



Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President Negrón at 10:00 a.m. A quorum present—36:

Mr. President	Farmer	Powell
Baxley	Flores	Rader
Bean	Gainer	Rodriguez
Benacquisto	Galvano	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Mayfield	Stewart
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Clemens	Perry	Young

Excused: Senator Hukill

PRAYER

The following prayer was offered by Executive Pastor Richelle Williams, Jesus People Ministries Church, Miami Gardens:

To the maker and creator of heaven and earth, hallowed be thy name. For your name is great and greatly to be adored. This morning, we come before you in humble adoration for affording us life and liberty. Father, we thank you for our state and the body of legislators that work earnestly to enhance, edify, and increase our state's means and productivity.

Our prayer today is simple in nature: Today, we pray for a unified effort—that the greater good of our state and constituents be placed before every bill and every motive enforcing and engaging those bills; our Senators stand for what promotes an upright standard for our community; and we operate with fiscal responsibility as we govern the priorities of our 2017 state budget.

Father, we pray today that Florida business is governed with wise precautions—environmental issues dealing with land and water reserves and state and federal tax dollars are amended in a way that will

place Florida as a distinctive resource. We pray continually for Florida's healthcare and the issues concerning its certificate of need.

We pray today for protection for our communities, our homes, and schools; for our educators, law enforcement, and city workers. We pray for policies that will affect all of the people and places, county by county, city by city, within our state, and region. We seek a hedge of protection through the laws we make and enforce in this legislation by this collective body of Senators, that will guard and protect in the spirit of honesty, integrity, and truth.

This morning, as our sunshine state continues to blossom a strong and united citizenship of promise and possibility, we pray that we maintain the standard of our state's motto: "In God We Trust." May we forever keep that belief and understanding at the core of our heart as we press to better our surroundings. May an unusual and unexplainable peace of God dwell within the State of Florida legislation, both House and Senate, that encourages other states to work together in legislating what brings out the best. May we see a decline in hate and hate crimes, and a rise in reconciliation. May we grow together and truly learn what it means to love our neighbor as ourselves. It is in our Lord's name that we pray and say, "Amen."

PLEDGE

Senate Pages, Jared Young of Jacksonville; Alexis Morrill of Wewahitchka; Doug Jones of Archer; and Hayley DiMinno of Tallahassee, 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. David El Hassan of Jacksonville, sponsored by Senator Gibson, as the doctor of the day. Dr. El Hassan specializes in family medicine.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Benacquisto, the rules were waived and the Committee on Appropriations was granted permission to meet May 1, 2017, from 8:00 a.m. until 11:00 a.m.

On motion by Senator Benacquisto, the rules were waived and the Committee on Rules was granted permission to meet this day from 10:30 a.m. until 12:30 p.m.

MOTIONS

On motion by Senator Benacquisto, the rules were waived and **HJR 7105** and **HB 7107** were placed on today's Special Order Calendar.

ADOPTION OF RESOLUTIONS

At the request of Senator Book—

By Senator Book—

SR 542—A resolution recognizing April 24-28, 2017, as "Every Kid Healthy Week" in Florida.

WHEREAS, more than 20 percent of Florida's population, or 4.1 million residents, is under 18 years of age, and

WHEREAS, the incidence of individuals who are overweight or obese is on the rise, with more than 30 percent of Florida children considered overweight or obese, and childhood obesity has become a major health epidemic in this state, and

WHEREAS, being overweight as a child can lead to serious health problems, such as heart disease, type 2 diabetes, asthma, sleep problems, low self-esteem, and being bullied, and these health and wellness concerns lead to higher health care costs that negatively impact Florida taxpayers, and

WHEREAS, nationally, 86 percent of health care expenditures go toward the diagnosis and treatment of chronic diseases, many of which have been linked to obesity and physical inactivity, and Florida has among the highest health care costs, ranking 18th out of the 50 states and the District of Columbia in health care spending per capita, and

WHEREAS, regular physical activity can produce long-term health benefits and, nationally, the number of health club members who are under 18 years of age has increased to 60 percent, but only 25 percent of Florida's youth meet recommended levels of aerobic and muscle-strengthening physical activity, and

WHEREAS, in response to the health challenges facing Florida's adolescents, many health clubs in this state have created programs directed at children and adolescents and have also developed programs that encourage families to exercise together so they live healthier lives, and

WHEREAS, parents are a positive influence in helping their children eat healthier food and become more physically active, and

WHEREAS, promoting healthy behavior promotes a healthy population, reduces health care costs, and provides a healthier and more productive workforce, and

WHEREAS, Florida's future relies on the health and well-being of its youth, NOW, THEREFORE,

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

That in recognition of the need to support initiatives that encourage physical activity and the adoption of healthy lifestyles, and acknowledging the need to improve the quality of life of many young Floridians and to prevent an increased burden on taxpayers stemming from the epidemic of childhood obesity, April 24-28, 2017, is recognized as "Every Kid Healthy Week" in Florida.

—was introduced, read, and adopted by publication.

By direction of the President, the rules were waived and the Senate proceeded to—

SPECIAL ORDER CALENDAR

CS for CS for SB 1406—A bill to be entitled An act relating to stroke centers; amending s. 395.3038, F.S.; directing the Agency for Health Care Administration to include hospitals that meet the criteria for acute stroke ready centers on a list of stroke centers; creating s. 395.30381, F.S.; requiring the department to contract with a private entity to establish and maintain a statewide stroke registry, subject to an appropriation; requiring stroke centers to provide certain information to the statewide stroke registry; requiring the contracted entity to use a nationally recognized platform to collect data; requiring the contracted entity to provide reports to the department on stroke performance measures; providing immunity from liability under certain circumstances; amending s. 395.3041, F.S.; conforming a provision to changes made by the act and deleting obsolete dates; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1406**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 785** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Powell—

CS for CS for CS for HB 785—A bill to be entitled An act relating to stroke centers; amending s. 395.3038, F.S.; directing the Agency for Health Care Administration to include hospitals that meet the criteria for acute stroke ready centers on a list of stroke centers; creating s. 395.30381, F.S.; requiring the Department of Health to contract with a private entity to establish and maintain a statewide stroke registry, subject to an appropriation; requiring stroke centers to provide certain information to the statewide stroke registry; requiring the contracted entity to use a nationally recognized platform to collect data; requiring the contracted entity to provide reports to the department on stroke performance measures; providing immunity from liability under certain circumstances; amending s. 395.3041, F.S.; conforming a provision and deleting obsolete dates; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1406** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 785** was placed on the calendar of Bills on Third Reading.

SB 1416—A bill to be entitled An act relating to enhanced safety for school crossings; creating s. 316.1896, F.S.; requiring the Department of Transportation to evaluate the viability and cost of a uniform system of high-visibility markings and signage for designation of safe school crossings, subject to certain requirements; authorizing the department to consider in its evaluation implementation of new technology or innovations that enhance pedestrian and crosswalk visibility; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1416**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 493** was withdrawn from the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

On motion by Senator Young—

CS for HB 493—A bill to be entitled An act relating to enhanced safety for school crossings; requiring the Department of Transportation to evaluate the viability and cost of a uniform system of high-visibility markings and signage for designation of safe school crossings, subject to certain requirements; authorizing the department to consider in its evaluation implementation of new technology or innovations that enhance pedestrian and crosswalk visibility; requiring a report; providing an effective date.

—a companion measure, was substituted for **SB 1416** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 493** was placed on the calendar of Bills on Third Reading.

On motion by Senator Benacquisto, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

On motion by Senator Benacquisto, by unanimous consent—

CS for CS for HB 6511—A bill to be entitled An act for the relief of L.T.; providing an appropriation to compensate L.T. for injuries and damages sustained as a result of the negligence of employees of the Department of Children and Families, formerly known as the Department of Children and Family Services; providing legislative intent regarding certain Medicaid liens; providing a limitation on the payment of fees and costs; providing an effective date.

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

On motion by Senator Benacquisto, **CS for CS for HB 6511** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Rader
Baxley	Gainer	Rodriguez
Bean	Galvano	Rouson
Benacquisto	Garcia	Simmons
Book	Gibson	Simpson
Bracy	Grimsley	Stargel
Bradley	Hutson	Steube
Brandes	Latvala	Stewart
Braynon	Mayfield	Thurston
Broxson	Montford	Torres
Campbell	Passidomo	Young
Clemens	Perry	
Farmer	Powell	

Nays—None

On motion by Senator Benacquisto, the rules were waived and the Senate proceeded to—

SPECIAL ORDER CALENDAR, continued

Consideration of **CS for CS for SB 1682, SB 862, and CS for CS for SB 842** was deferred.

SB 314—A bill to be entitled An act for the relief of Jerry Cunningham by Broward County; providing for an appropriation to compensate him for injuries sustained as a result of the negligence of Broward County; providing that the appropriation settles all present and future claims related to the negligent act; providing a limitation on the payment of compensation, fees, and costs; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 314**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 6545** was withdrawn from the Committee on Appropriations.

On motion by Senator Farmer—

CS for HB 6545—A bill to be entitled An act for the relief of Jerry Cunningham by Broward County; providing for an appropriation to compensate him for injuries sustained as a result of the negligence of Broward County; providing that the appropriation settles all present and future claims related to the negligent act; providing a limitation on the payment of compensation, fees, and costs; providing an effective date.

—a companion measure, was substituted for **SB 314** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 6545** was placed on the calendar of Bills on Third Reading.

RECESS

On motion by Senator Benacquisto, the Senate recessed at 10:17 a.m. to reconvene at 2:00 p.m., or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—35:

Mr. President	Bradley	Farmer
Baxley	Brandes	Flores
Bean	Braynon	Gainer
Benacquisto	Broxson	Galvano
Book	Campbell	Gibson
Bracy	Clemens	Hutson

Latvala	Powell	Stargel
Lee	Rader	Steube
Mayfield	Rodriguez	Stewart
Montford	Rouson	Torres
Passidomo	Simmons	
Perry	Simpson	

On motion by Senator Passidomo, the rules were waived and the Senate reverted to—

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Joe Negron
 President, The Florida Senate
 Suite 409, The Capitol
 404 South Monroe Street
 Tallahassee, Florida 32399-1100
 April 28, 2017

Dear President Negron:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Accountancy	
Appointees: Rankin, Mindy P.	10/31/2020
Skup, David A.	10/31/2019
Socorro, Jesus	10/31/2019
Board of Acupuncture	
Appointees: Dunetz, Rodney	10/31/2020
Margewicz, Janine Marie	10/31/2019
Board of Architecture and Interior Design	
Appointees: Bao-Garciga, Aida	10/31/2019
Ehrig, John P.	10/31/2019
Rodriguez, Miguel A.	10/31/2019
Board of Athletic Training	
Appointee: Watson, James T.	10/31/2019
Barbers' Board	
Appointee: Gilbert, William B.	10/31/2018
Florida Building Code Administrators and Inspectors Board	
Appointees: Barthlow, Frederick A.	10/31/2020
Bolduc, Timothy J.	10/31/2019
Lopresto, Anthony H.	10/31/2019
White, Herman	10/31/2020
Board of Clinical Laboratory Personnel	
Appointees: McCarter, Yvette S.	10/31/2018
Montoya, Beatriz Elena	10/31/2019
Van Siclen, Carleen P.	10/31/2019
Regulatory Council of Community Association Managers	
Appointees: Phillips, Angela M.	10/31/2019
Riddle, Lisa Ann	10/31/2020
Sibley, Robert E.	10/31/2019
Construction Industry Licensing Board	
Appointee: Cathey, William Brian	10/31/2018
Board of Cosmetology	
Appointee: Poppell, Frances C.	10/31/2019
Electrical Contractors' Licensing Board	
Appointees: Bassett, Douglas Pope	10/31/2019
Flaherty, Brian	10/31/2019
Tibbs, Clarence Kelley	10/31/2019
Vilkoski, Eric	10/31/2018

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Professional Engineers	
Appointees: Boza, Vivian	10/31/2019
Todd, Kenneth S., Jr.	10/31/2019
Board of Funeral, Cemetery, and Consumer Services	
Appointees: Anderson, Jean W.	09/30/2019
Bango, Frank	09/30/2019
Clark, Andrew D.	09/30/2019
Helm, Powell	09/30/2019
Board of Medicine	
Appointees: Averhoff, Magdalena	10/31/2019
Rosenberg, Steven	10/31/2019
Vila, Hector, Jr.	10/31/2018
Board of Occupational Therapy Practice	
Appointees: Arthur, Paul Brandon	10/31/2020
Banta, Caylee	10/31/2019
Board of Opticianry	
Appointees: Shannon, Byron Dale	10/31/2019
Williams, Richard E.	10/31/2019
Board of Optometry	
Appointees: Griffin, John Edmund	10/31/2018
Kaplan, Stuart I.	10/31/2020
Kepley, Stephen R.	10/31/2019
King, Christopher	10/31/2019
Turner, Lucille E.	10/31/2017
Board of Orthotists and Prosthetists	
Appointees: Benson, Lance A.	10/31/2020
Rosen, Wayne R.	10/31/2019
Board of Osteopathic Medicine	
Appointees: Bellingar, Bridget	10/31/2019
Janson, Alicja	10/31/2019
Board of Physical Therapy Practice	
Appointee: Donald, Ellen Kroog	10/31/2020
Board of Pilot Commissioners	
Appointees: Oatis, Vincent Paul, III	10/31/2020
Phipps, Cheryl A.	10/31/2020
Board of Podiatric Medicine	
Appointee: Strickland, Joseph H.	10/31/2019
Florida Real Estate Appraisal Board	
Appointees: Conolly, Cristy	10/31/2019
Oreto, Evalyn F.	10/31/2019
Rabin, Janet S.	10/31/2019
Florida Real Estate Commission	
Appointee: Ketcham, Patricia "Patti" E.	10/31/2020
Board of Respiratory Care	
Appointees: Broecker, Craig N.	10/31/2019
Mitchell, Ronald E.	10/31/2019
Board of Professional Surveyors and Mappers	
Appointees: McLaughlin, Christopher Paul	10/31/2020
Schryver, David W.	10/31/2020
Board of Veterinary Medicine	
Appointees: Nelson, Rudd C.	10/31/2019
Powell, Sharon J.	10/31/2019

As required by Rule 12.7, the committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated. In aid of such inquiry, the committee held public hearings at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Committee on Ethics and Elections

respectfully advise and recommend that in accordance with s. 114.05(1)(c), Florida Statutes:

(1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointments be taken prior to the adjournment of the 2017 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,
Kathleen Passidomo, Chair

On motion by Senator Passidomo, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee.

The vote was:

Yeas—34

Mr. President	Farmer	Powell
Baxley	Flores	Rader
Bean	Gainer	Rodriguez
Benacquisto	Galvano	Rouson
Book	Gibson	Simmons
Bracy	Hutson	Simpson
Bradley	Latvala	Stargel
Brandes	Lee	Steube
Braynon	Mayfield	Stewart
Broxson	Montford	Torres
Campbell	Passidomo	
Clemens	Perry	

Nays—None

By direction of the President, the rules were waived and the Senate proceeded to—

SPECIAL ORDER CALENDAR, continued

Consideration of **CS for CS for SB 304** was deferred.

On motion by Senator Stewart—

CS for SB 1398—A bill to be entitled An act relating to the accessibility of places of public accommodation; creating s. 553.5141, F.S.; providing definitions; authorizing qualified experts to advise and provide certain inspections for places of public accommodation relating to the Americans with Disabilities Act; authorizing an owner of a place of public accommodation to request that his or her facility be inspected for specified purposes; authorizing an owner of a place of public accommodation to file a certification of conformity or remediation plan with the Department of Business and Professional Regulation; requiring a court to consider certain information in specified actions; requiring the department to develop and maintain a website for specified purposes; providing an appropriation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1398** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 304—A bill to be entitled An act relating to the payment of claims by the Palm Beach County School Board; providing for an appropriation to compensate Altavious Carter for injuries sustained as a result of the negligence of a bus driver of the Palm Beach County School District; providing that the amount awarded under the act to Altavious Carter satisfies all present and future claims related to the negligent act; providing a limitation on the payment of fees; providing for an appropriation and annuity to compensate Dustin Re-

inhardt for injuries sustained as a result of the negligence of employees of the Palm Beach County School District; providing that certain payments and the amount awarded under the act to Dustin Reinhardt satisfy all present and future claims related to the negligent act; providing a limitation on the payment of compensation, fees, and costs; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 304**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 6549** was withdrawn from the Committee on Appropriations.

