equipment, the processing of absentee ballots through such tabulating equipment may begin at 7 a.m. on the 15th day before the election. However, notwithstanding any such authorization to begin canvassing or otherwise processing absentee ballots early, no result shall be released until after the closing of the polls in that county on election day. Any supervisor of elections, deputy supervisor of elections, canvassing board member, election board member, or election employee who releases the results of a canvassing or processing of absentee ballots prior to the closing of the polls in that county on election day commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) To ensure that all absentee ballots to be counted by the canvassing board are accounted for, the canvassing board shall compare the number of ballots in its possession with the number of requests for ballots received to be counted according to the supervisor's file or list.

(c)1. The canvassing board shall, if the supervisor has not already done so, compare the signature of the elector on the voter's certificate *or on the absentee ballot affidavit as provided in subsection (4)* with the signature of the elector in the registration books *or precinct register* to see that the elector is duly registered in the county and to determine the legality of that absentee ballot. The ballot of an elector who casts an absentee ballot shall be counted even if the elector dies on or before election day, as long as, prior to the death of the voter, the ballot was postmarked by the United States Postal Service, date-stamped with a verifiable tracking number by common carrier, or already in the possession of the supervisor of elections. An absentee ballot shall be considered illegal if *the voter's certificate or absentee ballot affidavit* ~~it~~ does not include the signature of the elector, as shown by the registration records. However, an absentee ballot *is* ~~shall not be~~ considered illegal if the signature of the elector does not cross the seal of the mailing envelope. If the canvassing board determines that any ballot is illegal, a member of the board shall, without opening the envelope, mark across the face of the envelope: "rejected as illegal." *The absentee ballot affidavit, if applicable,* the envelope and the ballot contained therein shall be preserved in the manner that official ballots voted are preserved.

2. If any elector or candidate present believes that an absentee ballot is illegal due to a defect apparent on the voter's certificate *or the absentee ballot affidavit*, he or she may, at any time before the ballot is removed from the envelope, file with the canvassing board a protest against the canvass of that ballot, specifying the precinct, the ballot, and the reason he or she believes the ballot to be illegal. A challenge based upon a defect in the voter's certificate *or absentee ballot affidavit* may not be accepted after the ballot has been removed from the mailing envelope.

(d) The canvassing board shall record the ballot upon the proper record, unless the ballot has been previously recorded by the supervisor. The mailing envelopes shall be opened and the secrecy envelopes shall be mixed so as to make it impossible to determine which secrecy envelope came out of which signed mailing envelope; however, in any county in which an electronic or electromechanical voting system is used, the ballots may be sorted by ballot styles and the mailing envelopes may be opened and the secrecy envelopes mixed separately for each ballot style. The votes on absentee ballots shall be included in the total vote of the county.

(4)(a) The supervisor of elections shall, on behalf of the county canvassing board, notify each elector whose ballot was rejected as illegal *and provide the specific reason the ballot was rejected because of a difference between the elector's signature on the ballot and that on the elector's voter registration record.* The supervisor shall mail a voter registration application to the elector to be completed indicating the elector's current signature *if the elector's ballot was rejected due to a difference between the elector's signature on the voter's certificate or absentee ballot affidavit and the elector's signature in the registration books or precinct register.* This section does not prohibit the supervisor from providing additional methods for updating an elector's signature.

(b) *If the canvassing board has not begun the canvassing of absentee ballots pursuant to subsection (2), the supervisor shall allow an elector who has returned an absentee ballot that does not include the elector's signature to complete an affidavit in order to cure the unsigned absentee ballot. A supervisor who receives an absentee ballot that does not include*

the elector's signature must notify the elector of that fact along with the procedure for curing such deficiency within 48 hours of receipt.

(c) The elector shall provide identification to the supervisor and must complete an absentee ballot affidavit in substantially the following form:

ABSENTEE BALLOT AFFIDAVIT

I, ..., am a qualified voter in this election and registered voter of ... County, Florida. I do solemnly swear or affirm that I requested and returned the absentee ballot and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I may be convicted of a felony of the third degree and fined up to \$5,000 and imprisoned for up to 5 years. I understand that my failure to sign this affidavit means that my absentee ballot will be invalidated.

...(Voter's Signature)...

...(Address)...

...(Date)...

(d) Instructions must accompany the absentee ballot affidavit in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. In order to ensure that your absentee ballot will be counted, your affidavit should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than the start of the canvassing of absentee ballots, which occurs no earlier than the 15th day before an election.

2. You must sign your name on the line above (Voter's Signature).

3. You must make a copy of one of the following forms of identification:

a. Identification which must include your name and photograph: United States passport, debit or credit card, military identification, student identification, retirement center identification, neighborhood association identification, or public assistance identification; or

b. Identification which shows your name and current residence address: current utility bill, bank statement, government check, paycheck, or government document, excluding voter identification card.

4. Place the envelope bearing the affidavit into a mailing envelope addressed to the supervisor. Insert a copy of your identification in the mailing envelope.

5. Mail, deliver, or have delivered the completed affidavit along with the copy of your identification to your county supervisor of elections. Be sure there is sufficient postage if mailed and that the supervisor's address is correct.

(e) The department and each supervisor shall include the affidavit and instructions on their respective websites. The supervisor must include his or her office's mailing address on the page containing the affidavit instructions; the department's instruction page must include the office mailing addresses of all supervisors of elections or provide a conspicuous link to such addresses.

(f) The supervisor shall attach each affidavit received to the appropriate absentee ballot mailing envelope.

Section 17. This act shall take effect October 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to elections; amending s. 97.041, F.S.; revising the qualifications to register to vote; authorizing a person who has been convicted of a felony and has served his or her sentence to preregister to vote; amending s. 97.052, F.S.; revising the uniform statewide voter re-

gistration application; amending s. 97.053, F.S.; revising what constitutes a complete voter registration application; amending s. 97.055, F.S.; revising the date that registration books must be closed for an election; amending s. 98.045, F.S.; revising the eligibility requirements for applicants for voter registration; revising procedures for removal of registered voters; amending s. 98.075, F.S.; revising procedures for ineligibility determinations of registered voters; creating s. 100.032, F.S.; requiring supervisors of elections to submit a report to the Secretary of State at least 3 months before a general election; amending s. 101.045, F.S.; authorizing an elector to vote a regular ballot at the polling place in the precinct to which he or she has moved by completing an affirmation; deleting a requirement that the elector's change of residence must occur within the same county for the elector to be able to vote in the new precinct; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; providing that a revised ballot summary prepared by the Attorney General may not exceed 75 words in length; deleting a provision providing that a ballot statement consisting of the full text of a constitutional amendment or revision is presumed to be a clear and unambiguous statement; amending s. 101.5605, F.S.; requiring a person to provide the name, mailing address, and telephone number of a registered agent of a voting systems vendor to the Department of State under certain circumstances; providing that proof of delivery or attempt to deliver constitutes valid notice; creating s. 101.56065, F.S.; providing definitions; requiring a vendor to file a written disclosure with the department; providing requirements for the disclosure; providing what constitutes a cure of a defect; requiring a vendor to file a new disclosure with the department if a vendor becomes aware of a defect within a specified period; authorizing the department to suspend all sales or leases or use in an election of a defective voting system; providing procedures for the suspension of voting systems; authorizing the department to withdraw approval of voting systems under certain circumstances; authorizing the department to initiate an investigation of a defective voting system; establishing procedures and requirements of investigations; providing a penalty; repealing s. 101.56075(4), F.S., relating to the requirement that all voting systems used by voters in a state election allow placement of the full text of a constitutional amendment or revision containing stricken or underlined text by a specified date; amending s. 101.591, F.S.; authorizing use of automated, independent audits of voting systems; providing audit requirements; requiring the Division of Elections to adopt rules; amending s. 101.62, F.S.; revising the requirements for a valid absentee ballot request; requiring the supervisor to record the absence of the voter's signature on the voter's certificate under specified circumstances; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; requiring each county to operate at least the same number of early voting sites as used for the 2012 general election; providing requirements for determining the number of early voting sites each county must operate; increasing the number of days and hours for early voting; amending s. 101.68, F.S., and reenacting subsection (2), relating to the canvassing of absentee ballots; authorizing the supervisor to use the elector's signature in a precinct register to compare with the elector's signature on the voter's certificate; providing that an absentee ballot must clearly identify the name of the witness in order to be considered legal; requiring the supervisor to provide the elector with the specific reason his or her ballot was rejected; requiring the supervisor to allow electors to complete an affidavit to cure an unsigned absentee ballot before canvassing; requiring the supervisor to notify the elector of the missing signature within 48 hours of receipt; providing the form and contents of the affidavit; providing instructions to accompany each absentee ballot affidavit; requiring the affidavit, instructions, and the supervisor's office mailing address to be posted on certain websites; requiring the supervisor to attach a received affidavit to the appropriate absentee ballot mailing envelope; providing an effective date.