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

CS for HB 6549—A bill to be entitled An act for the relief of Altavious Carter by the Palm Beach County School Board; providing an appropriation to compensate Mr. Carter for injuries sustained as a result of the negligence of a bus driver of the Palm Beach County School District; providing a limitation on the payment of fees and costs; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 304** and read the second time by title.

Senator Flores moved the following amendment which was adopted:

Amendment 1 (692978) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *The facts stated in the preamble to this act are found and declared to be true.*

Section 2. (1) *The Palm Beach County School Board is authorized and directed to appropriate from funds of the school board not otherwise appropriated and, no later than 20 days after the effective date of this act, draw a warrant in the sum of \$790,000, payable to Altavious Carter as compensation for injuries and damages sustained.*

(2) *The amount paid by the Palm Beach County School Board under s. 768.28, Florida Statutes, and the amount awarded under section 2 of this act are intended to provide the sole compensation for all present and future claims arising out of the factual situation described in this act which resulted in injuries to Altavious Carter. The total amount paid for attorney fees relating to this claim may not exceed 25 percent of the total amount awarded under section 2 of this act.*

Section 3. (1) *The Palm Beach County School Board is authorized and directed to:*

(a) *Appropriate from funds of the school board not otherwise encumbered and, no later than 30 days after the effective date of this act, draw a warrant in the sum of \$1.7 million payable to Dustin Reinhardt, to be placed in the Special Needs Trust created for the exclusive use and benefit of Dustin Reinhardt, as compensation for injuries and damages sustained.*

(b) *Purchase, for Dustin Reinhardt's benefit, three separate \$1 million annuities, over a successive 3-year period of time. The first annuity shall be purchased in the year this claim bill is enacted with the other two annuities purchased in successive years thereafter. The first annuity shall make annual disbursements to Dustin Reinhardt, to be placed in the Special Needs Trust created for the exclusive use and benefit of Dustin Reinhardt, beginning on or about September 2023. The second and third annuities shall make annual disbursements to Dustin Reinhardt, to be placed in the Special Needs Trust created for the exclusive use and benefit of Dustin Reinhardt, pursuant to their terms.*

(2) *The amount paid by the Palm Beach County School Board pursuant to s. 768.28, Florida Statutes, and the amount awarded under section 3 of this act are intended to provide the sole compensation for all present and future claims arising out of the factual situation described in this act which resulted in injuries and damages to Dustin Reinhardt. Of the amount awarded under section 3 of this act, the total amount paid for attorney fees may not exceed \$940,000, the total amount paid for lobbying fees may not exceed \$235,000, and no amount may be paid for costs and other similar expenses relating to this claim. Attorney or lobbying fees may not be assessed against the value of the annuity.*

Section 4. This act shall take effect upon becoming a law.

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 payment of claims by the Palm Beach County School Board; providing for an appropriation to compensate Altavious Carter for injuries sustained as a result of the negligence of a bus driver of the Palm Beach County School District; providing that the amount awarded under the act to Altavious Carter satisfies all present and future claims related to the negligent act; providing a limitation on the payment of fees; providing for an appropriation and annuity to compensate Dustin Reinhardt for injuries sustained as a result of the negligence of employees of the Palm Beach County School District; providing that certain payments and the amount awarded under the act to Dustin Reinhardt satisfy all present and future claims related to the negligent act; providing a limitation on the payment of compensation, fees, and costs; providing an effective date.

WHEREAS, in regards to Altavious Carter, he was a 14-year-old freshman at Summit Christian School in Palm Beach County on December 15, 2005, while riding as a passenger in a vehicle driven by Vincent H. Merriweather, and

WHEREAS, while Vincent H. Merriweather was stopped at a red light at the intersection of Forest Hill Boulevard and Olympia Boulevard in Palm Beach County, his vehicle, a van, was struck by a school bus driven by an employee of the Palm Beach County School District, and

WHEREAS, the bus driver, Dennis Gratham, was cited for careless driving and the speed of the bus at the time of impact was 48.5 miles per hour, and

WHEREAS, the seat in which Altavious Carter was sitting was broken as a result of the crash, and Altavious Carter, who was wearing a seatbelt, was thrown into the back of the van, his neck was broken at the C6 level, and he suffered a C6-7 interior subluxation and reversal of normal cervical lordosis, with spinal cord flattening, and

WHEREAS, Altavious Carter was taken by ambulance to Wellington Regional Medical Center and subsequently to St. Mary's Medical Center, where he was diagnosed and treated for the injuries he sustained, and

WHEREAS, Altavious Carter received a discectomy and fusion at C6-7, along with placement of a bone graft and cage, plates, and screws to fuse the spine at C6-7, and

WHEREAS, following rehabilitation, an MRI taken in June 2009 indicated a small herniation at the C7-T1 level, representing the start of degenerative disc disease, and

WHEREAS, on February 25, 2010, Altavious Carter received a jury verdict against the Palm Beach County School Board, and the court entered a judgment in the amount of \$1,094,034.30, and

WHEREAS, on August 4, 2010, an additional final cost judgment in the amount of \$46,830.11 was entered in favor of Altavious Carter against the Palm Beach County School Board in the same matter, and

WHEREAS, Altavious Carter and the Palm Beach County School Board have agreed to a settlement of the claim in the amount of \$790,000, and

WHEREAS, in regards to Dustin Reinhardt, he was a student at Seminole Ridge Community High School in Loxahatchee in Palm Beach County in September 2013, and was involved in the Army Junior Reserve Officer Training Corps for which he received honors for his participation, and

WHEREAS, on September 4, 2013, while in auto shop class at Seminole Ridge Community High School, Dustin Reinhardt was inflating a large truck tire, which proceeded to explode, striking him in his head, and

WHEREAS, immediately following the explosion, Dustin Reinhardt was airlifted to St. Mary's Medical Center in West Palm Beach where he underwent multiple surgeries, including skull and facial reconstruction

procedures, was placed in a chemically induced coma, and spent more than 4 weeks in the intensive care unit, and

WHEREAS, Dustin Reinhardt has continued to be impacted by the injuries he incurred from the explosion, including the loss of vision in his right eye, short-term memory loss, and a recent diagnosis of severe traumatic brain injury, and

WHEREAS, the traumatic brain injury will impair Dustin Reinhardt's executive function and has resulted in symptoms such as the exhibition of socially inappropriate behavior, difficulty in planning and taking initiative, difficulty with verbal fluency, an inability to multitask, and difficulty in processing, storing, and retrieving information, and

WHEREAS, because of the explosion, Dustin Reinhardt continues to live in supervised care at the Neuro International and is unlikely to ever live an independent life, and

WHEREAS, the injuries that Dustin Reinhardt sustained were foreseeable and preventable and the school had a duty to prevent his injuries, and

WHEREAS, Dustin Reinhardt and the Palm Beach County School Board have agreed to a settlement in the sum of \$5 million, and the Palm Beach County School Board has paid \$300,000 of the settlement pursuant to the statutory limits of liability set forth in s. 768.28, Florida Statutes, leaving a remaining balance of \$4.7 million, NOW, THEREFORE,

Pursuant to Rule 4.19, **CS for HB 6549**, as amended, was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

CS for CS for SB 1682—A bill to be entitled An act relating to condominiums; amending s. 718.111, F.S.; prohibiting an officer, director, or manager of a condominium association from soliciting, offering to accept, or accepting a kickback for which consideration has not been provided; providing criminal penalties; requiring that an officer or director charged with certain crimes be removed from office; providing requirements for filling the vacancy left by such removal; prohibiting such officer or director from being appointed or elected or having access to official condominium association records for a specified time; providing an exception; requiring an officer or director to be reinstated if the charges are resolved without a finding of guilt; prohibiting an association from hiring an attorney who represents the management company of the association; prohibiting a board member, manager, or management company from purchasing a unit at a foreclosure sale under certain circumstances; revising recordkeeping requirements; providing that the official records of an association are open to inspection by unit renters; providing that a renter of a unit has a right to inspect and copy the association's bylaws and rules; providing requirements relating to the posting of specified documents on an association's website; providing a remedy for an association's failure to provide a unit owner with a copy of the most recent financial report; requiring the Division of Florida Condominiums, Timeshares, and Mobile Homes to maintain and provide copies of financial reports; prohibiting a condominium association and its officers, directors, employees, and agents from using a debit card issued in the name of the association or billed to the association; providing that use of such a debit card for any expense that is not a lawful obligation of the association may be prosecuted as credit card fraud; providing direction to the Department of Business and Professional Regulation; amending s. 718.112, F.S.; providing board member term limits; providing an exception; deleting certification requirements relating to the recall of board members; revising the amount of time a recalled board member has to turn over records and property of the association to the board; prohibiting certain associations from employing or contracting with a service provider owned or operated by certain persons; amending s. 718.1255, F.S.; authorizing, rather than requiring, the division to employ full-time attorneys to conduct certain arbitration hearings; providing requirements for the certification of arbitrators; prohibiting the Department of Business and Professional Regulation from entering into a legal services contract for certain arbitration hearings; requiring the division to assign or enter into contracts with arbitrators; requiring arbitrators to conduct hearings within a specified period; providing an exception;

providing arbitration proceeding requirements; amending s. 718.3025, F.S.; prohibiting specified parties from purchasing a unit at a foreclosure sale resulting from the association's foreclosure of association lien for unpaid assessments or from taking a deed in lieu of foreclosure; authorizing a contract with a party providing maintenance or management services to be canceled by a majority vote of certain unit owners under specified conditions; creating s. 718.3027, F.S.; providing requirements relating to board director and officer conflicts of interest; providing that certain contracts are voidable if they do not meet specified notice requirements and terminate, subject to a certain condition; defining the term "relative"; amending s. 718.303, F.S.; providing requirements relating to the suspension of voting rights of unit owners and members; prohibiting a receiver from exercising the voting rights of a unit owner whose unit is placed in receivership; amending s. 718.5012, F.S.; providing the ombudsman with an additional power; creating s. 718.71, F.S.; providing financial reporting requirements of an association; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1682** was placed on the calendar of Bills on Third Reading.

INTRODUCTION OF FORMER SENATORS

The President recognized Constitution Revision Commission member, Arthenia Joyner, former Democratic Leader; and Representative Joseph Abruzzo, a former Senator, who were present in the chamber.

On motion by Senator Lee—

SB 862—A bill to be entitled An act relating to public records; amending s. 97.0585, F.S., and reenacting subsection (3), relating to a public records exemption for information regarding voters and voter registration; providing an exemption from public records requirements for information concerning preregistered voter registration applicants who are minors; providing for future legislative review and repeal; providing for retroactive application; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 862** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 842—A bill to be entitled An act relating to the South Florida Regional Transportation Authority; creating s. 343.545, F.S.; defining terms; authorizing the South Florida Regional Transportation Authority, in conjunction with the operation of a certain commuter rail service, to have the power to assume specified indemnification and insurance obligations, subject to certain requirements; amending s. 343.52, F.S.; defining the term "department"; amending s. 343.53, F.S.; conforming a cross-reference; amending s. 343.54, F.S.; prohibiting the South Florida Regional Transportation Authority from entering into, extending, or renewing certain contracts or agreements without the Department of Transportation's approval of the authority's expenditures; amending s. 343.58, F.S.; providing that certain funds constitute state financial assistance for specified purposes; requiring that certain funds be paid pursuant to a written agreement between the department and the authority; providing certain required terms for the written agreement between the department and the authority; authorizing the department to advance the authority certain funding, subject to certain requirements; requiring the authority to promptly provide the department with any additional documentation or information required by the department for its evaluation of the proposed uses of certain state funds; amending s. 341.302, F.S.; authorizing the department to agree to assume certain indemnification and insurance obligations under certain circumstances; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 842 to CS for CS for CS for HB 695**.

Pending further consideration of **CS for CS for SB 842**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 695** was withdrawn from the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

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

CS for CS for CS for HB 695—A bill to be entitled An act relating to the South Florida Regional Transportation Authority; creating s. 343.545, F.S.; defining terms; authorizing the South Florida Regional Transportation Authority, in conjunction with the operation of a certain commuter rail service, to have the power to assume specified indemnification and insurance obligations, subject to certain requirements; amending s. 341.302, F.S.; authorizing the Department of Transportation to agree to assume certain indemnification and insurance obligations under certain circumstances; amending s. 343.52, F.S.; defining the term “department”; amending s. 343.53, F.S.; conforming a cross-reference; amending s. 343.54, F.S.; prohibiting the authority from entering into certain contracts or agreements without department approval of the authority’s expenditures; amending s. 343.58, F.S.; providing that certain funds provided to the authority constitute state financial assistance; requiring a written agreement for provision of such funds; authorizing the department to advance a certain amount of funds under certain circumstances; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 842**, as amended, and by two-thirds vote, read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 695** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 196—A bill to be entitled An act relating to judicial resources; creating s. 25.052, F.S.; requiring the Supreme Court to issue an annual report regarding certain cases; specifying data to be included in such report; providing for future legislative review and repeal; amending s. 985.12, F.S.; requiring the establishment of civil citation or similar diversion programs for juveniles in each county; providing definitions; specifying program eligibility, participation, and implementation requirements; providing exceptions; providing applicability; requiring the Department of Juvenile Justice to generate annual reports; requiring reports by specified dates; amending ss. 943.051 and 985.11, F.S.; conforming provisions to changes made by the act; amending s. 985.557, F.S.; requiring the department, beginning on a certain date, to collect specified information relating to children who qualify for prosecution as adults and for children who are transferred for criminal prosecution as adults; requiring the department to work with the Office of Program Policy Analysis and Government Accountability to generate a report analyzing the data of juveniles transferred for prosecution as adults during a certain period; requiring the department to provide the report to the Governor and the Legislature by a certain date; requiring the department to work with the Office of Program Policy Analysis and Government Accountability to generate an annual report to include certain information and provide it to the Governor and the Legislature by a specified date; providing severability; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 196**, pursuant to Rule 3.11(3), there being no objection, **HB 301** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; Appropriations; and Rules.

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

HB 301—A bill to be entitled An act relating to Supreme Court reporting requirements; creating s. 25.052, F.S.; requiring the Supreme Court to issue an annual report regarding certain cases; specifying data to be included in such report; providing for future legislative review and repeal; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 196** and read the second time by title.