Pursuant to Rule 4.19, **CS for HB 7013** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Hukill—

CS for SB 648—A bill to be entitled An act relating to health insurance marketing materials; amending ss. 627.6699 and 627.9407, F.S.; authorizing a health insurer to immediately begin using long-term care

insurance advertising material under certain circumstances; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 648** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simpson—

CS for CS for SB 682—A bill to be entitled An act relating to fossil fuel combustion products; creating s. 403.7047, F.S.; providing definitions; providing standards for storage of certain fossil fuel combustion products; providing an exemption for beneficial use of fossil fuel combustion products from certain rules; providing that the act does not prohibit the Department of Environmental Protection from taking appropriate action to regulate a beneficial use in certain circumstances; providing that the act does not limit other requirements applicable to the beneficial use of fossil fuel combustion products; providing that the act does not limit the recovery of beneficial use products or the authority of the department to approve the beneficial use of materials other than fossil fuel combustion products; clarifying that the act does not limit or modify any fossil fuel combustion product beneficial use previously approved by the department; amending s. 403.7222, F.S.; excluding certain types of facilities from provisions on hazardous waste landfills; providing an effective date.

—was read the second time by title.

Senator Simpson moved the following amendment which was adopted:

Amendment 1 (966408)—Delete lines 66-68 and insert: *a. The fossil fuel combustion product is not placed within 3 feet of groundwater or 15 feet of wetlands or natural water bodies, or within 100 feet of a potable well that is being used or*

Pursuant to Rule 4.19, **CS for CS for SB 682** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Thompson—

CS for SB 778—A bill to be entitled An act relating to transactions in fresh produce markets; providing definitions; authorizing certain owners and operators of farmers' markets, community farmers' markets, flea markets, and other open-air markets selling fresh produce to allow authorized Food and Nutrition Service groups, associations, and third-party organizations to operate electronic benefits transfer systems in such markets; providing for applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 778** was placed on the calendar of Bills on Third Reading.

On motion by Senator Abruzzo—

SB 1042—A bill to be entitled An act relating to public meetings; providing definitions; providing an exemption from public meeting requirements for that portion of a meeting of a duly constituted criminal justice commission at which specified members of the commission discuss active criminal intelligence information or active criminal investigative information currently being considered by, or which may foreseeably come before, the commission; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Abruzzo moved the following amendment which was adopted:

Amendment 1 (795188) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *Criminal justice commissions; public meetings exemption.*—

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

(a) *“Active” has the same meaning as provided in s. 119.011, Florida Statutes.*

(b) *“Criminal intelligence information” has the same meaning as provided in s. 119.011, Florida Statutes.*

(c) *“Criminal investigative information” has the same meaning as provided in s. 119.011, Florida Statutes.*

(d) *“Duly constituted criminal justice commission” or “commission” means an advisory commission created by municipal or county ordinance whose membership is comprised of private and public sector persons and whose purpose is to examine local criminal justice issues.*

(2) *That portion of a meeting of a duly constituted criminal justice commission at which members of the commission discuss active criminal intelligence information or active criminal investigative information that is currently being considered by, or which may foreseeably come before, the commission is exempt from s. 286.011, Florida Statutes, and s. 24(b), Art. I of the State Constitution, provided that at any public meeting of the commission at which such matter is being considered, the commission members publicly disclose the fact that the matter has been discussed.*

(3) *This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15, Florida Statutes, and shall stand repealed on October 2, 2018, unless reviewed and saved from repeal through re-enactment by the Legislature.*

Section 2. *The Legislature finds that it is a public necessity that the portion of a meeting of a duly constituted criminal justice commission at which members of the commission discuss active criminal intelligence information or active criminal investigative information currently being considered by, or which may foreseeably come before, the commission be made exempt from public meeting requirements. If the meetings at which exempt information is discussed were open to the public, the purpose of the exemption from public records requirements found in chapter 119, Florida Statutes, would be defeated. The members of a duly constituted criminal justice commission must be able to hear and discuss exempt information freely in order to make sound recommendations regarding strategies and activities that are best suited to protect the welfare of the people of this state. The ability to conduct meetings at which members can freely discuss and fully understand the details of active criminal intelligence information and active criminal investigative information is critical to the ability of a duly constituted criminal justice commission to operate effectively.*

Section 3. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to public meetings; providing definitions; providing an exemption from public meeting requirements for that portion of a meeting of a duly constituted criminal justice commission at which specified members of the commission discuss active criminal intelligence information or active criminal investigative information currently being considered by, or which may foreseeably come before, the commission; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

Pursuant to Rule 4.19, **SB 1042** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for CS for SB 1300—A bill to be entitled An act relating to limited liability companies; providing a directive to the Division of Law Revision and Information; creating ch. 605, F.S.; providing a short title; providing definitions and general provisions relating to operating agreements, powers, property, rules of construction, names, and registered agents of limited liability companies; providing penalties for noncompliance with certain provisions; providing for the formation and filing of documents of a limited liability company with the Department of State; providing fees;

establishing the authority and liability of members and managers; providing for the relationship of members and management, voting, standards of conduct, records, and the right to obtain information; providing for transferable interests and the rights of transferees and creditors; providing for the dissociation of a member and its effects; providing for the dissolution and winding up of a limited liability company; providing for payment of attorney fees and costs in certain circumstances; establishing provisions for merger, conversion, domestication, interest exchange, and appraisal rights; providing miscellaneous provisions for application and construction, electronic signatures, tax exemption on income, interrogatories and other powers of the department, and reservation of power to amend or appeal; providing for severability; providing for the application to a limited liability company formed under the Florida Limited Liability Company Act; creating s. 48.062, F.S.; providing for service of process on a limited liability company; providing for the applicability of the Florida Limited Liability Company Act; providing for the future repeal of ch. 608, F.S., relating to the Florida Limited Liability Company Act; amending ss. 607.1109, 607.1113, 607.193, 617.1108, 620.2104, 620.2108, 620.8914, 620.8918, 621.051, and 621.07; providing cross-references to conform to changes made by the act; amending s. 621.12, F.S.; revising provisions relating to the identification of certain professional corporations to conform to changes made by the act; amending s. 621.13, F.S.; revising provisions relating to the applicability of certain chapters to the Professional Service Corporation and Limited Liability Company Act to conform to changes made by the act; providing effective dates.

—was read the second time by title.

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (111936)—Delete line 6351 and insert: identical to its name or contains any one or more of the last names of any shareholder or member included in such name except that the word “chartered,” the

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment which was adopted:

Amendment 2 (241360) (with title amendment)—Between lines 5923 and 5924 insert:

Section 4. *Effective July 1, 2014, and contingent upon the amendment of s. 608.452, Florida Statutes, by the enactment of Senate Bill 1490 or other similar legislation, the fees provided under s. 605.0213, Florida Statutes, as created under this act, are amended to reflect the fee changes to s. 608.452, Florida Statutes, by Senate Bill 1490 or other similar legislation.*

And the title is amended as follows:

Delete line 34 and insert: Company Act; providing for the future and contingent amendment of fees of the Department of State; providing for the future repeal of ch.

Pursuant to Rule 4.19, **CS for CS for SB 1300** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

SB 1480—A bill to be entitled An act relating to interlocal agreements; amending s. 163.01, F.S.; modifying the definition of “public agency” to include a public transit provider; providing an effective date.

—was read the second time by title.

Senator Latvala moved the following amendments which were adopted:

Amendment 1 (862824)—Delete line 20 and insert: *transit provider as defined in s. 341.031, an independently elected county officer, an any*

Amendment 2 (526356) (with directory and title amendments)—Between lines 23 and 24 insert:

(7)

(g)1. Notwithstanding any other provisions of this section, any separate legal entity created under this section, the membership of which is limited to municipalities and counties of the state, and which may include a special district or a public agency of this state in addition to a municipality or county or both, may acquire, own, construct, improve, operate, and manage public facilities, or finance facilities on behalf of any person, relating to a governmental function or purpose, including, but not limited to, wastewater facilities, water or alternative water supply facilities, and water reuse facilities, which may serve populations within or outside of the members of the entity. Notwithstanding s. 367.171(7), any separate legal entity created under this paragraph is not subject to Public Service Commission jurisdiction. The separate legal entity may not provide utility services within the service area of an existing utility system unless it has received the consent of the utility.