Senator Flores moved the following amendment which was adopted:

Amendment 1 (814130) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 25.052, Florida Statutes, is created to read:

25.052 *Annual report.*—

(1) *Between October 1 and October 15 of each year, the Supreme Court shall provide a report with data as of September 30 of that year, to the Governor, the Attorney General, the President of the Senate, and the Speaker of the House of Representatives consisting of two parts.*

(a) *In part I of the report, the court shall provide the following information regarding each case on the court’s docket as of September 30 of the current year, for which a decision or disposition has not been rendered within 180 days after oral argument was heard or after the date on which the case was submitted to the court panel for a decision without oral argument:*

1. *The case name and number.*
2. *The case type.*
3. *A brief description of the case.*
4. *The date on which the case was added to the court’s docket.*
5. *The date of oral argument or the date the case was submitted to the court panel for decision without oral argument.*
6. *The number of days that have elapsed since the date the oral argument was heard or the date the case was submitted to the court panel for a decision without oral argument.*
7. *A detailed explanation of the court’s failure to render a decision or disposition within 180 days after oral argument was heard or after the date on which the case was submitted to the court panel for a decision without oral argument.*
8. *The date on which, or the time period within which, the court expects to render a decision or disposition.*

(b) *In part II of the report, the court shall provide the following information regarding each case decided or disposed of by the court between October 1 of the prior year and September 30 of the current year, for which the decision or disposition was not rendered within 180 days after oral argument was heard or after the date on which the case was submitted to the court panel for a decision without oral argument:*

(2) *The report shall be submitted in an electronic spreadsheet format capable of being sorted and filtered by the following elements:*

- (a) *The case number.*
- (b) *The case type.*
- (c) *The date on which the case was added to the court’s docket.*
- (d) *The date of oral argument or the date the case was submitted to the court panel for decision without oral argument.*
- (e) *The number of days that elapsed since the date oral argument was heard or the date the case was submitted to the court panel for a decision without oral argument.*
- (f) *The date of decision or disposition.*

1. *The information required in subparagraphs (a)1.-5. and 7.*
2. *The date that a decision or disposition was issued.*
3. *The number of days that had elapsed between the date oral argument was heard or the date the case was submitted to the court panel for a decision without oral argument and the date on which a decision or disposition was issued.*

(2) *The report shall be submitted in an electronic spreadsheet format capable of being sorted and filtered by the following elements:*

- (a) *The case number.*
- (b) *The case type.*
- (c) *The date on which the case was added to the court’s docket.*
- (d) *The date of oral argument or the date the case was submitted to the court panel for decision without oral argument.*
- (e) *The number of days that elapsed since the date oral argument was heard or the date the case was submitted to the court panel for a decision without oral argument.*
- (f) *The date of decision or disposition.*

(3) *The case type of each case reported shall include civil, criminal not seeking the death penalty, criminal seeking the death penalty, court rules, bar discipline, or judicial discipline.*

(4) This section is repealed July 1, 2022, unless reviewed and re-enacted by the Legislature before that date.

Section 2. Effective October 1, 2017, section 985.12, Florida Statutes, is amended to read:

985.12 Civil citation and similar diversion programs.—

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

(a) “Law enforcement officer” has the same meaning as provided in s. 943.10.

(b) “Misdemeanor offense” means one misdemeanor violation of law.

(2)(a) There is established a process for the use of juvenile civil citation and similar diversion programs to provide ~~process for the purpose of providing~~ an efficient and innovative alternative to custody by the department of Juvenile Justice for juveniles ~~children~~ who commit nonserious delinquent acts and to ensure swift and appropriate consequences. The department shall encourage and assist in the implementation and improvement of civil citation and ~~programs or other similar diversion programs in around~~ the state.

(b) ~~One or more~~ The civil citation or similar diversion programs ~~program~~ shall be established in each county to serve juveniles who commit misdemeanor offenses as provided in this section. Such programs must meet the requirements of this section and be established ~~at the local level~~ with the concurrence of the chief judge of the circuit, state attorney, public defender, and the head of each local law enforcement agency involved. At least one program must be applicable countywide. The countywide program may be established by a county or by interlocal agreement pursuant to s. 163.01 by a county working jointly with any municipalities or other entities within the county’s boundaries or contiguous counties and any municipalities or other entities within the counties’ boundaries. The program may be operated by an entity such as a law enforcement agency, the department, a juvenile assessment center, the county or municipality, or another entity selected by the county or municipality. Any additional programs shall complement the countywide program. Any program may work with any other program in the state to best serve the juveniles in the jurisdiction. An entity operating such a ~~the civil citation or similar diversion~~ program must do so in consultation and agreement with the state attorney and local law enforcement agencies.

(3) Under ~~such~~ a juvenile civil citation or similar diversion program, a law enforcement officer who makes, ~~upon making~~ contact with a juvenile who admits having committed a misdemeanor offense for the first time ~~misdemeanor~~, may:

(a) Choose to issue a simple warning or inform the child’s guardian or parent of the child’s infraction, ~~or may~~

(b) Issue a civil citation to the juvenile or require the juvenile’s participation in a similar diversion program, as follows:

1. A law enforcement officer shall issue the citation if the violation of law is a misdemeanor offense and is one of the following:

a. Section 562.111, relating to possession of alcoholic beverages by persons under age 21;

b. Section 784.03(1), relating to battery. This sub-subparagraph excludes battery relating to domestic violence as defined in s. 741.28;

c. Section 806.13, relating to criminal mischief;

d. Section 810.08 or s. 810.09, relating to trespass;

e. Section 812.014(2)(e) or s. 812.014(3)(a), relating to theft;

f. Section 812.015(2), relating to retail and farm theft;

g. Section 856.021, relating to loitering or prowling;

h. Section 870.01(1), relating to affrays and riots;

i. Section 877.03, relating to disorderly conduct;

j. Section 893.13(6)(b), relating to possession of certain amounts of cannabis;

k. Section 893.147, relating to use, possession, manufacture, delivery, transportation, advertisement, or retail sale of drug paraphernalia; or

l. Section 843.02, relating to resisting an officer without violence.

2. A law enforcement officer may issue a civil citation to a juvenile or require the juvenile’s participation in a similar diversion program if the violation of law is a misdemeanor offense not enumerated in subparagraph 1.

3. Notwithstanding subparagraph 1., a law enforcement officer may issue a civil citation to a juvenile or require the juvenile’s participation in a similar diversion program if the violations of law are more than one misdemeanor offense arising out of the same criminal episode.

(4) Under a juvenile civil citation or similar diversion program, a law enforcement officer who makes contact with a juvenile who admits to having committed a misdemeanor offense and has one or two prior misdemeanors from a separate criminal episode may issue a civil citation to the juvenile or require the juvenile’s participation in a similar diversion program, regardless of whether the violations of law are enumerated in subparagraph (3)(b)1.

(5) Under a juvenile civil citation or similar diversion program, a law enforcement officer who makes contact with a juvenile who admits to having committed a misdemeanor offense and is currently alleged to have committed, or is currently charged with and awaiting final disposition, of an offense that would be a felony, may issue a civil citation to the juvenile or require the juvenile’s participation in a similar diversion program, regardless of whether the violations of law are enumerated in subparagraph (3)(b)1.

(6) If an arrest is made for a misdemeanor offense subject to subparagraph (3)(b)2., subparagraph (3)(b)3., subsection (4), or subsection (5), a law enforcement officer must provide written documentation as to why the arrest was warranted.

(7) A law enforcement officer shall advise a juvenile eligible to receive a civil citation under subsection (3), (4), or (5) that he or she has the option to refuse the civil citation or other similar diversion program and be referred to the department. This option may be exercised at any time before completion of the community service assignment required under subsection (9). Participation in a civil citation or similar diversion program is not considered a referral to the department.

(8) Upon issuance of the civil citation or documentation requiring a similar diversion program, the law enforcement officer shall send a copy to the county sheriff, the state attorney, the department or the entity operating the program as designated by the department, the parent or guardian of the juvenile, and the victim. The entity operating the program shall enter such information into the juvenile justice information system.

(9) A juvenile who elects to participate in a civil citation or similar diversion program shall complete, ~~and assess~~ up to 50 community service hours, and participate ~~require participation~~ in intervention services as indicated by an assessment of the needs of the juvenile, including family counseling, urinalysis monitoring, and substance abuse and mental health treatment services.

(a) The juvenile shall report to the entity operating the program within 10 business days after the date of issuance of the civil citation or documentation for a similar diversion program. The juvenile shall spend a minimum of 5 hours per week completing the community service assignment. The entity operating the program shall immediately notify the department through the juvenile justice information system that a juvenile has reported to the entity operating the program and the expected date on which the juvenile will complete the community service assignment. ~~A copy of each citation issued under this section shall be provided to the department, and the department shall enter appropriate information into the juvenile offender information system. Use of the civil citation or similar diversion program is not limited to first time misdemeanors and may be used in up to two subsequent misdemeanors. If~~

~~an arrest is made, a law enforcement officer must provide written documentation as to why an arrest was warranted.~~

(b) At the conclusion of a juvenile's civil citation program or similar diversion program, the entity agency operating the program shall report the outcome of the program to the department.

(c) *If the juvenile fails to timely report for a community service assignment, complete such assignment, or comply with assigned intervention services within the prescribed time, the entity operating the program shall notify the law enforcement officer. The law enforcement officer shall determine if there is good cause to arrest the juvenile for the original misdemeanor offense and refer the case to the state attorney or allow the juvenile to continue in the program.*

(d) *If the juvenile commits a subsequent delinquent act then the entity operating the program shall notify the law enforcement officer and the law enforcement officer shall arrest the juvenile for the original misdemeanor offense and refer the case to the state attorney.* ~~The issuance of a civil citation is not considered a referral to the department.~~

~~(10)(2)~~ The department shall develop guidelines for the civil citation and similar diversion programs program which include intervention services that are based on upon proven civil citation or similar diversion programs in within the state. The department shall generate a report annually on the best practices of the programs. The department must provide the report annually to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31 each year. The department must also provide an electronic copy of the annual report to the civil citation and similar diversion programs no later than January 31 of each year.

(11) The department shall generate a report annually on participation and outcomes for civil citation and similar diversion programs, reported as statewide aggregate data and data for each civil citation and similar diversion program from the previous calendar year. The annual report shall be available on the department's website no later than January 31 of each year. The department must also provide an electronic copy of the annual report to each civil citation and similar diversion program. At a minimum, the data shall include:

- (a) The race, ethnicity, gender, and age of the juvenile;
- (b) The juvenile's county of residence;
- (c) The misdemeanor offenses committed;
- (d) The county where the misdemeanor offenses were committed;
- (e) Whether the juvenile has previously participated in a civil citation or similar diversion program;
- (f) Whether the juvenile successfully completed or failed to complete a civil citation or similar diversion program; and
- (g) Recidivism data for juveniles in paragraph (f).

(12) This section does not apply to:

- (a) A juvenile who has entered a plea of nolo contendere or guilty to, or has been found to have committed, an offense that would be a felony if committed by an adult.
- (b) A misdemeanor offense arising out of a criminal episode in which the juvenile is also alleged to have committed an offense that would be a felony if committed by an adult.

~~(3) Upon issuing such citation, the law enforcement officer shall send a copy to the county sheriff, state attorney, the appropriate intake office of the department, or the community service performance monitor designated by the department, the parent or guardian of the child, and the victim.~~

~~(4) The child shall report to the community service performance monitor within 7 working days after the date of issuance of the citation. The work assignment shall be accomplished at a rate of not less than 5 hours per week. The monitor shall advise the intake office immediately upon reporting by the child to the monitor, that the child has in fact~~

~~reported and the expected date upon which completion of the work assignment will be accomplished.~~

~~(5) If the child fails to report timely for a work assignment, complete a work assignment, or comply with assigned intervention services within the prescribed time, or if the juvenile commits a subsequent misdemeanor, the law enforcement officer shall issue a report alleging the child has committed a delinquent act, at which point a juvenile probation officer shall process the original delinquent act as a referral to the department and refer the report to the state attorney for review.~~

~~(6) At the time of issuance of the citation by the law enforcement officer, such officer shall advise the child that the child has the option to refuse the citation and to be referred to the intake office of the department. That option may be exercised at any time before completion of the work assignment.~~

Section 3. Effective October 1, 2017, paragraph (b) of subsection (3) of section 943.051, Florida Statutes, is amended to read:

943.051 Criminal justice information; collection and storage; fingerprinting.—

(3)

(b) A minor who is charged with or found to have committed the following offenses shall be fingerprinted and the fingerprints shall be submitted electronically to the department, unless the minor participates in is issued a civil citation or similar diversion program pursuant to s. 985.12:

1. Assault, as defined in s. 784.011.
2. Battery, as defined in s. 784.03.
3. Carrying a concealed weapon, as defined in s. 790.01(1).
4. Unlawful use of destructive devices or bombs, as defined in s. 790.1615(1).
5. Neglect of a child, as defined in s. 827.03(1)(e).
6. Assault or battery on a law enforcement officer, a firefighter, or other specified officers, as defined in s. 784.07(2)(a) and (b).
7. Open carrying of a weapon, as defined in s. 790.053.
8. Exposure of sexual organs, as defined in s. 800.03.
9. Unlawful possession of a firearm, as defined in s. 790.22(5).
10. Petit theft, as defined in s. 812.014(3).
11. Cruelty to animals, as defined in s. 828.12(1).
12. Arson, as defined in s. 806.031(1).
13. Unlawful possession or discharge of a weapon or firearm at a school-sponsored event or on school property, as provided in s. 790.115.

Section 4. Effective October 1, 2017, paragraph (b) of subsection (1) of section 985.11, Florida Statutes, is amended to read:

985.11 Fingerprinting and photographing.—

(1)

(b) Unless the child is participating in is issued a civil citation or is participating in a similar diversion program pursuant to s. 985.12, a child who is charged with or found to have committed one of the following offenses shall be fingerprinted, and the fingerprints shall be submitted to the Department of Law Enforcement as provided in s. 943.051(3)(b):

1. Assault, as defined in s. 784.011.
2. Battery, as defined in s. 784.03.
3. Carrying a concealed weapon, as defined in s. 790.01(1).

4. Unlawful use of destructive devices or bombs, as defined in s. 790.1615(1).
5. Neglect of a child, as defined in s. 827.03(1)(e).
6. Assault on a law enforcement officer, a firefighter, or other specified officers, as defined in s. 784.07(2)(a).
7. Open carrying of a weapon, as defined in s. 790.053.
8. Exposure of sexual organs, as defined in s. 800.03.
9. Unlawful possession of a firearm, as defined in s. 790.22(5).
10. Petit theft, as defined in s. 812.014.
11. Cruelty to animals, as defined in s. 828.12(1).
12. Arson, resulting in bodily harm to a firefighter, as defined in s. 806.031(1).
13. Unlawful possession or discharge of a weapon or firearm at a school-sponsored event or on school property as defined in s. 790.115.

A law enforcement agency may fingerprint and photograph a child taken into custody upon probable cause that such child has committed any other violation of law, as the agency deems appropriate. Such fingerprint records and photographs shall be retained by the law enforcement agency in a separate file, and these records and all copies thereof must be marked "Juvenile Confidential." These records are not available for public disclosure and inspection under s. 119.07(1) except as provided in ss. 943.053 and 985.04(2), but shall be available to other law enforcement agencies, criminal justice agencies, state attorneys, the courts, the child, the parents or legal custodians of the child, their attorneys, and any other person authorized by the court to have access to such records. In addition, such records may be submitted to the Department of Law Enforcement for inclusion in the state criminal history records and used by criminal justice agencies for criminal justice purposes. These records may, in the discretion of the court, be open to inspection by anyone upon a showing of cause. The fingerprint and photograph records shall be produced in the court whenever directed by the court. Any photograph taken pursuant to this section may be shown by a law enforcement officer to any victim or witness of a crime for the purpose of identifying the person who committed such crime.