2. For purposes of this paragraph, the term:

a. “Host government” means the governing body of the county, if the largest number of equivalent residential connections currently served by a system of the utility is located in the unincorporated area, or the governing body of a municipality, if the largest number of equivalent residential connections currently served by a system of the utility is located within that municipality’s boundaries.

b. “Separate legal entity” means any entity created by interlocal agreement the membership of which is limited to two or more special districts, municipalities, ~~or~~ counties, or public agencies of the state, but which entity is legally separate and apart from any of its member governments.

c. “System” means a water or wastewater facility or group of such facilities owned by one entity or affiliate entities.

d. “Utility” means a water or wastewater utility and includes every person, separate legal entity, lessee, trustee, or receiver owning, operating, managing, or controlling a system, or proposing construction of a system, who is providing, or proposes to provide, water or wastewater service to the public for compensation.

3. A separate legal entity that seeks to acquire any utility shall notify the host government in writing by certified mail about the contemplated acquisition not less than 30 days before any proposed transfer of ownership, use, or possession of any utility assets by such separate legal entity. The potential acquisition notice shall be provided to the legislative head of the governing body of the host government and to its chief administrative officer and shall provide the name and address of a contact person for the separate legal entity and information identified in s. 367.071(4)(a) concerning the contemplated acquisition.

4.a. Within 30 days following receipt of the notice, the host government may adopt a resolution to become a member of the separate legal entity, adopt a resolution to approve the utility acquisition, or adopt a resolution to prohibit the utility acquisition by the separate legal entity if the host government determines that the proposed acquisition is not in the public interest. A resolution adopted by the host government which prohibits the acquisition may include conditions that would make the proposal acceptable to the host government.

b. If a host government adopts a membership resolution, the separate legal entity shall accept the host government as a member on the same basis as its existing members before any transfer of ownership, use, or possession of the utility or the utility facilities. If a host government adopts a resolution to approve the utility acquisition, the separate legal entity may complete the acquisition. If a host government adopts a prohibition resolution, the separate legal entity may not acquire the utility within that host government’s territory without the specific consent of the host government by future resolution. If a host government does not adopt a prohibition resolution or an approval resolution, the separate legal entity may proceed to acquire the utility after the 30-day notice period without further notice.

5. After the acquisition or construction of any utility systems by a separate legal entity created under this paragraph, revenues or any other income may not be transferred or paid to a member of a separate legal entity, or to any other special district, county, ~~or~~ municipality, or public agency of this state, from user fees or other charges or revenues

generated from customers that are not physically located within the jurisdictional or service delivery boundaries of the member, special district, county, ~~or~~ municipality, *or public agency* receiving the transfer or payment. Any transfer or payment to a member, special district, ~~or~~ ~~the~~ local government, *or public agency of this state* must be solely from user fees or other charges or revenues generated from customers that are physically located within the jurisdictional or service delivery boundaries of the member, special district, ~~or~~ local government, *or public agency* receiving the transfer of payment.

6. This section is an alternative provision otherwise provided by law as authorized in s. 4, Art. VIII of the State Constitution for any transfer of power as a result of an acquisition of a utility by a separate legal entity from a municipality, county, ~~or~~ special district, *or public agency of this state*.

7. The entity may finance or refinance the acquisition, construction, expansion, and improvement of such facilities relating to a governmental function or purpose through the issuance of its bonds, notes, or other obligations under this section or as otherwise authorized by law. The entity has all the powers provided by the interlocal agreement under which it is created or which are necessary to finance, own, operate, or manage the public facility, including, without limitation, the power to establish rates, charges, and fees for products or services provided by it, the power to levy special assessments, the power to sell or finance all or a portion of such facility, and the power to contract with a public or private entity to manage and operate such facilities or to provide or receive facilities, services, or products. Except as may be limited by the interlocal agreement under which the entity is created, all of the privileges, benefits, powers, and terms of s. 125.01, relating to counties, and s. 166.021, relating to municipalities, are fully applicable to the entity. However, neither the entity nor any of its members on behalf of the entity may exercise the power of eminent domain over the facilities or property of any existing water or wastewater plant utility system, nor may the entity acquire title to any water or wastewater plant utility facilities, other facilities, or property which was acquired by the use of eminent domain after the effective date of this act. Bonds, notes, and other obligations issued by the entity are issued on behalf of the public agencies that are members of the entity.

8. Any entity created under this section may also issue bond anticipation notes in connection with the authorization, issuance, and sale of bonds. The bonds may be issued as serial bonds or as term bonds or both. Any entity may issue capital appreciation bonds or variable rate bonds. Any bonds, notes, or other obligations must be authorized by resolution of the governing body of the entity and bear the date or dates; mature at the time or times, not exceeding 40 years from their respective dates; bear interest at the rate or rates; be payable at the time or times; be in the denomination; be in the form; carry the registration privileges; be executed in the manner; be payable from the sources and in the medium or payment and at the place; and be subject to the terms of redemption, including redemption prior to maturity, as the resolution may provide. If any officer whose signature, or a facsimile of whose signature, appears on any bonds, notes, or other obligations ceases to be an officer before the delivery of the bonds, notes, or other obligations, the signature or facsimile is valid and sufficient for all purposes as if he or she had remained in office until the delivery. The bonds, notes, or other obligations may be sold at public or private sale for such price as the governing body of the entity shall determine. Pending preparation of the definitive bonds, the entity may issue interim certificates, which shall be exchanged for the definitive bonds. The bonds may be secured by a form of credit enhancement, if any, as the entity deems appropriate. The bonds may be secured by an indenture of trust or trust agreement. In addition, the governing body of the legal entity may delegate, to an officer, official, or agent of the legal entity as the governing body of the legal entity may select, the power to determine the time; manner of sale, public or private; maturities; rate of interest, which may be fixed or may vary at the time and in accordance with a specified formula or method of determination; and other terms and conditions as may be deemed appropriate by the officer, official, or agent so designated by the governing body of the legal entity. However, the amount and maturity of the bonds, notes, or other obligations and the interest rate of the bonds, notes, or other obligations must be within the limits prescribed by the governing body of the legal entity and its resolution delegating to an officer, official, or agent the power to authorize the issuance and sale of the bonds, notes, or other obligations.

9. Bonds, notes, or other obligations issued under this paragraph may be validated as provided in chapter 75. The complaint in any action to validate the bonds, notes, or other obligations must be filed only in the Circuit Court for Leon County. The notice required to be published by s. 75.06 must be published in Leon County and in each county that is a member of the entity issuing the bonds, notes, or other obligations, or in which a member of the entity is located, and the complaint and order of the circuit court must be served only on the State Attorney of the Second Judicial Circuit and on the state attorney of each circuit in each county that is a member of the entity issuing the bonds, notes, or other obligations or in which a member of the entity is located. Section 75.04(2) does not apply to a complaint for validation brought by the legal entity.

10. The accomplishment of the authorized purposes of a legal entity created under this paragraph is in all respects for the benefit of the people of the state, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions. Since the legal entity will perform essential governmental functions in accomplishing its purposes, the legal entity is not required to pay any taxes or assessments of any kind whatsoever upon any property acquired or used by it for such purposes or upon any revenues at any time received by it. The bonds, notes, and other obligations of an entity, their transfer, and the income therefrom, including any profits made on the sale thereof, are at all times free from taxation of any kind by the state or by any political subdivision or other agency or instrumentality thereof. The exemption granted in this subparagraph is not applicable to any tax imposed by chapter 220 on interest, income, or profits on debt obligations owned by corporations.