Section 5. Subsection (5) is added to section 985.557, Florida Statutes, to read:

985.557 Direct filing of an information; discretionary and mandatory criteria.—

(5) *DATA COLLECTION RELATING TO DIRECT FILE.*—

(a) *Beginning March 1, 2018, the department shall collect data relating to children who qualify to be prosecuted as adults under this section and s. 985.556 regardless of the outcome of the case, including, but not limited to:*

1. *Age.*
2. *Race and ethnicity.*
3. *Gender.*
4. *Circuit and county of residence.*
5. *Circuit and county of offense.*
6. *Prior adjudications or adjudications withheld.*
7. *Prior periods of probation including any violations of probation.*
8. *Previous contacts with law enforcement agencies or the court which resulted in a civil citation, arrest, or charges being filed with the state.*
9. *Initial charges.*
10. *Charges at disposition.*

11. *Whether child codefendants were involved who were transferred to adult court.*
12. *Whether the child was represented by counsel or whether the child waived counsel.*
13. *Risk assessment instrument score.*
14. *The child's medical, mental health, substance abuse, or trauma history.*
15. *The child's history of mental impairment or disability-related accommodations.*
16. *The child's history of abuse or neglect.*
17. *The child's history of foster care placements, including the number of prior placements.*
18. *Whether the child has below-average intellectual functioning.*
19. *Whether the child has received mental health services or treatment.*
20. *Whether the child has been the subject of a child-in-need-of-services or families-in-need-of-services petition or a dependency petition.*
21. *Whether the child was transferred for criminal prosecution as an adult.*
22. *The case resolution in juvenile court.*
23. *The case resolution in adult court.*

(b) *Beginning March 1, 2018, for a child transferred for criminal prosecution as an adult, the department shall also collect:*

1. *Disposition data, including, but not limited to, whether the child received adult sanctions, juvenile sanctions, or diversion and, if sentenced to prison, the length of the prison sentence or the enhanced sentence; and*
2. *Whether the child was previously found incompetent to proceed in juvenile court.*

(c) *For every juvenile case transferred between July 1, 2016, and June 30, 2017, the department shall work with the Office of Program Policy Analysis and Government Accountability to generate a report analyzing the aggregated data. The department must provide this report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 31, 2018.*

(d) *The department must work with the Office of Program Policy Analysis and Government Accountability to generate a report analyzing the aggregated data collected under paragraphs (a) and (b) on an annual basis. The department must provide this report annually to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31 of the following calendar year.*

Section 6. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

Section 7. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2017.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to judicial resources; creating s. 25.052, F.S.; requiring the Supreme Court to issue an annual report regarding certain cases; specifying data to be included in such report; providing for future legislative review and repeal; amending s. 985.12, F.S.; requiring the establishment of civil citation or similar diversion programs for juveniles in each county; providing definitions; specifying program eligibility, participation, and implementation requirements; providing exceptions; providing applicability; requiring the Department of Juvenile Justice to generate annual reports; requiring reports by specified

dates; amending ss. 943.051 and 985.11, F.S.; conforming provisions to changes made by the act; amending s. 985.557, F.S.; requiring the department, beginning on a certain date, to collect specified information relating to children who qualify for prosecution as adults and for children who are transferred for criminal prosecution as adults; requiring the department to work with the Office of Program Policy Analysis and Government Accountability to generate a report analyzing the data of juveniles transferred for prosecution as adults during a certain period; requiring the department to provide the report to the Governor and the Legislature by a certain date; requiring the department to work with the Office of Program Policy Analysis and Government Accountability to generate an annual report to include certain information and provide it to the Governor and the Legislature by a specified date; providing severability; providing effective dates.

Pursuant to Rule 4.19, **HB 301**, as amended, was placed on the calendar of Bills on Third Reading.

On motion by Senator Bean—

CS for SB 1238—A bill to be entitled An act relating to utility investments in gas reserves; amending s. 366.04, F.S.; revising the jurisdiction of the Public Service Commission over public utilities to include the approval of cost recovery for certain gas reserve investments; requiring the commission to adopt, by rule, standards by which it will determine the prudence of such investments; requiring each public utility to file with the commission a comparison of all gas reserve projects entered into on behalf of the utility and any affiliate or subsidiary of the parent company as part of its risk management plan; specifying the requirements of the filing; requiring the use of a third-party auditor for audits of associated transactions for a gas reserve project; requiring a public utility entering into a gas reserves project to have a transportation path between the project and the utility's service territory; specifying the accounting of the costs of any new transportation in the economic analysis of projects; providing an effective date.

—was read the second time by title.

Senator Bean moved the following amendment which was adopted:

Amendment 1 (968298)—Delete line 34 and insert:
public utility's prudent investments, including rate of return, and for

Pursuant to Rule 4.19, **CS for SB 1238**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for SB 1084—A bill to be entitled An act relating to firefighters; creating s. 633.415, F.S.; providing for the designation as a Lifetime Firefighter; providing requirements for such designation; providing responsibilities of the Division of State Fire Marshal within the Department of Financial Services; authorizing the division to investigate reports, complaints, or felony convictions concerning Lifetime Firefighters; authorizing the division to adopt rules; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1084**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 465** was withdrawn from the Committees on Banking and Insurance; Governmental Oversight and Accountability; and Rules.

On motion by Senator Stargel—

CS for CS for HB 465—A bill to be entitled An act relating to firefighters; creating s. 633.415, F.S.; providing for the designation as a Lifetime Firefighter; providing requirements for such designation; providing responsibilities of the Division of State Fire Marshal within the Department of Financial Services; authorizing the division to investigate convictions or disqualifying events concerning Lifetime Firefighters; authorizing the division to adopt rules; providing an effective date.

—a companion measure, was substituted for **CS for SB 1084** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 465** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1012** was deferred.

CS for SB 928—A bill to be entitled An act relating to water protection and sustainability; creating the "Heartland Headwaters Protection and Sustainability Act"; creating s. 373.462, F.S.; providing legislative findings and a declaration of important state interest; creating s. 373.463, F.S.; requiring the Polk Regional Water Cooperative, in coordination with its member county and municipal governments, to prepare a comprehensive annual report on certain water resource projects within its members' jurisdictions; specifying requirements for such report; specifying to whom such report must be submitted; requiring the Polk Regional Water Cooperative, in coordination with appropriate water management districts, to submit an annual status report on projects receiving priority state funding; requiring that such report be included in specified annual reports; amending s. 212.055, F.S.; authorizing local government infrastructure surtax proceeds to be allocated to regional water supply authorities under certain conditions; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 928**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 573** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on the Environment and Natural Resources; and Appropriations.

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

CS for CS for HB 573—A bill to be entitled An act relating to water protection and sustainability; creating the "Heartland Headwaters Protection and Sustainability Act"; creating s. 373.462, F.S.; providing legislative findings and intent; creating s. 373.463, F.S.; requiring the Polk Regional Water Cooperative to prepare an annual report concerning water resource projects within a specified area; specifying requirements for such report; requiring the report to be submitted annually to the Legislature, the Department of Environmental Protection, and the appropriate water management districts; requiring the inclusion of such report in the appropriate consolidated water management district annual report; providing an effective date.

—a companion measure, was substituted for **CS for SB 928**, and by two-thirds vote, read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 573** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1014** was deferred.

CS for CS for CS for SB 840—A bill to be entitled An act relating to controlled substance prescribing; providing legislative findings; requiring that specified physicians who are registered with the United States Drug Enforcement Administration to prescribe controlled substances complete a continuing education course before a certain date; specifying requirements for the continuing education course; authorizing the course to be offered in a distance learning format; creating grounds for disciplinary actions for failure to meet the course requirements; providing that completion of the course is a condition of licensure renewal as of a certain date; amending s. 893.055, F.S.; revising requirements for reporting the dispensing of controlled substances; limiting an exception to reporting requirements for certain facilities that dispense controlled substances; authorizing certain employees of the United States Department of Veterans Affairs access to certain information in the prescription drug monitoring program database; specifying when a revised reporting requirement takes effect; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 840**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB**

557 was withdrawn from the Committees on Health Policy; Governmental Oversight and Accountability; Regulated Industries; and Rules.

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

CS for CS for HB 557—A bill to be entitled An act relating to the controlled substance prescribing; amending s. 456.44, F.S.; defining the term “acute pain”; limiting prescribing of opioids for acute pain in certain circumstances; amending s. 893.055, F.S.; revising requirements for reporting the dispensing of controlled substances; limiting an exception to reporting requirements for certain facilities dispensing controlled substances; authorizing certain employees of the United States Department of Veterans Affairs access to certain information in the prescription drug monitoring program’s database; specifying when a revised reporting requirement takes effect; amending s. 463.0055, F.S.; revising a cross-reference; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 840** and read the second time by title.

Senator Clemens moved the following amendment which was adopted:

Amendment 1 (490720) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *The Legislature finds that the road to drug addiction may begin as early as 3 days after the initiation of opioid treatment for acute pain. Because of the potentially devastating effects of such addiction, the Legislature also finds that awareness of this potentially life-threatening problem must be raised among Florida’s practitioners. Before December 31, 2017, each physician licensed pursuant to chapter 458, Florida Statutes, or chapter 459, Florida Statutes, who is registered with the United States Drug Enforcement Administration to prescribe controlled substances pursuant to 21 U.S.C. s. 822 shall complete a 2-hour continuing education course offered by a statewide professional association of physicians in this state which is accredited to provide educational activities designated for the American Medical Association Physician’s Recognition Award (AMA PRA) Category 1 Credit or the American Osteopathic Association (AOA) Category 1-A continuing medical education (CME) credit. The course must contain information on the current standards regarding opiate prescribing and alternatives to these standards, and information on the risks of opioid addiction following even brief periods of treatment in the management of acute pain. The course may be offered in a distance learning format and must be included within the number of continuing medical education hours required by law. Failure to complete the course before December 31, 2017, constitutes grounds for disciplinary action under s. 456.072(1)(e), Florida Statutes, and chapter 458, Florida Statutes, or chapter 459, Florida Statutes, as applicable. Effective January 1, 2020, completion of this course is required as a condition of licensure renewal for every physician registered with the United States Drug Enforcement Administration to prescribe controlled substances.*

Section 2. Subsection (4), paragraph (g) of subsection (5), and paragraphs (a) and (b) of subsection (7) of section 893.055, Florida Statutes, are amended to read:

893.055 Prescription drug monitoring program.—

(4) Each time a controlled substance is dispensed to an individual, the controlled substance shall be reported to the department through the system as soon thereafter as possible, but *no later than the close of the next business day* ~~not more than 7 days~~ after the day ~~date~~ the controlled substance is dispensed unless an extension is approved by the department for cause as determined by rule. A dispenser must meet the reporting requirements of this section by *submitting via the department-approved electronic system* ~~providing~~ the required information concerning each controlled substance that it dispensed ~~in a department-approved, secure methodology and format. Such approved formats may include, but are not limited to, submission via the Internet, on a disc, or by use of regular mail.~~

(5) When the following acts of dispensing or administering occur, the following are exempt from reporting under this section for that specific act of dispensing or administration:

(g) A rehabilitative hospital, assisted living facility, or nursing home dispensing a certain dosage of a controlled substance, as needed, to a patient *while the patient is present and receiving care* as ordered by the patient’s treating physician.

(7)(a) A practitioner or pharmacist who dispenses a controlled substance must submit the information required by this section in an electronic ~~or other~~ method in an ASAP format approved by rule of the department unless otherwise provided in this section. The cost to the dispenser in submitting the information required by this section may not be material or extraordinary. Costs not considered to be material or extraordinary include, but are not limited to, regular postage, electronic media, regular electronic mail, and facsimile charges.

(b) A pharmacy, prescriber, or dispenser, or the designee of a pharmacy, prescriber, or dispenser, shall have access to information in the prescription drug monitoring program’s database which relates to a patient of that pharmacy, prescriber, or dispenser in a manner established by the department as needed for the purpose of reviewing the patient’s controlled substance prescription history. *An employee of the United States Department of Veterans Affairs who provides health care services pursuant to such employment and who has the authority to prescribe controlled substances shall have access to the information in the program’s database in a manner established by the department. Such access is limited to the information that relates to a patient of such employee and may be accessed only for the purpose of reviewing the patient’s controlled substance prescription history.* Other access to the program’s database shall be limited to the program’s manager and to the designated program and support staff, who may act only at the direction of the program manager or, in the absence of the program manager, as authorized. Access by the program manager or such designated staff is for prescription drug program management only or for management of the program’s database and its system in support of the requirements of this section and in furtherance of the prescription drug monitoring program. Confidential and exempt information in the database shall be released only as provided in paragraph (c) and s. 893.0551. The program manager, designated program and support staff who act at the direction of or in the absence of the program manager, and any individual who has similar access regarding the management of the database from the prescription drug monitoring program shall submit fingerprints to the department for background screening. The department shall follow the procedure established by the Department of Law Enforcement to request a statewide criminal history record check and to request that the Department of Law Enforcement forward the fingerprints to the Federal Bureau of Investigation for a national criminal history record check.

Section 3. *The requirement in s. 893.055(4), Florida Statutes, as amended by this act, that the dispensing of a controlled substance be reported to the Department of Health no later than the next business day shall take effect January 1, 2018.*

Section 4. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2017.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to controlled substance prescribing; providing legislative findings; requiring that specified physicians who are registered with the United States Drug Enforcement Administration to prescribe controlled substances complete a continuing education course before a certain date; specifying requirements for the continuing education course; authorizing the course to be offered in a distance learning format; creating grounds for disciplinary actions for failure to meet the course requirements; providing that completion of the course is a condition of licensure renewal as of a certain date; amending s. 893.055, F.S.; revising requirements for reporting the dispensing of controlled substances; limiting an exception to reporting requirements for certain facilities that dispense controlled substances; authorizing certain employees of the United States Department of Veterans Affairs access to certain information in the prescription drug monitoring program database; specifying when a revised reporting requirement takes effect; providing effective dates.

Pursuant to Rule 4.19, **CS for CS for HB 557**, as amended, was placed on the calendar of Bills on Third Reading.

CS for CS for SB 776—A bill to be entitled An act relating to the unlawful acquisition of utility services; amending s. 812.14, F.S.; revising the elements that constitute theft of utilities; clarifying that the presence of certain devices and alterations on the property of, and the actual possession by, a person constitutes prima facie evidence of a violation; clarifying that certain evidence of the manufacturing of a controlled substance in a leased dwelling constitutes prima facie evidence of a violation by an owner, lessor, sublessor; clarifying that specified circumstances create prima facie evidence of theft of utility services for the purpose of facilitating the manufacture of a controlled substance; revising such circumstances; specifying the types of damages that may be recovered as civil damages or restitution in a criminal case for damaging property of a utility or for the theft of electricity services; specifying the methods and bases used to determine and assess damages in a civil action or restitution in a criminal case for damaging property of a utility or for the theft of electricity services; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 776**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 879** was withdrawn from the Committee on Rules.

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

CS for HB 879—A bill to be entitled An act relating to the unlawful acquisition of utility services; amending s. 812.14, F.S.; revising the elements that constitute theft of utilities; clarifying that the presence of certain devices and alterations on the property of, and the actual possession by, a person constitutes prima facie evidence of a violation; clarifying that certain evidence of the manufacturing of a controlled substance in a leased dwelling constitutes prima facie evidence of a violation by an owner, lessor, sublessor; clarifying that specified circumstances create prima facie evidence of theft of utility services for the purpose of facilitating the manufacture of a controlled substance; revising such circumstances; specifying the types of damages that may be recovered as civil damages or restitution in a criminal case for damaging property of a utility or for the theft of electricity services; specifying the methods and bases used to determine and assess damages in a civil action or restitution in a criminal case for damaging property of a utility or for the theft of electricity services; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 776**, and by two-thirds vote, read the second time by title.

Pursuant to Rule 4.19, **CS for HB 879** was placed on the calendar of Bills on Third Reading.

CS for SB 446—A bill to be entitled An act relating to underground facilities; amending s. 556.103, F.S.; revising the information that must be submitted to the Legislature annually by the board of directors of Sunshine State One-Call of Florida, Inc.; amending s. 556.105, F.S.; requiring excavators to call the 911 emergency telephone number under certain circumstances; requiring member operators to file a report with the free-access notification system under certain circumstances; providing reporting frequencies and required data to be submitted; amending s. 556.107, F.S.; specifying how certain civil penalties issued by state law enforcement officers shall be distributed; deleting a requirement that certain citations be deposited into the fine and forfeiture fund; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 446**, pursuant to Rule 3.11(3), there being no objection, **HB 379** was withdrawn from the Committees on Environmental Preservation and Conservation; Communications, Energy, and Public Utilities; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Passidomo—

HB 379—A bill to be entitled An act relating to underground facilities; amending s. 556.103, F.S.; revising the information that must be submitted to the Legislature annually by the board of directors of Sunshine State One-Call of Florida, Inc.; amending s. 556.105, F.S.; requiring excavators to call the 911 emergency telephone number under

certain circumstances; requiring member operators to file a report with the free-access notification system under certain circumstances; providing reporting frequencies and required data to be submitted; amending s. 556.107, F.S.; specifying how certain civil penalties issued by state law enforcement officers shall be distributed; deleting a requirement that certain citations be deposited into the fine and forfeiture fund; providing an effective date.

—a companion measure, was substituted for **CS for SB 446** and read the second time by title.

Pursuant to Rule 4.19, **HB 379** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 1252** was deferred.