And the directory clause is amended as follows:

Delete lines 9 and 10 and insert:

Section 1. Paragraph (b) of subsection (3) and paragraph (g) of subsection (7) of section 163.01, Florida Statutes, are amended to read:

And the title is amended as follows:

Between lines 4 and 5 insert: providing that a public agency of this state may have membership in a separate legal entity created under the Florida Interlocal Cooperation Act of 1969;

Pursuant to Rule 4.19, **SB 1480** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for CS for CS for SB 1632—A bill to be entitled An act relating to transportation; amending s. 163.01, F.S.; modifying the definition of the term “public agency” to include a public transit provider; amending s. 337.25, F.S.; authorizing the Department of Transportation to use auction services in the conveyance of certain property or leasehold interests; revising certain inventory requirements; revising provisions and providing criteria for the department to dispose of certain excess property; providing such criteria for the disposition of donated property, property used for a public purpose, or property acquired to provide replacement housing for certain displaced persons; providing value offsets for property that requires significant maintenance costs or exposes the department to significant liability; providing procedures for the sale of property to abutting property owners; deleting provisions to conform to changes made by the act; providing monetary restrictions and criteria for the conveyance of certain leasehold interests; providing exceptions to restrictions for leases entered into for a public purpose; providing criteria for the preparation of estimates of value prepared by the department; providing that the requirements of s. 73.013, F.S., relating to eminent domain, are not modified; providing that certain programs approved by the Federal Government relating to the maintenance of highway roadside rights-of-way must be submitted to the Legislature for approval; amending s. 373.618, F.S.; providing that certain public information systems operated by water management districts must be approved by the Department of Transportation and the Federal Highway Administration if such approval is required by certain laws and regulations; amending provisions of ch. 479, F.S., relating to outdoor advertising signs; amending s. 479.01, F.S.; revising and deleting definitions; amending s. 479.02, F.S.; revising powers of the department relating to nonconforming signs; deleting a requirement that the department adopt certain rules; creating s. 479.024, F.S.; limiting the placement of signs in

commercial or industrial zones; defining the terms “parcel” and “utilities”; providing mandatory criteria for local governments to use in determining zoning for commercial or industrial parcels; providing that certain parcels are considered unzoned commercial or industrial areas; providing that specified uses may not be independently recognized as commercial or industrial areas; providing an appeal process for an applicant whose permit is denied; requiring an applicant whose application is denied to remove an existing sign pertaining to the application; requiring the department to reduce certain transportation funding in certain circumstances; amending s. 479.03, F.S.; providing for notice to owners of intervening privately owned lands before entering upon such lands to remove an illegal sign; amending s. 479.04, F.S.; providing that an outdoor advertising license is not required solely to erect outdoor signs or structures; amending s. 479.05, F.S.; authorizing the department to suspend a license for certain offenses and specifying activities that the licensee may engage in during the suspension; amending s. 479.07, F.S.; revising requirements for obtaining sign permits; conforming and clarifying provisions; requiring an application fee; revising sign placement requirements for signs on certain highways; deleting provisions that establish a pilot program relating to placement and removing a permit reinstatement fee; amending s. 479.08, F.S.; clarifying provisions relating to the denial or revocation of a permit because of false or misleading information in the permit application; amending s. 479.10, F.S.; providing for cancellation of a permit; amending s. 479.105, F.S.; revising notice requirements to owners and advertisers relating to signs erected or maintained without a permit; revising procedures providing for the department to issue a permit as a conforming or nonconforming sign to the owner of an unpermitted sign; amending s. 479.106, F.S.; increasing an administrative penalty for illegally removing certain vegetation; amending s. 479.107, F.S.; deleting fines for certain signs on highway rights-of-way; amending s. 479.111, F.S.; clarifying provisions relating to signs allowed on certain highways; amending s. 479.15, F.S.; deleting a definition; clarifying and conforming provisions related to permitted signs on property that is the subject of public acquisition; amending s. 479.156, F.S.; clarifying provisions related to the regulation of wall murals; amending s. 479.16, F.S.; providing that certain provisions relating to the regulation of signs may not be implemented or continued if such actions will adversely affect the allocation of federal funds to the department; exempting from permit requirements certain signs placed by tourist-oriented businesses, certain farm signs during harvest season, acknowledgement signs on publicly funded school premises, and certain displays on specific sports facilities; providing for the removal of signs if certain exemptions do not apply because the allocation of federal funds to the department will be adversely impacted; amending s. 479.24, F.S.; clarifying provisions relating to compensation paid for the department’s acquisition of lawful signs; amending s. 479.25, F.S.; requiring a local government to grant a variance or waiver to a local ordinance or regulation to allow the owner of a lawfully permitted sign to increase the height of the sign if a noise-attenuation barrier is permitted by or erected by a governmental entity in a way that interferes with the visibility of the sign; deleting provisions to conform; amending s. 479.261, F.S.; conforming provisions related to a logo sign program on limited access highways; amending s. 479.313, F.S.; requiring a permittee to pay the cost of removing certain signs following the cancellation of the permit for the sign; repealing s. 76 of chapter 2012-174, Laws of Florida, relating to authorizing the department to seek Federal Highway Administration approval of a tourist-oriented commerce sign pilot program and directing the department to submit the approved pilot program for legislative approval; providing an effective date.

—was read the second time by title.

Senator Latvala moved the following amendment which was adopted:

Amendment 1 (492710) (with title amendment)—Delete lines 127-141 and insert:

Section 1. Paragraph (b) of subsection (3) and paragraph (g) of subsection (7) of section 163.01, Florida Statutes, are amended to read:

163.01 Florida Interlocal Cooperation Act of 1969.—

(3) As used in this section:

(b) “Public agency” means a political subdivision, agency, or officer of this state or of any state of the United States, including, but not limited to, state government, county, city, school district, single and multipurpose special district, single and multipurpose public authority, me-

tropolitan or consolidated government, a separate legal entity or administrative entity created under subsection (7), a *public transit provider as defined in s. 341.031*, an independently elected county officer, any agency of the United States Government, a federally recognized Native American tribe, and any similar entity of any other state of the United States.

(7)

(g)1. Notwithstanding any other provisions of this section, any separate legal entity created under this section, the membership of which is limited to municipalities and counties of the state, and which may include a special district or a *public agency of this state* in addition to a municipality or county or both, may acquire, own, construct, improve, operate, and manage public facilities, or finance facilities on behalf of any person, relating to a governmental function or purpose, including, but not limited to, wastewater facilities, water or alternative water supply facilities, and water reuse facilities, which may serve populations within or outside of the members of the entity. Notwithstanding s. 367.171(7), any separate legal entity created under this paragraph is not subject to Public Service Commission jurisdiction. The separate legal entity may not provide utility services within the service area of an existing utility system unless it has received the consent of the utility.

2. For purposes of this paragraph, the term:

a. “Host government” means the governing body of the county, if the largest number of equivalent residential connections currently served by a system of the utility is located in the unincorporated area, or the governing body of a municipality, if the largest number of equivalent residential connections currently served by a system of the utility is located within that municipality’s boundaries.

b. “Separate legal entity” means any entity created by interlocal agreement the membership of which is limited to two or more special districts, municipalities, ~~or~~ counties, or *public agencies* of the state, but which entity is legally separate and apart from any of its member governments.

c. “System” means a water or wastewater facility or group of such facilities owned by one entity or affiliate entities.

d. “Utility” means a water or wastewater utility and includes every person, separate legal entity, lessee, trustee, or receiver owning, operating, managing, or controlling a system, or proposing construction of a system, who is providing, or proposes to provide, water or wastewater service to the public for compensation.

3. A separate legal entity that seeks to acquire any utility shall notify the host government in writing by certified mail about the contemplated acquisition not less than 30 days before any proposed transfer of ownership, use, or possession of any utility assets by such separate legal entity. The potential acquisition notice shall be provided to the legislative head of the governing body of the host government and to its chief administrative officer and shall provide the name and address of a contact person for the separate legal entity and information identified in s. 367.071(4)(a) concerning the contemplated acquisition.

4.a. Within 30 days following receipt of the notice, the host government may adopt a resolution to become a member of the separate legal entity, adopt a resolution to approve the utility acquisition, or adopt a resolution to prohibit the utility acquisition by the separate legal entity if the host government determines that the proposed acquisition is not in the public interest. A resolution adopted by the host government which prohibits the acquisition may include conditions that would make the proposal acceptable to the host government.

b. If a host government adopts a membership resolution, the separate legal entity shall accept the host government as a member on the same basis as its existing members before any transfer of ownership, use, or possession of the utility or the utility facilities. If a host government adopts a resolution to approve the utility acquisition, the separate legal entity may complete the acquisition. If a host government adopts a prohibition resolution, the separate legal entity may not acquire the utility within that host government’s territory without the specific consent of the host government by future resolution. If a host government does not adopt a prohibition resolution or an approval re-

solution, the separate legal entity may proceed to acquire the utility after the 30-day notice period without further notice.