On motion by Senator Grimsley—

CS for CS for SB 1018—A bill to be entitled An act relating to pollution; creating s. 403.076, F.S.; providing a short title; creating s. 403.077, F.S.; providing goals and legislative findings; specifying the authority of the Department of Environmental Protection; specifying that the act does not alter or affect the emergency management responsibilities of certain other governmental entities; creating s. 403.078, F.S.; defining the term “reportable pollution release”; requiring an owner or operator of an installation at which a reportable pollution release occurred to provide certain information to the department within 24 hours after the discovery of the release; authorizing the owner or operator to amend such notice; specifying compliance and enforcement requirements; requiring owners or operators to provide notice when a reportable pollution release migrates outside the property boundaries of the installation; requiring the department to publish such information in a specified manner; requiring the department to establish an electronic mailing list; requiring the department to provide a reporting form and e-mail address for such notice; specifying that providing a notice does not constitute an admission of liability or harm; specifying penalties for violations; requiring the department to adopt rules; amending s. 403.121, F.S.; specifying penalties for failure to provide the required notice; amending s. 376.3071, F.S.; providing an exception to prompt payment requirements to subcontractors and suppliers; amending s. 376.30713, F.S.; revising legislative findings; specifying that applicants for advanced cleanup of certain individual sites are not subject to application period limitations and need not pay a certain cost-sharing commitment; requiring applications by such applicants to be accepted on a first-come, first-served basis; providing that such applications are not subject to certain ranking provisions; specifying application requirements; providing construction; increasing the amount per year that the Department of Environmental Protection may use for advanced cleanup work; specifying expenditure limitations; revising duties of property owners and responsible parties with respect to voluntary cost-share agreements; amending s. 376.3078, F.S.; providing a statement of public interest; authorizing site assessments in advance of site priority ranking under certain circumstances; specifying criteria for sites to be eligible for such assessments; specifying what must be demonstrated through such assessments; specifying criteria for the assignment of assessment tasks; specifying funding limitations; specifying the prioritization of requests; amending s. 220.1845, F.S.; increasing the total amount of an authorization for tax credits; amending s. 376.30781, F.S.; increasing the total amount of tax credits the department is responsible for allocating; providing an effective date.

—was read the second time by title.

SENATOR BRADLEY PRESIDING

Senator Galvano offered the following amendment which was moved by Senator Grimsley and adopted:

Amendment 1 (856958) (with title amendment)—Delete lines 68-214 and insert:

403.077 Public notification of pollution.—

(1) *DEFINITION.—As used in this section, the term “reportable pollution release” means the release or discharge of a substance from an installation to the air, land, or waters of the state which is discovered by*

the owner or operator of the installation, which is not authorized by law, and which is reportable to the State Watch Office within the Division of Emergency Management pursuant to any department rule, permit, order, or variance.

(2) **OWNER AND OPERATOR RESPONSIBILITIES.**—

(a) In the event of a reportable pollution release, an owner or operator of the installation at which the reportable pollution release occurs must provide to the department information reported to the State Watch Office within the Division of Emergency Management pursuant to any department rule, permit, order, or variance, within 24 hours after the owner's or operator's discovery of such reportable pollution release.

(b) If multiple parties are subject to the notification requirements based on a single reportable pollution release, a single notification made by one party in accordance with this section constitutes compliance on behalf of all parties subject to the requirement. However, if the notification is not made in accordance with this section, the department may pursue enforcement against all parties subject to the requirement.

(c) If, after providing notice pursuant to paragraph (a), the owner or operator of the installation determines that a reportable pollution release did not occur or that an amendment to the notice is warranted, the owner or operator may submit a letter to the department documenting such determination.

(d) If, after providing notice pursuant to paragraph (a), the installation owner or operator discovers that a reportable pollution release has migrated outside the property boundaries of the installation, the owner or operator must provide an additional notice to the department that the release has migrated outside the property boundaries within 24 hours after its discovery of the migration outside of the property boundaries.

(3) **DEPARTMENT RESPONSIBILITIES.**—

(a) The department shall publish on a website accessible to the public all notices submitted by an owner or operator pursuant to subsection (2) within 24 hours after receipt.

(b) The department shall create an electronic mailing list for such notices and allow the public, including local governments, health departments, news media, and other interested persons, to subscribe to and receive periodic direct announcement of any notices submitted pursuant to subsection (2). The department shall establish regional electronic mailing lists, such as by county or district boundaries, to allow subscribers to determine the notices they wish to receive by geographic area.

(c) The department shall establish an e-mail address and an online form as options for owners and operators to provide the notice specified in subsection (2). The online form may not require the submission of information in addition to what is required for submission pursuant to paragraph (2)(a).

(d) The department shall adopt rules necessary to implement the requirements of this subsection.

(4) **ADMISSION OF LIABILITY OR HARM.**—Providing notice under subsection (2) does not constitute an admission of liability or harm.

(5) **VIOLATIONS.**—Failure to provide the notification required by subsection (2) shall subject the owner or operator to the civil penalties specified in s. 403.121.

Section 3. Section 403.078, Florida Statutes, is created to read:

403.078 *Effect on other law.*—The Public Notice of Pollution Act does not alter or affect the emergency management responsibilities of the Governor, the Division of Emergency Management, or the governing body of any political subdivision of the state pursuant to chapter 252.

Section 4. Paragraph (e) is added to subsection (1) of section 403.161, Florida Statutes, to read:

403.161 Prohibitions, violation, penalty, intent.—

(1) It shall be a violation of this chapter, and it shall be prohibited for any person:

(e) To fail to provide required notice pursuant to s. 403.077.

Section 5. Section 14.2016, Florida Statutes, is amended to read:

14.2016 Division of Emergency Management.—

(1) The Division of Emergency Management is established within the Executive Office of the Governor. The division shall be a separate budget entity, as provided in the General Appropriations Act and shall prepare and submit a budget request in accordance with chapter 216. The division shall be responsible for all professional, technical, and administrative support functions necessary to carry out its responsibilities under part I of chapter 252. The director of the division shall be appointed by and serve at the pleasure of the Governor and shall be the head of the division for all purposes. The division shall administer programs to rapidly apply all available aid to communities stricken by an emergency as defined in s. 252.34 and, for this purpose, shall provide liaison with federal agencies and other public and private agencies.

(2) *The State Watch Office is established within the Division of Emergency Management.*

(a) *The primary purpose of the office is to record, analyze, and share information with federal, state, and county entities for appropriate response to emergencies.*

(b) *The office is not a dispatch center, but a clearinghouse of information to be shared with other governmental entities that can independently act within their own authority and protocols.*

And the title is amended as follows:

Delete lines 4-29 and insert: F.S.; defining the term “reportable pollution release”; requiring an owner or operator of an installation at which a reportable pollution release occurred to provide certain information to the department within 24 hours after the discovery of the release; authorizing multiple parties to submit one notification under certain circumstances; authorizing the owner or operator to amend notices; requiring the owner or operator to make additional notice upon discovery of the release migrating outside of installation boundaries; requiring the department to publish such information in a specified manner; requiring the department to establish an electronic mailing list; requiring the department to provide a reporting form and e-mail address for such notice; specifying that providing a notice does not constitute an admission of liability or harm; specifying penalties for violations; requiring the department to adopt rules; creating s. 403.078, F.S.; specifying that the act does not alter certain emergency responsibilities pursuant to ch. 252, F.S.; amending s. 403.161, F.S.; specifying penalties; amending s. 14.2016, F.S.; creating the State Watch Office within the Division of Emergency Management; specifying the purpose of the office; amending s. 376.3071, F.S.; providing

Senator Grimsley moved the following amendment which was adopted:

Amendment 2 (440404) (with title amendment)—Delete lines 497-516.

And the title is amended as follows:

Delete lines 54-58 and insert: requests; providing an effective date.

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

Senator Grimsley moved the following amendment which was adopted:

Amendment 3 (476894) (with title amendment)—Between lines 516 and 517 insert:

Section 1. (1) *The Department of Environmental Protection shall evaluate the potential for using the Inland Protection Trust Fund to respond to the damage or potential damage to underground storage tank systems caused by ethanol or biodiesel. The department shall issue a request for information regarding the potential for damage to under-*

ground petroleum systems by ethanol or biodiesel and the potential costs of implementing and maintaining a program to address such damage. The department shall compile this information into a report, which shall be submitted to the President of the Senate, the Speaker of the House of Representatives, and the Governor by December 15, 2017.

(2) For the 2017-2018 fiscal year, the sum of \$25,000 in nonrecurring funds from the Inland Protection Trust Fund is provided to fund the program provided in subsection (1).

(3) This section expires December 30, 2017.

And the title is amended as follows:

Delete line 58 and insert: for allocating; requiring the department to evaluate the potential for using a specified trust fund for a specified purpose; requiring the department to issue a request for information regarding the potential for damage to underground petroleum systems and to compile a report; requiring the report to be submitted to the Legislature and the Governor; providing an appropriation; providing an expiration date; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for SB 1018**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SB 1622—A bill to be entitled An act relating to school bus safety; providing a short title; amending s. 316.027, F.S.; providing mandatory noncriminal penalties for certain violations resulting in serious bodily injury to or death of another person; amending s. 318.18, F.S.; requiring a fine and driver license suspension for such a violation; amending s. 322.27, F.S.; requiring imposition of points against a driver license for such a violation; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1622**, pursuant to Rule 3.11(3), there being no objection, **HB 1239** was withdrawn from the Committee on Rules.

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

HB 1239—A bill to be entitled An act relating to school bus safety; providing a short title; amending s. 316.027, F.S.; providing mandatory noncriminal penalties for certain violations resulting in serious bodily injury to or death of another person; amending s. 318.18, F.S.; requiring a fine and driver license suspension for such a violation; amending s. 322.27, F.S.; requiring imposition of points against a driver license for such a violation; providing an effective date.

—a companion measure, was substituted for **SB 1622**, and by two-thirds vote, read the second time by title.

Pursuant to Rule 4.19, **HB 1239** was placed on the calendar of Bills on Third Reading.

Consideration of **HJR 7105** and **HB 7107** was deferred.

On motion by Senator Lee—

HJR 7105—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of Section 37 of Article XII of the State Constitution to increase the homestead exemption by exempting the assessed valuation of homestead property greater than \$75,000 and up to \$100,000 for all levies other than school district levies, and to provide an effective date.

—was read the second time by title.

The Committee on Rules recommended the following amendment which was moved by Senator Lee and adopted:

Amendment 1 (507120) (with ballot and title amendments)—Delete lines 28-128 and insert: dollars and up to seventy-five thousand dollars, and on the assessed valuation greater than one hundred thousand dollars and up to one

hundred twenty-five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ninety-eight years. The exemption shall not apply with respect to any assessment roll until such roll is first determined to be in compliance with the provisions of section 4 by a state agency designated by general law. This exemption is repealed on the effective date of any amendment to this Article which provides for the assessment of homestead property at less than just value.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which the interest in the corporation bears to the assessed value of the property.

(c) By general law and subject to conditions specified therein, the Legislature may provide to renters, who are permanent residents, ad valorem tax relief on all ad valorem tax levies. Such ad valorem tax relief shall be in the form and amount established by general law.

(d) The legislature may, by general law, allow counties or municipalities, for the purpose of their respective tax levies and subject to the provisions of general law, to grant either or both of the following additional homestead tax exemptions:

(1) An exemption not exceeding fifty thousand dollars to a person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, who has attained age sixty-five, and whose household income, as defined by general law, does not exceed twenty thousand dollars; or

(2) An exemption equal to the assessed value of the property to a person who has the legal or equitable title to real estate with a just value less than two hundred and fifty thousand dollars, as determined in the first tax year that the owner applies and is eligible for the exemption, and who has maintained thereon the permanent residence of the owner for not less than twenty-five years, who has attained age sixty-five, and whose household income does not exceed the income limitation prescribed in paragraph (1).

The general law must allow counties and municipalities to grant these additional exemptions, within the limits prescribed in this subsection, by ordinance adopted in the manner prescribed by general law, and must provide for the periodic adjustment of the income limitation prescribed in this subsection for changes in the cost of living.

(e) Each veteran who is age 65 or older who is partially or totally permanently disabled shall receive a discount from the amount of the ad valorem tax otherwise owed on homestead property the veteran owns and resides in if the disability was combat related and the veteran was honorably discharged upon separation from military service. The discount shall be in a percentage equal to the percentage of the veteran's permanent, service-connected disability as determined by the United States Department of Veterans Affairs. To qualify for the discount granted by this subsection, an applicant must submit to the county property appraiser, by March 1, an official letter from the United States Department of Veterans Affairs stating the percentage of the veteran's service-connected disability and such evidence that reasonably identifies the disability as combat related and a copy of the veteran's honorable discharge. If the property appraiser denies the request for a discount, the appraiser must notify the applicant in writing of the reasons for the denial, and the veteran may reapply. The Legislature may, by general law, waive the annual application requirement in subsequent years. This subsection is self-executing and does not require implementing legislation.

(f) By general law and subject to conditions and limitations specified therein, the Legislature may provide ad valorem tax relief equal to the total amount or a portion of the ad valorem tax otherwise owed on homestead property to:

(1) The surviving spouse of a veteran who died from service-connected causes while on active duty as a member of the United States Armed Forces.

(2) The surviving spouse of a first responder who died in the line of duty.

(3) A first responder who is totally and permanently disabled as a result of an injury or injuries sustained in the line of duty. Causal connection between a disability and service in the line of duty shall not be presumed but must be determined as provided by general law. For purposes of this paragraph, the term "disability" does not include a chronic condition or chronic disease, unless the injury sustained in the line of duty was the sole cause of the chronic condition or chronic disease.

As used in this subsection and as further defined by general law, the term "first responder" means a law enforcement officer, a correctional officer, a firefighter, an emergency medical technician, or a paramedic, and the term "in the line of duty" means arising out of and in the actual performance of duty required by employment as a first responder.

ARTICLE XII

SCHEDULE

SECTION 37. Increased homestead exemption.—This section and the amendment to Section 6 of Article VII increasing the homestead exemption by exempting the assessed valuation of homestead property greater than \$100,000 and up to \$125,000 for

And the ballot statement is amended as follows:

Delete line 139 and insert: property greater than \$100,000 and up to \$125,000 for all levies

And the title is amended as follows:

Delete lines 6-7 and insert: valuation of homestead property greater than \$100,000 and up to \$125,000 for all levies other than school

THE PRESIDENT PRESIDING

SENATOR FLORES PRESIDING

THE PRESIDENT PRESIDING

Pursuant to Rule 4.19, HJR 7105, as amended, was placed on the calendar of Bills on Third Reading.

On motion by Senator Lee—

HB 7107—A bill to be entitled An act relating to homestead exemption implementation; amending s. 196.031, F.S.; increasing the homestead exemption from all taxes other than school district taxes; amending s. 200.065, F.S.; specifying calculation of the rolled-back rate for purposes of the 2019 tax roll; providing a repeal date; amending s. 218.125, F.S.; requiring the Legislature to appropriate moneys to offset reductions in tax revenues in certain fiscally constrained counties resulting from increased exemptions; providing a contingent effective date.

—was read the second time by title.

The Committee on Rules recommended the following amendment which was moved by Senator Lee and adopted:

Amendment 1 (690150)—Delete lines 22-23 and insert: of up to \$25,000 on the assessed valuation greater than \$50,000 and up to an additional \$25,000 on the assessed valuation greater than \$100,000 for all levies other than school district levies.

Pursuant to Rule 4.19, HB 7107, as amended, was placed on the calendar of Bills on Third Reading.