5. After the acquisition or construction of any utility systems by a separate legal entity created under this paragraph, revenues or any other income may not be transferred or paid to a member of a separate legal entity, or to any other special district, county, ~~or~~ municipality, *or public agency of this state*, from user fees or other charges or revenues generated from customers that are not physically located within the jurisdictional or service delivery boundaries of the member, special district, county, ~~or~~ municipality, *or public agency* receiving the transfer or payment. Any transfer or payment to a member, special district, ~~or~~ ~~other~~ local government, *or public agency of this state* must be solely from user fees or other charges or revenues generated from customers that are physically located within the jurisdictional or service delivery boundaries of the member, special district, ~~or~~ local government, *or public agency* receiving the transfer of payment.

6. This section is an alternative provision otherwise provided by law as authorized in s. 4, Art. VIII of the State Constitution for any transfer of power as a result of an acquisition of a utility by a separate legal entity from a municipality, county, ~~or~~ special district, *or public agency of this state*.

7. The entity may finance or refinance the acquisition, construction, expansion, and improvement of such facilities relating to a governmental function or purpose through the issuance of its bonds, notes, or other obligations under this section or as otherwise authorized by law. The entity has all the powers provided by the interlocal agreement under which it is created or which are necessary to finance, own, operate, or manage the public facility, including, without limitation, the power to establish rates, charges, and fees for products or services provided by it, the power to levy special assessments, the power to sell or finance all or a portion of such facility, and the power to contract with a public or private entity to manage and operate such facilities or to provide or receive facilities, services, or products. Except as may be limited by the interlocal agreement under which the entity is created, all of the privileges, benefits, powers, and terms of s. 125.01, relating to counties, and s. 166.021, relating to municipalities, are fully applicable to the entity. However, neither the entity nor any of its members on behalf of the entity may exercise the power of eminent domain over the facilities or property of any existing water or wastewater plant utility system, nor may the entity acquire title to any water or wastewater plant utility facilities, other facilities, or property which was acquired by the use of eminent domain after the effective date of this act. Bonds, notes, and other obligations issued by the entity are issued on behalf of the public agencies that are members of the entity.

8. Any entity created under this section may also issue bond anticipation notes in connection with the authorization, issuance, and sale of bonds. The bonds may be issued as serial bonds or as term bonds or both. Any entity may issue capital appreciation bonds or variable rate bonds. Any bonds, notes, or other obligations must be authorized by resolution of the governing body of the entity and bear the date or dates; mature at the time or times, not exceeding 40 years from their respective dates; bear interest at the rate or rates; be payable at the time or times; be in the denomination; be in the form; carry the registration privileges; be executed in the manner; be payable from the sources and in the medium or payment and at the place; and be subject to the terms of redemption, including redemption prior to maturity, as the resolution may provide. If any officer whose signature, or a facsimile of whose signature, appears on any bonds, notes, or other obligations ceases to be an officer before the delivery of the bonds, notes, or other obligations, the signature or facsimile is valid and sufficient for all purposes as if he or she had remained in office until the delivery. The bonds, notes, or other obligations may be sold at public or private sale for such price as the governing body of the entity shall determine. Pending preparation of the definitive bonds, the entity may issue interim certificates, which shall be exchanged for the definitive bonds. The bonds may be secured by a form of credit enhancement, if any, as the entity deems appropriate. The bonds may be secured by an indenture of trust or trust agreement. In addition, the governing body of the legal entity may delegate, to an officer, official, or agent of the legal entity as the governing body of the legal entity may select, the power to determine the time; manner of sale, public or private; maturities; rate of interest, which may be fixed or may vary at the time and in accordance with a specified formula or method of determination; and other terms and conditions as may be deemed appropriate by the officer, official, or agent so designated by the governing body of the

legal entity. However, the amount and maturity of the bonds, notes, or other obligations and the interest rate of the bonds, notes, or other obligations must be within the limits prescribed by the governing body of the legal entity and its resolution delegating to an officer, official, or agent the power to authorize the issuance and sale of the bonds, notes, or other obligations.

9. Bonds, notes, or other obligations issued under this paragraph may be validated as provided in chapter 75. The complaint in any action to validate the bonds, notes, or other obligations must be filed only in the Circuit Court for Leon County. The notice required to be published by s. 75.06 must be published in Leon County and in each county that is a member of the entity issuing the bonds, notes, or other obligations, or in which a member of the entity is located, and the complaint and order of the circuit court must be served only on the State Attorney of the Second Judicial Circuit and on the state attorney of each circuit in each county that is a member of the entity issuing the bonds, notes, or other obligations or in which a member of the entity is located. Section 75.04(2) does not apply to a complaint for validation brought by the legal entity.

10. The accomplishment of the authorized purposes of a legal entity created under this paragraph is in all respects for the benefit of the people of the state, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions. Since the legal entity will perform essential governmental functions in accomplishing its purposes, the legal entity is not required to pay any taxes or assessments of any kind whatsoever upon any property acquired or used by it for such purposes or upon any revenues at any time received by it. The bonds, notes, and other obligations of an entity, their transfer, and the income therefrom, including any profits made on the sale thereof, are at all times free from taxation of any kind by the state or by any political subdivision or other agency or instrumentality thereof. The exemption granted in this subparagraph is not applicable to any tax imposed by chapter 220 on interest, income, or profits on debt obligations owned by corporations.

And the title is amended as follows:

Delete line 4 and insert: "agency" to include a public transit provider; providing that a public agency of this state may have membership in a separate legal entity created under the Florida Interlocal Cooperation Act of 1969; amending

Senators Latvala and Evers offered the following amendment which was moved by Senator Latvala and adopted:

Amendment 2 (222666)—Delete lines 1180-1198 and insert: *this chapter for a sign permit, and has never been exempt from the requirement that a permit be obtained pursuant to s. 479.16, the sign owner may receive a permit as a nonconforming sign if the department determines that the sign is not located on a state right-of-way and is not a safety hazard, and if the sign owner pays a penalty fee of \$300 and all pertinent fees required by this chapter, including annual permit renewal fees payable since the date of the erection of the sign, and attaches to the permit application package documentation that demonstrates that:*

a. *The sign has been unpermitted, structurally unchanged, and continuously maintained at the same location for a period of 7 years or more;*

b. *During the initial 7 years in which the sign has been subject to the jurisdiction of the department, the sign would have met the criteria established in this chapter which were in effect at that time for issuance of a permit; and*

c. *The department has not initiated a notice of violation or taken other action to remove the sign during the initial 7-year period in which the sign has been subject to the jurisdiction of the department.*

Senator Latvala moved the following amendment which was adopted:

Amendment 3 (589910)—Delete line 1279 and insert: *department. If such actions are determined by the department to have been taken with willful intent, such person shall be subject to an administrative penalty of \$1,000 for each tree removed, cut, or trimmed in violation of this section. A person aggrieved by an action of the department levying or imposing an administrative penalty under this section may, within 30 days after receipt of the notice of administrative penalty, request an administrative hearing pursuant to chapter 120. If a timely request for a hearing has*

been filed and the department issues a final order imposing the administrative penalty, the penalty shall become effective 30 days after the date it was issued. The timely filing of a proper notice of appeal stays the imposition of the administrative penalty until the department's action is upheld.

Pursuant to Rule 4.19, **CS for CS for CS for SB 1632** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

SB 1806—A bill to be entitled An act relating to total maximum daily loads; amending s. 403.067, F.S.; exempting total maximum daily load rules from legislative ratification; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1806** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

CS for SB 1808—A bill to be entitled An act relating to numeric nutrient criteria; amending s. 403.061, F.S.; authorizing the Department of Environmental Protection to implement specified provisions to control nutrient load in state waters; authorizing the department to implement specified nutrient standards; providing for deletion of a specified rule from the Florida Administrative Code; providing that specified nutrient criteria rules are subject to specified provisions of the Florida Administrative Code; exempting such nutrient criteria rules from ratification by Legislature under s. 120.541(3), F.S.; directing the department to establish numeric interpretations of the narrative nutrient criterion for certain estuaries and waters, subject to specified provisions and standards; directing the department to submit a specified report to the Governor and Legislature; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1808** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 292—A bill to be entitled An act relating to deceptive and unfair trade practices; amending s. 501.975, F.S.; conforming provisions; creating s. 501.98, F.S.; requiring a claimant to provide a demand letter to the motor vehicle dealer as a condition precedent to initiating civil litigation, including arbitration, against such dealer under the Florida Deceptive and Unfair Trade Practices Act; providing for expiration of the demand letter after a specified period; providing for the tolling of applicable time limitations for initiating actions; requiring a stay of civil litigation, including arbitration, brought without compliance with the demand letter requirements; providing an additional opportunity for claimants to comply with specified provisions; providing a condition that constitutes waiver of notice; providing for applicability; requiring that a specified notice be provided to consumers and acknowledged before provisions may apply; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 292**, on motion by Senator Richter, by two-thirds vote **CS for CS for HB 55** was withdrawn from the Committees on Commerce and Tourism; and Judiciary.