BILLS ON THIRD READING

CS for SB 686—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; defining terms; requiring that electronic mail addresses and Internet identifiers of sexual predators or sexual offenders reported pursuant to specified laws be exempt from public records requirements; providing retroactive applicability; providing construction; providing for future review and repeal of the exemption; providing a statement of public necessity; providing a directive to the Division of Law Revision and Information; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Baxley, CS for SB 686 was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—36

Table with 3 columns: Mr. President, Farmer, Perry; Baxley, Flores, Powell; Bean, Gainer, Rader; Benacquisto, Galvano, Rodriguez; Book, Garcia, Rouson; Bracy, Gibson, Simmons; Bradley, Grimsley, Simpson; Brandes, Hutson, Stargel; Braynon, Latvala, Steube; Broxson, Mayfield, Stewart; Campbell, Montford, Thurston; Clemens, Passidomo, Torres

Nays—None

Vote after roll call:

Yea—Young

CS for CS for SB 198—A bill to be entitled An act relating to the Environmental Regulation Commission; amending s. 20.255, F.S.; requiring the Governor to appoint a new member to the commission within a certain timeframe after the occurrence of a vacancy; amending s. 403.805, F.S.; requiring certain proposed rules submitted to the commission to receive specified vote totals for approval or modification; providing an effective date.

—was read the third time by title.

On motion by Senator Stewart, CS for CS for SB 198 was passed and certified to the House. The vote on passage was:

Yeas—38

Table with 3 columns: Mr. President, Flores, Powell; Baxley, Gainer, Rader; Bean, Galvano, Rodriguez; Benacquisto, Garcia, Rouson; Book, Gibson, Simmons; Bracy, Grimsley, Simpson; Bradley, Hutson, Stargel; Brandes, Latvala, Steube; Braynon, Lee, Stewart; Broxson, Mayfield, Thurston; Campbell, Montford, Torres; Clemens, Passidomo, Young; Farmer, Perry

Nays—None

SB 762—A bill to be entitled An act relating to child protection; amending s. 61.13, F.S.; prohibiting a time-sharing plan from requiring visitation at a recovery residence between specified hours; amending s.

397.487, F.S.; authorizing a certified recovery residence to allow a minor child to visit a recovery residence, excluding visits during specified hours; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 762**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 329** was withdrawn from the Committees on Children, Families, and Elder Affairs; Judiciary; and Rules.

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

CS for HB 329—A bill to be entitled An act relating to child protection; amending s. 61.13, F.S.; prohibiting a time-sharing plan from requiring or being interpreted to require visitation at a recovery residence between specified hours; providing exceptions; requiring the court to consider certain factors to determine the best interest of the child; prohibiting the court from ordering visitation at a recovery residence under specified circumstances; amending s. 397.487, F.S.; authorizing a certified recovery residence to allow a minor child to visit a recovery residence, excluding visits during specified hours; providing exceptions; prohibiting a certified recovery residence from allowing visitation under specified circumstances; providing an effective date.

—a companion measure, was substituted for **SB 762**, and by two-thirds vote, read the second time by title.

On motion by Senator Baxley, by two-thirds vote, **CS for HB 329** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Powell
Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	

Nays—None

CS for CS for SB 766—A bill to be entitled An act relating to payment card offenses; amending s. 817.625, F.S.; revising definitions; revising terminology; revising the offenses of using a scanning device or reencoder with the intent to defraud; prohibiting the use of a skimming device with intent to defraud; prohibiting the possession, sale, or delivery of a skimming device; providing criminal penalties; amending s. 921.0022, F.S.; ranking the offense of possessing, selling, or delivering a skimming device on level 4 of the offense severity ranking chart; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for SB 766**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 343** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

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

CS for CS for HB 343—A bill to be entitled An act relating to payment card offenses; amending s. 817.625, F.S.; revising definitions; revising terminology; revising offenses of using a scanning device or reencoder with the intent to defraud; prohibiting the use of a skimming device with intent to defraud; prohibiting the possession, sale, or delivery of a skimming device; providing criminal penalties; amending s.

921.0022, F.S.; ranking the offense of possessing, selling, or delivering a skimming device on the offense severity ranking chart; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 766**, and by two-thirds vote, read the second time by title.

On motion by Senator Rodriguez, by two-thirds vote, **CS for CS for HB 343** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Powell
Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	

Nays—None

SB 914—A bill to be entitled An act relating to public meetings; amending s. 286.011, F.S.; defining terms; specifying conditions under which members of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision may participate in fact-finding exercises or excursions; providing for construction; providing an effective date.

—was read the third time by title.

On motion by Senator Baxley, **SB 914** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	
Flores	Powell	

Nays—None

Vote after roll call:

Yea—Baxley

CS for SB 1520—A bill to be entitled An act relating to termination of a condominium association; amending s. 718.117, F.S.; revising legislative findings; requiring a plan of termination to be approved by the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation and meet specified requirements for a condominium form of ownership to be terminated for all or a portion of the condominium property under certain circumstances; revising voting requirements for the rejection of a plan of termination; revising the amount of time before a new plan of

termination may be considered after a previous rejection under certain conditions; revising the requirements to qualify for payment as a homestead owner; revising and providing notice requirements; requiring the division to examine a plan of termination and provide specified notice within a certain timeframe; providing applicability; specifying that a plan of termination is presumed to be accepted if notice is not provided within the specified timeframe; providing an appropriation and authorizing a position; providing an effective date.

—as amended April 27, was read the third time by title.

On motion by Senator Latvala, **CS for SB 1520**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	
Flores	Powell	

Nays—None

Vote after roll call:

Yea—Baxley

CS for SB 494—A bill to be entitled An act relating to compensation of victims of wrongful incarceration; amending s. 961.02, F.S.; defining the term “violent felony”; making technical changes; amending s. 961.04, F.S.; revising the circumstances under which a person is disqualified from receiving compensation under the Victims of Wrongful Incarceration Compensation Act; amending s. 961.06, F.S.; specifying that a wrongfully incarcerated person who commits no more than one felony that is not a violent felony, rather than a felony law violation, which results in revocation of parole or community supervision is eligible for compensation; providing applicability; reenacting s. 961.03(1)(a), (2), (3), and (4), F.S., relating to determination of eligibility for compensation, to incorporate the amendments made by the act to s. 961.04, F.S., in references thereto; reenacting ss. 961.05(6), 961.055(1), and 961.056(4), F.S., relating to the determination of entitlement to compensation, application for compensation for a wrongfully incarcerated person and exemption from application by nolle prosequi, and alternative application for compensation for a wrongfully incarcerated person, to incorporate the amendments made by the act to s. 961.06, F.S., in references thereto; providing an effective date.

—as amended April 27, was read the third time by title.

On motion by Senator Bradley, **CS for SB 494**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Clemens	Mayfield
Baxley	Farmer	Montford
Bean	Flores	Passidomo
Benacquisto	Gainer	Perry
Book	Galvano	Powell
Bracy	Garcia	Rader
Bradley	Gibson	Rodriguez
Brandes	Grimsley	Rouson
Braynon	Hutson	Simmons
Broxson	Latvala	Simpson
Campbell	Lee	Stargel

Steube	Thurston	Young
Stewart	Torres	

Nays—None

CS for CS for HB 599—A bill to be entitled An act relating to public works projects; creating s. 255.0992, F.S.; providing definitions; prohibiting the state and political subdivisions that contract for public works projects from imposing restrictive conditions on certain contractors, subcontractors, or material suppliers or carriers; prohibiting the state and political subdivisions from restricting qualified bidders from submitting bids; providing applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Perry, **CS for CS for HB 599** was passed and certified to the House. The vote on passage was:

Yeas—20

Mr. President	Galvano	Perry
Baxley	Grimsley	Simmons
Bean	Hutson	Simpson
Benacquisto	Latvala	Stargel
Bradley	Lee	Steube
Brandes	Mayfield	Young
Broxson	Passidomo	

Nays—17

Book	Gainer	Rodriguez
Bracy	Garcia	Rouson
Braynon	Gibson	Stewart
Campbell	Montford	Thurston
Clemens	Powell	Torres
Farmer	Rader	

Vote preference:

May 1, 2017: Nay—Flores

CS for SB 684—A bill to be entitled An act relating to Internet identifiers; amending s. 775.21, F.S.; revising the definition of the term “Internet identifier”; defining the term “social Internet communication”; requiring a sexual predator to register each Internet identifier’s corresponding website home page or application software name with the Department of Law Enforcement through the sheriff’s office; requiring a sexual predator to report any change to certain information after initial in-person registration in a specified manner; requiring a sexual predator to register all electronic mail addresses, Internet identifiers, and Internet identifiers’ corresponding website home pages or application names with the department within 48 hours after using the addresses or identifiers, rather than before using them; providing that the department’s sexual predator registration list is a public record, unless otherwise made exempt or confidential and exempt; revising the information that a sexual predator must report to the sheriff’s office each year; conforming provisions to change made by the act; making technical changes; amending s. 943.0435, F.S.; requiring a sexual offender, upon initial registration, to report in person at the sheriff’s office; requiring the sexual offender to report any change to each Internet identifier’s corresponding website home page or application software name in person at the sheriff’s office in a specified manner; requiring a sexual offender to report any change to certain information after initial in-person registration in a specified manner; requiring a sexual offender to register all electronic mail addresses and Internet identifiers, and each Internet identifier’s corresponding website home page or application software name, with a specified period after using these addresses or identifiers, rather than before using them; making technical changes; reenacting ss. 943.0437(2), 944.606(1)(c), 944.607(1)(e), 985.481(1)(c), and 985.481(1)(e), F.S., relating to the definition of the term “Internet identifier,” to incorporate the amendment made to s. 775.21, F.S., in references thereto; reenacting ss. 944.606(3)(a), 944.607(4)(a), (9), and (13)(c), 985.481(3)(a), and 985.4815(4)(a), (9), and (13)(b), F.S., relating to sexual offenders, notification to the Department of Law Enforcement of information on sexual offenders, notification to the department upon release of sexual offenders adjudicated delinquent, and notification to

the department of information on juvenile sexual offenders, respectively, to incorporate the amendment made to s. 943.0435, F.S., in references thereto; reenacting ss. 794.056(1), 921.0022(3)(g), and 938.085, F.S., relating to the Rape Crisis Program Trust Fund, the Criminal Punishment Code offense severity ranking chart, and additional costs to fund rape crisis centers, respectively, to incorporate the amendments made to ss. 775.21 and 943.0435, F.S., in references thereto; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 684**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 699** was withdrawn from the Committee on Rules.

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

CS for CS for HB 699—A bill to be entitled An act relating to Internet identifiers; amending s. 775.21, F.S.; revising the definition of the term “Internet identifier”; defining the term “social Internet communication”; requiring a sexual predator to register each Internet identifier’s corresponding website homepage or application software name with the Department of Law Enforcement through the sheriff’s office; requiring a sexual predator to report any change to certain information after initial in-person registration in a specified manner; providing that the department’s sexual predator registration list is a public record, unless otherwise made exempt or confidential and exempt; providing penalties; making technical changes; amending s. 943.0435, F.S.; requiring a sexual offender, upon initial registration, to report in person at the sheriff’s office; requiring the sexual offender to report any change to each Internet identifier’s corresponding website homepage or application software name in person at the sheriff’s office in a specified manner; requiring a sexual offender to report any change to certain information after initial in-person registration in a specified manner; making technical changes; reenacting ss. 943.0437(2), 944.606(1)(c), 944.607(1)(e), 985.481(1)(c), and 985.4815(1)(e), F.S., relating to the definition of the term “Internet identifier,” to incorporate the amendment made to s. 775.21, F.S., in references thereto; reenacting ss. 944.606(3)(a), 944.607(4)(a), (9), and (13)(c), 985.481(3)(a), and 985.4815(4)(a), (9), and (13)(b), F.S., relating to sexual offenders, notification to the Department of Law Enforcement of information on sexual offenders, notification to the department upon release of sexual offenders adjudicated delinquent, and notification to the department of information on juvenile sexual offenders, respectively, to incorporate the amendment made to s. 943.0435, F.S., in references thereto; reenacting ss. 794.056(1), 921.0022(3)(g), and 938.085, F.S., relating to the Rape Crisis Program Trust Fund, the Criminal Punishment Code offense severity ranking chart, and additional costs to fund rape crisis centers, respectively, to incorporate the amendments made to ss. 775.21 and 943.0435, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 684**, and by two-thirds vote, read the second time by title.

On motion by Senator Baxley, by two-thirds vote, **CS for CS for HB 699** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Powell
Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	

Nays—None

CS for CS for SB 1672—A bill to be entitled An act relating to the Tampa Bay Area Regional Transit Authority; amending s. 339.175, F.S.; creating the Tampa Bay Area Regional Transit Authority Metropolitan Planning Organization Chairs Coordinating Committee to replace the Tampa Bay Area Regional Transportation Authority Metropolitan Planning Organization Chairs Coordinating Committee; providing that the Tampa Bay Area Regional Transit Authority Metropolitan Planning Organization Chairs Coordinating Committee is created within the Tampa Bay Area Regional Transit Authority; amending s. 343.90, F.S.; revising the short title to “Tampa Bay Area Regional Transit Authority Act”; amending s. 343.91, F.S.; revising the definition of the term “authority” to mean the Tampa Bay Area Regional Transit Authority and to include only Hernando, Hillsborough, Manatee, Pasco, and Pinellas Counties and any other contiguous county that is party to an agreement of participation; revising the definition of the term “commuter rail”; amending s. 343.92, F.S.; creating the Tampa Bay Area Regional Transit Authority to replace the Tampa Bay Area Regional Transportation Authority; decreasing voting membership on the governing board of the authority; requiring the members to be appointed within a specified period; revising appointment and term requirements of such membership; revising requirements for filling vacancies on the board; requiring the Governor to appoint an initial chair of the board from one of the four members appointed by the Governor; providing that seven members of the board constitute a quorum; providing that the vote of seven members is necessary for any action to be taken by the authority; requiring the board to evaluate the abolishment, continuance, modification, or establishment of specified committees, beginning on a specified date; requiring the board to submit its recommendations for abolishment, continuance, modification, or establishment of the committees to the Legislature before a specified time; deleting requirements related to the establishment of a Transit Management Committee, a Citizens Advisory Committee, and technical advisory committees; conforming provisions to changes made by the act; amending s. 343.922, F.S.; revising the express purposes of the authority to include planning, implementing, and operating mobility improvements and expansions of certain multimodal transportation options, producing a certain regional transit development plan, and serving as the recipient of certain federal funds under certain circumstances; directing the authority to provide to the Legislature a plan to produce the regional transit development plan by a specified date; providing requirements for the regional transit development plan; requiring the authority to develop and adopt a regional transit development plan, rather than a transportation master plan; deleting obsolete provisions; conforming provisions to changes made by the act; providing that an action by the authority regarding state funding of commuter rail, heavy rail transit, or light rail transit, or any combination thereof, requires approval by a majority vote of each M.P.O. serving the county or counties where such rail transit investment will be made, and the approval by an act of the Legislature; prohibiting the authority from engaging in certain advocacy that seeks to approve the funding of commuter rail, heavy rail transit, or light rail transit, or any combination thereof, subject to specified requirements; requiring the authority to conduct a feasibility study, through an independent third party, for any project of commuter rail, heavy rail transit, or light rail transit, or any combination thereof, before proceeding with the development of the project and before any related contracts are issued; requiring the feasibility study to be submitted to the Governor, the Legislature, and the board of county commissioners of specified counties; amending ss. 343.94, 343.947, 343.95, 343.975, and 343.976, F.S.; conforming provisions to changes made by the act; providing an effective date.

—as amended April 27, was read the third time by title.

Senator Brandes moved the following amendment which failed to receive the required two-thirds vote:

Amendment 1 (681090)—Delete lines 470-471 and insert: *counties where such rail transit investment will be made. Additionally, after approval by a majority vote of each M.P.O., the action must be approved by an act of the Legislature.*

On motion by Senator Latvala, **CS for CS for SB 1672**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Book	Braynon
Baxley	Bracy	Broxson
Bean	Bradley	Campbell
Benacquisto	Brandes	Clemens

Farmer	Lee	Simmons
Flores	Mayfield	Simpson
Gainer	Montford	Stargel
Galvano	Passidomo	Steube
Garcia	Perry	Stewart
Gibson	Powell	Thurston
Grimsley	Rader	Torres
Hutson	Rodriguez	Young
Latvala	Rouson	

Nays—None

CS for CS for SB 474—A bill to be entitled An act relating to hospice care; amending s. 400.60501, F.S.; requiring the Department of Elderly Affairs, in conjunction with the Agency for Health Care Administration, to adopt national hospice outcome measures and survey data by a specified date and to make such measures available to the public; creating s. 400.6096, F.S.; authorizing certain hospice personnel to assist in the disposal of certain prescribed controlled substances; requiring a hospice that chooses to assist in the disposal of certain prescribed controlled substances to establish policies, procedures, and systems for the disposal; authorizing a hospice physician, nurse, or social worker to assist in the disposals of certain prescribed controlled substances; providing requirements for such disposals; amending s. 400.611, F.S.; requiring a hospice to maintain an up-to-date interdisciplinary record of care; revising the patient records retention period; providing for the confidentiality of the interdisciplinary record of patient care; specifying to whom and under what conditions a hospice may release a patient's interdisciplinary record of care; defining a term; requiring a hospice to release patient statistical data to certain agencies; specifying that information from patient records is confidential and exempt from certain provisions; providing an effective date.