On motion by Senator Richter—

CS for CS for HB 55—A bill to be entitled An act relating to deceptive and unfair trade practices; amending s. 501.975, F.S.; conforming provisions; creating s. 501.98, F.S.; requiring a claimant to provide a demand letter to the motor vehicle dealer as a condition precedent to initiating civil litigation, including arbitration, against such dealer under the Florida Deceptive and Unfair Trade Practices Act; providing for expiration of the demand letter after a specified period; providing for the tolling of applicable time limitations for initiating actions; requiring a stay of civil litigation, including arbitration, brought without compliance with the demand letter requirements; providing an additional

opportunity for claimants to comply with specified provisions; providing a condition that constitutes waiver of notice; providing for applicability; requiring that a specified notice be provided to consumers and acknowledged before provisions may apply; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 292** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 55** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

CS for SB 376—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public records requirements for the names of the spouses and children of active or former sworn or civilian law enforcement personnel, including children and spouses of correctional and correctional probation officers, personnel of the Department of Children and Families whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, personnel of the Department of Health whose duties are to support the investigation of child abuse or neglect, and personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Senator Hays moved the following amendment which was adopted:

Amendment 1 (344692) (with title amendment)—Delete lines 75-245 and insert: d.(I) The home addresses, telephone numbers, social security numbers, dates of birth, and photographs of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; the home addresses, telephone numbers, social security numbers, photographs, dates of birth, and places of employment of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; and the names and locations of schools and day care facilities attended by the children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(II) *The names of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.*

(III) *Sub-sub-subparagraph d.(II) is subject to the Open Government Sunset Review Act in accordance with s. 119.15, and shall stand repealed on October 2, 2018, unless reviewed and saved from repeal through re-enactment by the Legislature.*

e. The home addresses, dates of birth, and telephone numbers of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; the home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; and the names and locations of schools and day care facilities attended by the children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if the general magistrate, special magistrate, judge of compensation claims, administrative law judge of the Division of Administrative Hearings, or child support hearing officer provides a written statement that the general magistrate, special magistrate, judge of compensation claims, administrative law judge of the Division of Administrative Hearings, or child support hearing officer has made reasonable efforts to protect such information from being accessible through other means available to the public.

f. The home addresses, telephone numbers, dates of birth, and photographs of current or former human resource, labor relations, or employee relations directors, assistant directors, managers, or assistant managers of any local government agency or water management district whose duties include hiring and firing employees, labor contract negotiation, administration, or other personnel-related duties; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

g. The home addresses, telephone numbers, dates of birth, and photographs of current or former code enforcement officers; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

h. The home addresses, telephone numbers, places of employment, dates of birth, and photographs of current or former guardians ad litem, as defined in s. 39.820; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such persons; and the names and locations of schools and day care facilities attended by the children of such persons are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, if the guardian ad litem provides a written statement that the guardian ad litem has made reasonable efforts to protect such information from being accessible through other means available to the public.

i. The home addresses, telephone numbers, dates of birth, and photographs of current or former juvenile probation officers, juvenile probation supervisors, detention superintendents, assistant detention superintendents, juvenile justice detention officers I and II, juvenile justice detention officer supervisors, juvenile justice residential officers, juvenile justice residential officer supervisors I and II, juvenile justice counselors, juvenile justice counselor supervisors, human services counselor administrators, senior human services counselor administrators, rehabilitation therapists, and social services counselors of the Department of Juvenile Justice; the names, home addresses, telephone numbers, dates of birth, and places of employment of spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

j. The home addresses, telephone numbers, dates of birth, and photographs of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; the home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such defenders or counsel; and the names and locations of schools and day care facilities attended by the children of such defenders or counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

k. The home addresses, telephone numbers, and photographs of current or former investigators or inspectors of the Department of Business and Professional Regulation; the names, home addresses, telephone numbers, and places of employment of the spouses and children of such current or former investigators and inspectors; and the names and locations of schools and day care facilities attended by the children of such current or former investigators and inspectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if the investigator or inspector has made reasonable efforts to protect such information from being accessible through other means available to the public. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2017, unless reviewed and saved from repeal through reenactment by the Legislature.

l. The home addresses and telephone numbers of county tax collectors; the names, home addresses, telephone numbers, and places of employment of the spouses and children of such tax collectors; and the names and locations of schools and day care facilities attended by the children of such tax collectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if the county tax collector has made reasonable efforts to protect such information from being accessible

through other means available to the public. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2017, unless reviewed and saved from repeal through reenactment by the Legislature.

3. An agency that is the custodian of the information specified in subparagraph 2. and that is not the employer of the officer, employee, justice, judge, or other person specified in subparagraph 2. shall maintain the exempt status of that information only if the officer, employee, justice, judge, other person, or employing agency of the designated employee submits a written request for maintenance of the exemption to the custodial agency.

4. The exemptions in this paragraph apply to information held by an agency before, on, or after the effective date of the exemption.

5. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15, and shall stand repealed on October 2, 2017, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. (1) *The Legislature finds that it is a public necessity that the names of the spouses and children of active or former sworn or civilian law enforcement personnel be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. Sworn and civilian law enforcement personnel in this state perform a variety of important duties that ensure public safety and welfare and encourage safe and civil communities. Correctional and correctional probation officers work with felons, many of whom have committed violent crimes. Personnel of the Department of Children and Families whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, and personnel of the Department of Health, work with individuals who may be a danger to their own children and families, as well as the children of others. Personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement investigate and bring enforcement actions against individuals who have failed to pay their lawful taxes or failed to pay to support their children. As a result of their duties, these sworn and civilian law enforcement personnel often come in close contact with individuals who not only may be a threat to these personnel, but who might seek to take revenge against them by harming their spouses and children. Permitting access to the names of the spouses and children of active or former sworn or civilian law enforcement personnel provides a means by which individuals who have been investigated, arrested, interrogated, or incarcerated can identify and cause physical or emotional harm to these spouses and children. The Legislature therefore finds that the harm that may result from the release of the names of spouses and children of such law enforcement personnel outweighs any public benefit that may be derived from the disclosure of the information.*

(2) *The Legislature finds that it is a public necessity that the names of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, and assistant statewide prosecutors be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. State attorneys, assistant state attorneys, statewide prosecutors, and assistant statewide prosecutors prosecute individuals who are considered dangerous and violent. Permitting access to the names of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, and assistant statewide prosecutors provides a means by which a criminal defendant or a friend or family member of such defendant could harm or threaten with harm these spouses and children. The Legislature therefore finds that the harm that may result from the release of the names of spouses and children of such attorneys and prosecutors outweighs any public benefit that may be derived from the disclosure of the information.*

And the title is amended as follows:

Delete line 19 and insert: necessity; creating an exemption from public records requirements for the names of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, and assistant statewide prosecutors; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of necessity; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 376** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Pursuant to Rule 4.19, **CS for CS for SB 650** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

CS for SB 496—A bill to be entitled An act relating to the marshal of the Supreme Court; amending s. 25.251, F.S.; revising terminology; requiring the marshal and his or her deputies to comply with specified requirements for law enforcement officers; specifying that the marshal and his or her deputies are law enforcement officers with full powers to bear arms and make arrests under certain conditions; limiting the use of those powers to performance of official duties for the Supreme Court; amending s. 25.271, F.S.; deleting provisions relating to the marshal and his or her deputies being conservators of the peace; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 496** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bean—

SB 604—A bill to be entitled An act relating to practitioners; amending s. 401.34, F.S.; reorganizing provisions relating to license fees for certain practitioners; amending s. 456.076, F.S.; providing that the Department of Financial Services shall defend certain claims, suits, actions, or proceedings for injunctive, affirmative, or declaratory relief involving emergency interventions on behalf of impaired practitioners; amending s. 893.055, F.S.; defining the term “impaired practitioner consultant”; providing that impaired practitioner consultants retained by the Department of Health have access to information in the prescription drug monitoring program’s database in certain circumstances; amending s. 893.0551, F.S.; defining the term “impaired practitioner consultant”; allowing impaired practitioner consultants access to certain confidential information in the prescription drug monitoring program’s database when necessary to evaluate or monitor a practitioner as part of a treatment program for impaired practitioners; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Bean moved the following amendments which were adopted:

Amendment 1 (689046)—Delete line 32 and insert: pay to the department the following nonrefundable fees, *and these fees must be deposited into the Emergency Medical Services Trust Fund to be applied solely for salaries and expenses of the department incurred in implementing and enforcing this part:*

Amendment 2 (306420) (with title amendment)—Delete lines 82-148.

And the title is amended as follows:

Delete lines 9-21 and insert: on behalf of the impaired practitioners;

Pursuant to Rule 4.19, **SB 604** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Sachs—

CS for CS for SB 650—A bill to be entitled An act relating to the artificial coloring and sale of certain animals and fowl; creating s. 828.1615, F.S.; providing that it is unlawful to sell, barter, or give away animals or fowl that have been dyed or colored; providing that it is unlawful to sell, offer to sell, or give away certain animals of a certain age to be used as pets, toys, or retail premiums; providing exceptions; providing criminal penalties; providing an effective date.

—was read the second time by title.

MOTIONS

On motion by Senator Thrasher, by two-thirds vote, all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Wednesday, April 24.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Tuesday, April 16, 2013: CS for CS for CS for SB 52, CS for SB 142, SB 282, CS for SB 320, CS for CS for SB 398, CS for CS for CS for SB 600, CS for SB 648, CS for CS for SB 682, CS for SB 778, SB 1042, CS for CS for SB 1300, SB 1480, CS for CS for CS for SB 1632, CS for CS for SB 1644, SB 1806, CS for SB 1808, CS for CS for SB 292, CS for SB 300, CS for SB 376, CS for SB 496, SB 604, CS for CS for SB 650, SB 832, CS for CS for SB 904, CS for SB 964, CS for CS for SB 972, SB 1066, CS for SB 102, SB 318, CS for CS for SB 468, CS for SB 1302, CS for SB 1398, SM 1478, CS for SB 1768, SB 1784, CS for CS for SB 658.

Respectfully submitted,
John Thrasher, Rules Chair
Lizbeth Benacquisto, Majority Leader
Christopher L. Smith, Minority Leader

The Committee on Commerce and Tourism recommends the following pass: CS for SB 1408

The Committee on Criminal Justice recommends the following pass: SB 1834

The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 590

The Committee on Judiciary recommends the following pass: CS for SB 946; CS for SB 1114

The bills contained in the foregoing reports were referred to Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 976

The Committee on Criminal Justice recommends the following pass: SB 882

The bills contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 804

The bill was referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 610 with 1 amendment

The Committee on Commerce and Tourism recommends the following pass: CS for SB 550; CS for SB 814

The bills contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Commerce and Tourism recommends the following pass: CS for SB 262

The Committee on Judiciary recommends the following pass: CS for SB 626; CS for SB 836; CS for SB 1000; SB 1412

The bills contained in the foregoing reports were referred to the Committee on Rules under the original reference.

The Committee on Criminal Justice recommends the following pass: CS for SB 808; CS for SB 962; CS for CS for SB 1410

The Committee on Judiciary recommends the following pass: CS for SB 716; CS for CS for SB 874

The bills were placed on the Calendar.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1748

The bill with committee substitute attached was referred to Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 1368

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 110; SB 1212

The bills with committee substitute attached were referred to the Committee on Health Policy under the original reference.

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: CS for SB 958

The bill with committee substitute attached was referred to the Committee on Judiciary under the original reference.

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 418

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 1442

The bills with committee substitute attached were placed on the Calendar.

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Criminal and Civil Justice recommends a committee substitute for the following: CS for SB 1032

Appropriations Subcommittee on Education recommends committee substitutes for the following: CS for SB 150; SB 862; CS for SB 1388

Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends a committee substitute for the following: CS for SB 1132

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Children, Families, and Elder Affairs; and Senator Flores—

CS for SB 110—A bill to be entitled An act relating to the Florida Mental Health Act; requiring the Department of Children and Families to convene a work group to review the Florida Mental Health Act to determine whether certain revisions are necessary; requiring the work group to submit a report to the Governor and the Legislature by a specified date; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Detert—

CS for SB 418—A bill to be entitled An act relating to the delivery of insurance policies; amending s. 627.421, F.S.; authorizing the posting of specified types of insurance policies and endorsements on an insurer's Internet website in lieu of mailing or delivery to the insured if the insurer complies with certain conditions; providing an effective date.

By the Committees on Communications, Energy, and Public Utilities; and Environmental Preservation and Conservation; and Senators Richter and Smith—

CS for CS for SB 958—A bill to be entitled An act relating to underground natural gas storage; providing a short title; amending s. 211.02, F.S.; narrowing the use of the term "oil"; amending s. 211.025, F.S.; narrowing the scope of the gas production tax to apply only to native gas; amending s. 376.301, F.S.; conforming a cross-reference; amending s. 377.06, F.S.; making grammatical changes; declaring underground natural gas storage to be in the public interest; amending s. 377.18, F.S.; clarifying common sources of oil and gas; amending s. 377.19, F.S.; modifying and providing definitions; amending s. 377.21, F.S.; extending the jurisdiction of the Division of Resource Management of the Department of Environmental Protection; amending s. 377.22, F.S.; expanding the scope of the department's rules and orders; amending s. 377.24, F.S.; providing for the notice and permitting of storage in and recovery from natural gas storage reservoirs; creating s. 377.2407, F.S.; establishing a natural gas storage facility permit application process; specifying requirements for an application, including fees; amending s. 377.241, F.S.; providing criteria that the division must consider in issuing permits; amending s. 377.242, F.S.; granting authority to the department to issue permits to establish natural gas storage facilities; creating s. 377.2431, F.S.; establishing conditions and procedures for granting natural gas storage facility permits; prohibiting a permit for certain natural gas storage facilities; creating s. 377.2432, F.S.; providing for the protection of water supplies at natural gas storage facilities; providing that a natural gas storage facility operator is presumed responsible for pollution of an underground water supply under certain circumstances; creating s. 377.2433, F.S.; providing for the protection of natural gas storage facilities through a requirement of notice, compliance with certain standards, and a right of entry to monitor activities; creating s. 377.2434, F.S.; providing that property rights to injected natural gas are with the injector or the injector's heirs, successors, or assigns; providing for compensation to the owner of the stratum and the owner of the surface for use of or damage to the surface or substratum; amending s. 377.25, F.S.; limiting the scope of certain drilling unit requirements; amending s. 377.28, F.S.; modifying situations in which the department is required to issue an order requiring unit operation; amending s. 377.30, F.S.; providing that limitations on the amount of oil or gas taken do not apply to nonnative gas recovered from a permitted natural gas storage facility; amending s. 377.34, F.S.; providing for legal action against a person who appears to be violating a rule that relates to the storage or recovery of natural gas; amending s. 377.37, F.S.; expanding penalties to reach persons who violate the terms of a permit relating to storage of gas in a natural gas storage facility; amending s. 377.371, F.S.; providing that a person storing gas in a natural gas storage facility may not pollute or otherwise damage certain areas and that a person who pollutes water by storing natural gas is liable for cleanup or other costs incurred by the state; amending s. 403.973, F.S.; allowing expedited permitting for natural gas storage facilities permitted under ch. 377, F.S., and for certain projects to construct interstate natural gas pipelines; providing that natural gas sto-

rage facilities are subject to certain requirements; requiring the Department of Environmental Protection to adopt rules; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Soto—