—was read the third time by title.

On motion by Senator Grimsley, **CS for CS for SB 474** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Powell
Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	

Nays—None

Consideration of **CS for SB 1670** was deferred.

CS for SB 616—A bill to be entitled An act relating to concealed weapons or firearms; amending s. 790.06, F.S.; authorizing a concealed weapons or concealed firearms licensee to temporarily surrender a weapon or firearm if the licensee approaches courthouse security or management personnel upon arrival and follow their instructions; defining the term “courthouse”; providing that inconsistent definitions are preempted to the Legislature; subjecting the persons or entities responsible for enacting, or causing the enforcement of, an inconsistent definition to specified penalties; providing an effective date.

—was read the third time by title.

Senator Bracy moved the following amendment:

Amendment 1 (370780)—Delete line 83 and insert:

Section 2. This act shall take effect August 1, 2017.

Senator Steube moved the following substitute amendment which was adopted by two-thirds vote:

Amendment 2 (605116)—Delete line 83 and insert:

Section 2. This act shall take effect July 1, 2017.

MOTION

On motion by Senator Benacquisto, the rules were waived and time of adjournment was extended until 6:15 p.m.

On motion by Senator Steube, **CS for SB 616**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—19

Mr. President	Galvano	Simmons
Baxley	Grimsley	Simpson
Bean	Hutson	Stargel
Benacquisto	Lee	Steube
Brandes	Mayfield	Young
Broxson	Passidomo	
Gainer	Perry	

Nays—15

Book	Farmer	Rodriguez
Bracy	Gibson	Rouson
Braynon	Montford	Stewart
Campbell	Powell	Thurston
Clemens	Rader	Torres

CS for CS for CS for SB 596—A bill to be entitled An act relating to utilities; amending s. 337.401, F.S.; authorizing the Department of Transportation and certain local governmental entities to prescribe and enforce reasonable rules or regulations with reference to the placing and maintaining across, on, or within the right-of-way limits of any road or publicly owned rail corridors under their respective jurisdictions any voice or data communications services lines or wireless facilities; providing a short title; defining terms; prohibiting a county or municipality having jurisdiction and control of the rights-of-way of any public road, referred to as the “authority,” from prohibiting, regulating, or charging for the collocation of small wireless facilities in public rights-of-way under certain circumstances; authorizing an authority to require a registration process and permit fees only under certain circumstances; requiring an authority to receive and process applications for permits and to issue such permits, subject to specified requirements; prohibiting an authority from requiring approval of or imposing fees or other charges for routine maintenance, the replacement of certain wireless facilities, or the installation, placement, maintenance, or replacement of certain micro wireless facilities; providing an exception; providing requirements for the collocation of small wireless facilities on authority utility poles; providing requirements for rates, fees, and other terms related to authority utility poles; authorizing an authority to apply current ordinances regulating placement of communications facilities in the right-of-way, including registration, permitting, insurance coverage, indemnification, performance bonds, security funds, force majeure, abandonment, authority liability, or authority warranties for certain applications; providing that certain permit application requirements and small wireless facility placement requirements shall be waived by the authority; prohibiting an authority from adopting or enforcing any regulation on the placement or operation of certain communications facilities, from regulating any communications services, or from imposing or collecting any tax, fee, or charge not specifically authorized under state law; providing construction; requiring a wireless provider to comply with certain nondiscriminatory undergrounding requirements of the authority; authorizing the authority to waive any such require-

ments; authorizing a wireless infrastructure provider to apply to an authority to place utility poles in the public rights-of-way to support the collocation of small wireless facilities; providing requirements for such application; requiring the authority to accept and process the application, subject to certain requirements; providing construction; authorizing an authority to enforce local codes, administrative rules, or regulations adopted by ordinance in effect on a specified date which are applicable to a historic area designated by the state or authority; authorizing an authority to enforce pending local ordinances, administrative rules, or regulations that are applicable to a historic area designated by the state if the intent to adopt such changes has been publicly declared on or before a specified date; providing retroactive applicability; authorizing an authority to waive certain ordinances or other requirements; providing an effective date.

—as amended April 27, was read the third time by title.

Pending further consideration of **CS for CS for CS for SB 596**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 687** was withdrawn from the Committees on Communications, Energy, and Public Utilities; Governmental Oversight and Accountability; and Rules.

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

CS for CS for HB 687—A bill to be entitled An act relating to utilities; amending s. 337.401, F.S.; authorizing the Department of Transportation and certain local governmental entities to prescribe and enforce rules or regulations regarding the placing and maintaining of certain voice or data communications services lines or wireless facilities on certain rights-of-way; providing a short title; providing definitions; prohibiting an authority from prohibiting, regulating, or charging for the collocation of small wireless facilities in public rights-of-way under certain circumstances; authorizing an authority to require a registration process and permit fees under certain circumstances; requiring an authority to accept, process, and issue applications for permits subject to specified requirements; prohibiting an authority from requiring approval or requiring fees or other charges for routine maintenance, the replacement of certain wireless facilities, or the installation, placement, maintenance, or replacement of certain micro wireless facilities; providing an exception; providing requirements for the collocation of small wireless facilities on authority utility poles; providing requirements for rates, fees, and other terms related to authority utility poles; authorizing an authority to apply current ordinances regulating placement of communications facilities in the right-of-way for certain applications; requiring an authority to waive certain permit application requirements and small wireless facility placement requirements; prohibiting an authority from adopting or enforcing any regulation on the placement or operation of certain communications facilities and from regulating any communications services or imposing or collecting any tax, fee, or charge not specifically authorized under state law; providing construction; requiring a wireless provider to comply with certain nondiscriminatory undergrounding requirements of an authority; authorizing the authority to waive any such requirements; authorizing a wireless infrastructure provider to apply to an authority to place utility poles in the public rights-of-way to support the collocation of small wireless facilities; providing application requirements; requiring the authority to accept and process the application subject to certain requirements; providing construction; authorizing an authority to enforce certain local codes, administrative rules, or regulations; authorizing an authority to enforce certain pending local ordinances, administrative rules, or regulations under certain circumstances, subject to waiver by the authority; providing construction; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 596**, as amended, and by two-thirds vote, read the second time by title.

On motion by Senator Hutson, by two-thirds vote, **CS for CS for HB 687** was read the third time by title, passed by the required constitutional two-thirds vote of the membership, and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Benacquisto	Brandes
Baxley	Book	Braynon
Bean	Bracy	Broxson

Campbell	Lee	Rouson
Clemens	Mayfield	Simmons
Farmer	Montford	Simpson
Gainer	Passidomo	Stargel
Galvano	Perry	Steube
Gibson	Powell	Stewart
Grimsley	Rader	Thurston
Hutson	Rodriguez	Young

Nays—1

Torres

CS for CS for CS for SB 206—A bill to be entitled An act relating to wills and trusts; amending s. 731.201, F.S.; revising the definition of the term “will” to include electronic wills; amending s. 732.506, F.S.; excluding electronic wills from specified methods to revoke a will; creating s. 732.521, F.S.; providing a short title; creating s. 732.522, F.S.; defining terms; creating s. 732.523, F.S.; specifying requirements that must be satisfied in the execution of electronic wills; creating s. 732.524, F.S.; providing requirements for self-proof of electronic wills; creating s. 732.525, F.S.; specifying the circumstances under which a person is deemed to be in the presence of or appearing before another person; providing that an electronic record satisfies the requirement that a record be in writing; providing that an electronic signature satisfies the requirement that a document be signed; providing requirements for certain documents to be deemed executed in this state; creating s. 732.526, F.S.; authorizing an electronic will of a nonresident of this state which is properly executed in this or another state to be offered for and admitted to probate in this state; providing the venue for the probate of such electronic will; creating s. 732.527, F.S.; specifying requirements for service as a qualified custodian; requiring qualified custodians to provide access to or information concerning the electronic will, or the electronic record containing the electronic will, only to specified persons or as directed by a court; authorizing a qualified custodian to destroy the electronic record of an electronic will after a certain date; providing conditions under which a qualified custodian may cease serving as a qualified custodian; requiring a qualified custodian to cease serving in such capacity upon the written request of the testator; requiring that a successor qualified custodian agree in writing to serve in that capacity for an electronic will before succeeding to office; specifying what constitutes an affidavit of a qualified custodian; requiring a qualified custodian to deliver certain documents upon request from the testator; prohibiting a qualified custodian from charging the testator a fee for such documents under certain circumstances; providing that a qualified custodian is liable for certain damages under certain circumstances; prohibiting a qualified custodian from terminating or suspending access to, or downloads of, an electronic will by the testator; requiring a qualified custodian to deposit an electronic will with the court upon receiving information that the testator is dead; prohibiting a qualified custodian from charging a fee for certain actions taken upon the death of the testator; requiring a qualified custodian to keep certain information confidential; amending s. 732.528, F.S.; requiring a qualified custodian to post and maintain a blanket surety bond, subject to certain requirements, or to maintain a certain liability insurance policy; authorizing the Attorney General to petition a court for the appointment of a receiver to manage certain records under certain conditions; amending s. 732.901, F.S.; providing that an electronic will that is filed electronically with the clerk is deemed to have been deposited as an original of the electronic will; amending s. 733.201, F.S.; providing for the proof of electronic wills; providing requirements for admitting an electronic will that is not self-proved into probate; providing that a paper copy of an electronic will constitutes an “original” of the electronic will subject to certain conditions; amending s. 736.0103, F.S.; redefining the term “interests of the beneficiaries”; amending s. 736.0105, F.S.; deleting a requirement that a trust be for the benefit of the trust’s beneficiaries; amending s. 736.0109, F.S.; revising provisions relating to notice or sending of electronic trust documents; providing requirements for such documents to be deemed sent; requiring a certain authorization to specify documents subject to electronic posting; revising requirements for a recipient to electronically access such documents; prohibiting the termination of a recipient’s electronic access to such documents from invalidating certain notice or sending of electronic trust documents; tolling specified limitations periods under certain circumstances; providing requirements for elec-

tronic access to such documents to be deemed terminated by a sender; providing applicability; amending s. 736.0110, F.S.; providing that the Attorney General has standing to assert certain rights in certain proceedings; amending s. 736.0403, F.S.; providing that, for purposes of establishing the validity of the testamentary aspects of a revocable trust, the qualified custodian of the trust instrument may not also be a trustee of the trust; amending s. 736.0404, F.S.; deleting a restriction on the purpose for which a trust is created; amending s. 736.04117, F.S.; defining and redefining terms; authorizing an authorized trustee to appoint all or part of the principal of a trust to a second trust under certain circumstances; providing requirements for the second trust and its beneficiaries; providing that the second trust may retain, omit, or create specified powers; authorizing the term of the second trust to extend beyond the term of the first trust; providing requirements for distributions to a second trust when the authorized trustee does not have absolute power; providing requirements for such second trust; providing requirements for grants of power by the second trust; authorizing a second trust created by an authorized trustee without absolute power to grant absolute power to the second trust's trustee; authorizing an authorized trustee to appoint the principal of a first trust to a supplemental needs trust under certain circumstances; providing requirements for such supplemental needs trust; prohibiting an authorized trustee from distributing the principal of a trust in a manner that would reduce specified tax benefits; prohibiting the distribution of S corporation stock from a first trust to a second trust under certain circumstances; prohibiting a settlor from being treated as the owner of a second trust if he or she was not treated as the owner of the first trust; prohibiting an authorized trustee from distributing a trust's interest in property to a second trust if it is subject to specified rules of the Internal Revenue Code; prohibiting the exercise of power to invade a trust's principal to increase an authorized trustee's compensation or relieve him or her from certain liability; specifying who an authorized trustee must notify when he or she exercises his or her power to invade the trust's principal; specifying the documents that the authorized trustee must provide with such notice; amending s. 736.0708, F.S.; providing that a cotrustee is entitled to reasonable compensation when the trust does not specify compensation; providing that reasonable compensation may be greater for multiple trustees than for a single trustee; amending s. 736.08135, F.S.; revising applicability; amending s. 736.1008, F.S.; clarifying that certain knowledge by a beneficiary does not cause a claim to accrue for breach of trust or commence the running of a period of limitations or laches; providing legislative intent; providing for retroactive application; amending s. 736.1201, F.S.; defining the term "delivery of notice"; conforming a provision to changes made by the act; amending s. 736.1205, F.S.; requiring an authorized trustee to provide certain notice to the Attorney General rather than the state attorney; providing applicability; amending ss. 736.1206, 736.1207, 736.1208, and 736.1209, F.S.; conforming provisions to changes made by the act; providing effective dates.

—as amended April 27, was read the third time by title.

On motion by Senator Passidomo, further consideration of **CS for CS for SB 206**, was deferred.

CS for SB 90—A bill to be entitled An act relating to renewable energy source devices; amending s. 193.624, F.S.; revising the definition of the term "renewable energy source device"; prohibiting the consideration of just value of property attributable to a renewable energy source device in determining the assessed value of real property used for residential purposes; prohibiting the consideration of a specified percentage of the just value of property attributable to a renewable energy source device in determining the assessed value of real property used for nonresidential purposes; revising applicability; providing for expiration of specified amendments made by the act; creating s. 196.182, F.S.; exempting a specified percentage of the assessed value of certain renewable energy source devices from ad valorem taxation; providing applicability; exempting a specified percentage of the assessed value of renewable energy source devices affixed to property owned or leased by the United States Department of Defense for the military from ad valorem taxation; providing for expiration; reenacting ss. 193.155(4)(a) and 193.155(6)(a), F.S., relating to homestead assessments and nonhomestead residential property assessments, respectively, to incorporate the amendment made to s. 193.624, F.S., in references thereto; providing an effective date.

—as amended April 27, was read the third time by title.

On motion by Senator Brandes, **CS for SB 90**, as amended, was passed by the required constitutional two-thirds vote of the membership and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gainer	Rodriguez
Baxley	Galvano	Rouson
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Book	Hutson	Stargel
Bracy	Lee	Steube
Brandes	Mayfield	Stewart
Braynon	Montford	Thurston
Broxson	Passidomo	Torres
Campbell	Perry	Young
Clemens	Powell	
Farmer	Rader	

Nays—None

CS for CS for CS for HB 689—A bill to be entitled An act relating to the Division of Alcoholic Beverages and Tobacco; amending s. 561.11, F.S.; revising the power and authority of the division to include appointment of division personnel; requiring that certain personnel be assigned to the Selected Exempt Service; amending s. 561.17, F.S.; authorizing the Agency for Health Care Administration to certify that an alcoholic beverage license applicant's place of business meets sanitary requirements; amending s. 561.20, F.S.; revising provisions relating to special licenses to sell alcoholic beverages for licensed caterers; making technical changes; amending s. 561.331, F.S.; removing the fee for transferring or changing the location of a temporary beverage license; amending s. 562.13, F.S.; authorizing minors employed by specified businesses to sell beer and wine under certain circumstances; amending s. 564.01, F.S.; revising a definition; amending s. 565.03, F.S.; revising requirements for an annual state license tax for a distillery and craft distillery; providing an effective date.

—was read the third time by title.