CS for SB 1212—A bill to be entitled An act relating to the state ombudsman program; amending s. 400.0060, F.S.; revising and providing definitions; amending s. 400.0061, F.S.; revising legislative intent with respect to citizen ombudsmen; deleting references to ombudsman councils and transferring their responsibilities to representatives of the Office of State Long-Term Care Ombudsman; amending s. 400.0063, F.S.; revising duties of the office; amending s. 400.0065, F.S.; revising the purpose of the Office of State Long-Term Care Ombudsman; establishing districts; requiring the state ombudsman to submit an annual report to the Governor, the Legislature, and specified agencies and entities; amending s. 400.0067, F.S.; revising duties and membership of the State Long-Term Care Ombudsman Council; amending s. 400.0069, F.S.; requiring the state ombudsman to designate and direct program districts; providing duties of representatives of the office in the districts; providing for appointment and qualifications of district ombudsmen; prohibiting certain individuals from serving as ombudsmen; amending s. 400.0070, F.S.; providing conditions under which a representative of the office could be found to have a conflict of interest; amending s. 400.0071, F.S.; requiring the Department of Elderly Affairs to consult with the state ombudsman before adopting rules pertaining to complaint resolution; amending s. 400.0073, F.S.; providing procedures for investigation of complaints; amending s. 400.0074, F.S.; revising procedures for conducting onsite administrative assessments; authorizing the department to adopt rules; amending s. 400.0075, F.S.; revising complaint notification and resolution procedures; amending s. 400.0078, F.S.; providing for a resident or representative of a resident to receive additional information regarding resident rights; amending s. 400.0079, F.S.; providing immunity from liability for a representative of the office under certain circumstances; amending s. 400.0081, F.S.; requiring long-term care facilities to provide representatives of the office with access to facilities, residents, and records for certain purposes; amending s. 400.0083, F.S.; conforming provisions to changes made by the act; amending s. 400.0087, F.S.; providing for the office to coordinate ombudsman services with Disability Rights Florida; amending s. 400.0089, F.S.; conforming provisions to changes made by the act; amending s. 400.0091, F.S.; revising training requirements for representatives of the office and ombudsmen; amending ss. 20.41, 400.021, 400.022, 400.0255, 400.1413, 400.162, 400.19, 400.191, 400.23, 400.235, 415.1034, 415.104, 415.1055, 415.106, 415.107, 429.02, 429.07, 429.19, 429.26, 429.28, 429.34, 429.35, 429.85, and 744.444, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Criminal Justice; and Health Policy; and Senator Ring—

CS for CS for SB 1368—A bill to be entitled An act relating to clinical, counseling, and psychotherapy services; amending s. 491.004, F.S.; deleting an obsolete provision; conforming provisions; amending s. 491.0045, F.S.; requiring registered interns to remain under supervision while maintaining registered intern status; providing for noncompliance; providing for the expiration of intern registrations and registered intern licenses; prohibiting specified persons from applying for an intern registration; amending s. 491.0046, F.S.; correcting cross-references; prohibiting specified persons from applying for a provisional license; amending s. 491.005, F.S.; revising the requirements for a clinical social worker license, a marriage and family therapist license, and a mental health counselor license; deleting a provision requiring certain registered interns to be certified as having met specified licensure requirements; amending s. 491.0057, F.S.; providing for future repeal of provisions providing for dual licensure as a marriage and family therapist; amending s. 491.006, F.S.; revising requirements of licensure or certification by endorsement; amending s. 491.007, F.S.; deleting a provision providing certified master social workers a limited exemption from continuing education requirements; deleting a provision requiring the Board of Clinical Social Work, Marriage and Family Therapy, and

Mental Health Counseling to establish a procedure for the biennial renewal of intern registrations; providing an effective date.

By the Committees on Criminal Justice; and Regulated Industries; and Senator Lee—

CS for CS for SB 1442—A bill to be entitled An act relating to alarm systems; amending s. 489.503, F.S.; revising an exemption from licensure related to low-voltage electrical work performed by certain persons and entities; exempting from licensure certain employees and sales representatives of alarm system contractors; providing for construction; creating s. 553.793, F.S.; providing definitions; providing applicability; requiring a local enforcement agency to offer for sale uniform basic permit labels to contractors; specifying a maximum price and providing exceptions; prohibiting a local enforcement agency from applying a certain condition to the purchase of a label; providing that permits expire after a specific time period; requiring contractors to post an unused label in a specified place before commencing work on a low-voltage alarm system project; requiring contractors to submit a Uniform Notice of a Low-Voltage Alarm System Project within a specified period; providing that failure to submit such notice may result in disciplinary action; prescribing a form for a Uniform Notice of a Low-Voltage Alarm System Project; authorizing a local enforcement agency to inspect; prohibiting municipalities, counties, districts, or other entities of local government from adopting or maintaining an ordinance or rule inconsistent with this section; providing that a label is not required for the subsequent maintenance, inspection, or service of a permitted alarm system; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Evers—

CS for SB 1748—A bill to be entitled An act relating to Medicaid eligibility; amending s. 409.902, F.S.; requiring the Department of Children and Families to review financial transactions affecting eligibility; making technical corrections; creating s. 409.9022, F.S.; exempting the value of a Medicaid applicant's life insurance policy, annuity, or group certificate from the determination of the applicant's Medicaid eligibility under certain circumstances; authorizing a state agency to delay implementation of certain provisions if a federal waiver or authorization is required; specifying limitations; authorizing the department to adopt rules; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Communications, Energy, and Public Utilities; and Environmental Preservation and Conservation; and Senators Richter and Smith—

CS for CS for SB 958—A bill to be entitled An act relating to underground natural gas storage; providing a short title; amending s. 211.02, F.S.; narrowing the use of the term "oil"; amending s. 211.025, F.S.; narrowing the scope of the gas production tax to apply only to native gas; amending s. 376.301, F.S.; conforming a cross-reference; amending s. 377.06, F.S.; making grammatical changes; declaring underground natural gas storage to be in the public interest; amending s. 377.18, F.S.; clarifying common sources of oil and gas; amending s. 377.19, F.S.; modifying and providing definitions; amending s. 377.21, F.S.; extending the jurisdiction of the Division of Resource Management of the Department of Environmental Protection; amending s. 377.22, F.S.; expanding the scope of the department's rules and orders; amending s. 377.24, F.S.; providing for the notice and permitting of storage in and recovery from natural gas storage reservoirs; creating s. 377.2407, F.S.; establishing a natural gas storage facility permit application process; specifying requirements for an application, including fees; amending s. 377.241, F.S.; providing criteria that the division must consider in issuing permits; amending s. 377.242, F.S.; granting authority to the department to issue permits to establish natural gas storage facilities; creating s. 377.2431, F.S.; establishing conditions and procedures for granting natural gas storage facility permits; prohibiting a permit for certain natural gas storage facilities; creating s. 377.2432,

F.S.; providing for the protection of water supplies at natural gas storage facilities; providing that a natural gas storage facility operator is presumed responsible for pollution of an underground water supply under certain circumstances; creating s. 377.2433, F.S.; providing for the protection of natural gas storage facilities through a requirement of notice, compliance with certain standards, and a right of entry to monitor activities; creating s. 377.2434, F.S.; providing that property rights to injected natural gas are with the injector or the injector's heirs, successors, or assigns; providing for compensation to the owner of the stratum and the owner of the surface for use of or damage to the surface or substratum; amending s. 377.25, F.S.; limiting the scope of certain drilling unit requirements; amending s. 377.28, F.S.; modifying situations in which the department is required to issue an order requiring unit operation; amending s. 377.30, F.S.; providing that limitations on the amount of oil or gas taken do not apply to nonnative gas recovered from a permitted natural gas storage facility; amending s. 377.34, F.S.; providing for legal action against a person who appears to be violating a rule that relates to the storage or recovery of natural gas; amending s. 377.37, F.S.; expanding penalties to reach persons who violate the terms of a permit relating to storage of gas in a natural gas storage facility; amending s. 377.371, F.S.; providing that a person storing gas in a natural gas storage facility may not pollute or otherwise damage certain areas and that a person who pollutes water by storing natural gas is liable for cleanup or other costs incurred by the state; amending s. 403.973, F.S.; allowing expedited permitting for natural gas storage facilities permitted under ch. 377, F.S., and for certain projects to construct interstate natural gas pipelines; providing that natural gas storage facilities are subject to certain requirements; requiring the Department of Environmental Protection to adopt rules; providing an effective date.

—was referred to the Committee on Appropriations.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>		<i>For Term Ending</i>
Florida Building Commission	Appointee: Meyer, Elizabeth, Jacksonville	02/07/2017
Florida Inland Navigation District	Appointees: Chappell, Tyler, Lighthouse Point Cuzzo, Donald J., Palm City Dritenbas, Paul U., Vero Beach Isiminger, Charles C., North Palm Beach Netts, Jonathan S., Palm Coast	01/09/2017 01/09/2017 01/09/2017 01/09/2015 01/09/2015
Florida Real Estate Commission	Appointee: Furst, Darla Ann, Sarasota	10/31/2016
Governing Board of the South Florida Water Management District	Appointees: Hutchcraft, Mitchel A., Ft. Myers Powers, Kevin P., Stuart	03/01/2017 03/01/2017
Governing Board of the Southwest Florida Water Management District	Appointee: Beruff, Carlos, Parrish	03/01/2017
Board of Trustees, Florida Gulf Coast University	Appointee: Goodlette, John Dudley, Naples	01/06/2018

Referred to the Committee on Ethics and Elections.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 11 and April 15 were corrected and approved.

CO-INTRODUCERS

Senators Brandes—SB 1784; Detert—CS for SB 378

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 12:27 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, April 24 or upon call of the President.