On motion by Senator Perry, **CS for CS for CS for HB 689** was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gainer	Rodriguez
Baxley	Galvano	Rouson
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Book	Hutson	Stargel
Bracy	Lee	Steube
Brandes	Mayfield	Stewart
Braynon	Montford	Thurston
Broxson	Passidomo	Torres
Campbell	Perry	Young
Clemens	Powell	
Farmer	Rader	

Nays—None

By direction of the President, the Senate resumed consideration of—

CS for CS for CS for SB 206—A bill to be entitled An act relating to wills and trusts; amending s. 731.201, F.S.; revising the definition of the term "will" to include electronic wills; amending s. 732.506, F.S.; excluding electronic wills from specified methods to revoke a will; creating s. 732.521, F.S.; providing a short title; creating s. 732.522, F.S.; defining terms; creating s. 732.523, F.S.; specifying requirements that must be satisfied in the execution of electronic wills; creating s. 732.524, F.S.; providing requirements for self-proof of electronic wills; creating s. 732.525, F.S.; specifying the circumstances under which a person is deemed to be in the presence of or appearing before another person; providing that an electronic record satisfies the requirement that a

record be in writing; providing that an electronic signature satisfies the requirement that a document be signed; providing requirements for certain documents to be deemed executed in this state; creating s. 732.526, F.S.; authorizing an electronic will of a nonresident of this state which is properly executed in this or another state to be offered for and admitted to probate in this state; providing the venue for the probate of such electronic will; creating s. 732.527, F.S.; specifying requirements for service as a qualified custodian; requiring qualified custodians to provide access to or information concerning the electronic will, or the electronic record containing the electronic will, only to specified persons or as directed by a court; authorizing a qualified custodian to destroy the electronic record of an electronic will after a certain date; providing conditions under which a qualified custodian may cease serving as a qualified custodian; requiring a qualified custodian to cease serving in such capacity upon the written request of the testator; requiring that a successor qualified custodian agree in writing to serve in that capacity for an electronic will before succeeding to office; specifying what constitutes an affidavit of a qualified custodian; requiring a qualified custodian to deliver certain documents upon request from the testator; prohibiting a qualified custodian from charging the testator a fee for such documents under certain circumstances; providing that a qualified custodian is liable for certain damages under certain circumstances; prohibiting a qualified custodian from terminating or suspending access to, or downloads of, an electronic will by the testator; requiring a qualified custodian to deposit an electronic will with the court upon receiving information that the testator is dead; prohibiting a qualified custodian from charging a fee for certain actions taken upon the death of the testator; requiring a qualified custodian to keep certain information confidential; amending s. 732.528, F.S.; requiring a qualified custodian to post and maintain a blanket surety bond, subject to certain requirements, or to maintain a certain liability insurance policy; authorizing the Attorney General to petition a court for the appointment of a receiver to manage certain records under certain conditions; amending s. 732.901, F.S.; providing that an electronic will that is filed electronically with the clerk is deemed to have been deposited as an original of the electronic will; amending s. 733.201, F.S.; providing for the proof of electronic wills; providing requirements for admitting an electronic will that is not self-proved into probate; providing that a paper copy of an electronic will constitutes an "original" of the electronic will subject to certain conditions; amending s. 736.0103, F.S.; redefining the term "interests of the beneficiaries"; amending s. 736.0105, F.S.; deleting a requirement that a trust be for the benefit of the trust's beneficiaries; amending s. 736.0109, F.S.; revising provisions relating to notice or sending of electronic trust documents; providing requirements for such documents to be deemed sent; requiring a certain authorization to specify documents subject to electronic posting; revising requirements for a recipient to electronically access such documents; prohibiting the termination of a recipient's electronic access to such documents from invalidating certain notice or sending of electronic trust documents; tolling specified limitations periods under certain circumstances; providing requirements for electronic access to such documents to be deemed terminated by a sender; providing applicability; amending s. 736.0110, F.S.; providing that the Attorney General has standing to assert certain rights in certain proceedings; amending s. 736.0403, F.S.; providing that, for purposes of establishing the validity of the testamentary aspects of a revocable trust, the qualified custodian of the trust instrument may not also be a trustee of the trust; amending s. 736.0404, F.S.; deleting a restriction on the purpose for which a trust is created; amending s. 736.04117, F.S.; defining and redefining terms; authorizing an authorized trustee to appoint all or part of the principal of a trust to a second trust under certain circumstances; providing requirements for the second trust and its beneficiaries; providing that the second trust may retain, omit, or create specified powers; authorizing the term of the second trust to extend beyond the term of the first trust; providing requirements for distributions to a second trust when the authorized trustee does not have absolute power; providing requirements for such second trust; providing requirements for grants of power by the second trust; authorizing a second trust created by an authorized trustee without absolute power to grant absolute power to the second trust's trustee; authorizing an authorized trustee to appoint the principal of a first trust to a supplemental needs trust under certain circumstances; providing requirements for such supplemental needs trust; prohibiting an authorized trustee from distributing the principal of a trust in a manner that would reduce specified tax benefits; prohibiting the distribution of S corporation stock from a first trust to a second trust under certain circumstances; prohibiting a settlor from being treated as the owner of a

second trust if he or she was not treated as the owner of the first trust; prohibiting an authorized trustee from distributing a trust's interest in property to a second trust if it is subject to specified rules of the Internal Revenue Code; prohibiting the exercise of power to invade a trust's principal to increase an authorized trustee's compensation or relieve him or her from certain liability; specifying who an authorized trustee must notify when he or she exercises his or her power to invade the trust's principal; specifying the documents that the authorized trustee must provide with such notice; amending s. 736.0708, F.S.; providing that a cotrustee is entitled to reasonable compensation when the trust does not specify compensation; providing that reasonable compensation may be greater for multiple trustees than for a single trustee; amending s. 736.08135, F.S.; revising applicability; amending s. 736.1008, F.S.; clarifying that certain knowledge by a beneficiary does not cause a claim to accrue for breach of trust or commence the running of a period of limitations or laches; providing legislative intent; providing for retroactive application; amending s. 736.1201, F.S.; defining the term "delivery of notice"; conforming a provision to changes made by the act; amending s. 736.1205, F.S.; requiring an authorized trustee to provide certain notice to the Attorney General rather than the state attorney; providing applicability; amending ss. 736.1206, 736.1207, 736.1208, and 736.1209, F.S.; conforming provisions to changes made by the act; providing effective dates.

—which was previously considered this day and amended April 27.

Pending further consideration of **CS for CS for CS for SB 206**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 277** was withdrawn from the Committee on Rules.

On motion by Senator Passidomo, the rules were waived, and by two-thirds vote—

CS for CS for HB 277—A bill to be entitled An act relating to electronic wills; amending s. 731.201, F.S.; revising the definition of the term "will" to include electronic wills; amending s. 732.506, F.S.; specifying the manner in which an electronic will is revoked; creating s. 732.521, F.S.; providing a short title; creating s. 732.522, F.S.; providing definitions; creating s. 732.523, F.S.; specifying requirements that must be satisfied in the execution of electronic wills; creating s. 732.524, F.S.; providing requirements for self-proof of electronic wills; creating s. 732.525, F.S.; providing that an electronic signature satisfies the requirement that a document be signed; providing requirements for certain documents to be deemed executed in this state; creating s. 732.526, F.S.; authorizing an electronic will that is properly executed in this or another state to be offered for and admitted to probate in this state; providing the venue for the probate of such electronic will; creating s. 732.527, F.S.; specifying requirements for service as a qualified custodian; requiring qualified custodians to provide access to or information concerning the electronic will, or the electronic record containing the electronic will, only to specified persons; authorizing a qualified custodian to destroy the electronic record of an electronic will after a certain date; requiring a qualified custodian to cancel, delete, destroy, mark as revoked, or obliterate an electronic will under certain circumstances; providing conditions under which a qualified custodian may cease service as a qualified custodian; requiring a qualified custodian to cease serving in such capacity upon the written request of the testator; requiring that a successor qualified custodian agree in writing to serve in that capacity for an electronic will before succeeding to office; specifying what constitutes an affidavit of a qualified custodian; requiring a qualified custodian to deliver certain documents upon request from the testator; prohibiting a qualified custodian from charging the testator a fee for such documents under certain circumstances; providing that a qualified custodian is liable for certain damages under certain circumstances; prohibiting a qualified custodian from terminating or suspending access to, or downloads of, an electronic will by the testator; prohibiting a qualified custodian from charging a fee for certain actions taken upon the death of the testator; requiring a qualified custodian to keep certain information confidential; creating s. 732.528, F.S.; providing indemnity requirements for qualified custodians; providing the Attorney General standing to petition a court for the appointment of a receiver to manage electronic records of a qualified custodian under certain conditions; amending s. 733.201, F.S.; providing for the proof of electronic wills; providing requirements for admitting an electronic will that is not self-proved into probate; providing that a paper copy of an electronic will constitutes an "original" of the electronic will subject to certain conditions; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 206**, as amended, and by two-thirds vote, 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 Passidomo moved the following amendment which was adopted:

Amendment 1 (742124) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (40) of section 731.201, Florida Statutes, is amended to read:

731.201 General definitions.—Subject to additional definitions in subsequent chapters that are applicable to specific chapters or parts, and unless the context otherwise requires, in this code, in s. 409.9101, and in chapters 736, 738, 739, and 744, the term:

(40) “Will” means an instrument, including a codicil, executed by a person in the manner prescribed by this code, which disposes of the person’s property on or after his or her death and includes an instrument which merely appoints a personal representative or revokes or revises another will. *The term “will” includes an electronic will as defined in s. 732.522.*

Section 2. Section 732.506, Florida Statutes, is amended to read:

732.506 Revocation by act.—A will or codicil, *other than an electronic will*, is revoked by the testator, or some other person in the testator’s presence and at the testator’s direction, by burning, tearing, canceling, defacing, obliterating, or destroying it with the intent, and for the purpose, of revocation.

Section 3. Section 732.521, Florida Statutes, is created to read:

732.521 *Short title.*—Sections 732.521-732.528 may be cited as the “Florida Electronic Wills Act.”

Section 4. Section 732.522, Florida Statutes, is created to read:

732.522 *Definitions.*—As used in ss. 732.521-732.528, the term:

(1) “Electronic record” means a record created, generated, sent, communicated, received, or stored by electronic means.

(2) “Electronic signature” means an electronic mark visibly manifested in a record as a signature and executed or adopted by a person with the intent to sign the record.

(3) “Electronic will” means a will, including a codicil, executed in accordance with s. 732.523 by a person in the manner prescribed by this act, which disposes of the person’s property on or after his or her death and includes an instrument that appoints a personal representative or revokes or revises another will or electronic will.

(4) “Qualified custodian” means a person who meets the requirements of s. 732.527(1).

Section 5. Section 732.523, Florida Statutes, is created to read:

732.523 *Electronic wills.*—Notwithstanding s. 732.502:

(1) An electronic will must meet all of the following requirements:

(a) Exist in an electronic record that is unique and identifiable.

(b) Be electronically signed by the testator in the presence of at least two attesting witnesses.

(c) Be electronically signed by the attesting witnesses in the presence of the testator and in the presence of each other.

(2) Except as otherwise provided in this act, all questions as to the force, effect, validity, and interpretation of an electronic will that complies with this section must be determined in the same manner as in the case of a will executed in accordance with s. 732.502.

Section 6. Section 732.524, Florida Statutes, is created to read:

732.524 *Self-proof of electronic will.*—An electronic will is self-proved if all of the following requirements are met:

(1) The electronic will is executed in conformity with this act.

(2) The acknowledgment of the electronic will by the testator and the affidavits of the witnesses are made in accordance with s. 732.503 and are part of the electronic record containing the electronic will, or are attached to, or are logically associated with, the electronic will.

(3)(a) The electronic will designates a qualified custodian;

(b) The electronic record that contains the electronic will is held in the custody of a qualified custodian at all times before being offered to the court for probate; and

(c) The qualified custodian who has custody of the electronic will at the time of the testator’s death:

1. Certifies under oath that, to the best knowledge of the qualified custodian, the electronic record that contains the electronic will was at all times before being offered to the court in the custody of a qualified custodian in compliance with s. 732.527 and that the electronic will has not been altered in any way since the date of its execution; and

2. If the execution of the electronic will included the use of video conference under s. 732.525(1)(b), certifies under oath that the audio and video recording required under s. 732.525(1)(b)9. is in the qualified custodian’s custody in the electronic record that contains the electronic will and is available for inspection by the court.

Section 7. Section 732.525, Florida Statutes, is created to read:

732.525 *Method and place of execution.*—For purposes of this act, the execution and filing of a document with the court as provided in this act, s. 732.503, or the Florida Probate Rules; the execution of a living will under s. 765.302; and the acknowledgment of any of the foregoing:

(1) An individual is deemed to be in the presence of or appearing before another individual if the individuals are either:

(a) In the same physical location; or

(b) In different physical locations, but can communicate with each other by means of live video conference, and all of the following requirements are met:

1. The testator or principal may not be in an end-stage condition as defined in s. 765.101 or a vulnerable adult as defined in s. 415.102. The contestant of the document has the burden of proving that the testator or principal was in an end-stage condition or was a vulnerable adult at the time of executing the document.

2. The signal transmission must be live and in real time.

3. The signal transmission must be secure from interception through lawful means by anyone other than the persons communicating.

4. The persons communicating must simultaneously see and speak to one another with reasonable clarity.

5. In the video conference, the persons communicating must establish the identity of the testator or principal by:

a. Personal knowledge, if the person asserting personal knowledge explains how the identity of the testator or principal has come to be known to, and the length of time for which it has been known by, such person; or

b. Presentation of any of the forms of identification of the testator or principal, as set forth in s. 117.05(5)(b)2.a.-i.

6. In the video conference, the persons communicating must demonstrate awareness of the events taking place, which may be achieved, without limitation, by stating their names and identifying any document they intend to sign.

7. At least one of the persons communicating must be either:

a. An attorney licensed to practice law in this state:

- (I) Who electronically signs the document as a witness;
- (II) Whose status as an attorney licensed to practice law in this state is indicated adjacent to his or her electronic signature; and
- (III) Whose electronic signature is accompanied by his or her statement that, to the best of his or her knowledge, the execution of the document complied with the requirements of this section; or

b. A Florida notary public:

- (I) Who electronically signs the document;
- (II) Whose electronic signature is accompanied by a notary public seal that meets the requirements of s. 117.021(3); and
- (III) Whose electronic signature and seal are accompanied by his or her certification that, to the best of his or her knowledge, the execution of the document complied with the requirements of this section.

If a document is required to be witnessed or acknowledged, the witness or notary fulfilling that requirement may be the same witness or notary who fulfills the requirement of this subparagraph. A person presented with a document containing the statement or certification required under this subparagraph may presume that the document was executed in compliance with this paragraph, unless the person has notice that such compliance is contested.

8. In the video conference, the testator or principal must provide verbal answers to all of the following questions:

- a. Are you over the age of 18?
- b. Are you under the influence of any drugs or alcohol that impairs your ability to make decisions?
- c. Are you of sound mind?
- d. Did anyone assist you in accessing this video conference? If so, who?
- e. Has anyone forced or influenced you to include anything in this document which you do not wish to include?
- f. Are you signing this document voluntarily?

9. A time-stamped recording of the entire video conference must be identifiable with the document being signed and stored in the electronic record containing the document by a qualified custodian in the manner required pursuant to s. 732.527(1)(c) for the storage of electronic records containing electronic wills.

a. Without limitation, a recording is identifiable with a document if the recording and document share an identification number.

b. If the recording is not reasonably accessible by a person presented with the document, such person may treat the document as if it does not include the signature of any signatory who appeared by means of live video conference; however, an electronic will whose execution included the use of video conference under this section may be proved as provided in s. 733.201(4). Without limitation, a recording is reasonably accessible if it is accessible at no charge over the Internet pursuant to instructions set forth in the document.

(2) If a law requires a record to be in writing, an electronic record satisfies such provision.

(3) Any requirement that a document be signed may be satisfied by an electronic signature.

(4) A document that is signed electronically is deemed to be executed in this state if all of the following requirements are met:

(a) The document states that the person creating the document intends to execute and understands that he or she is executing the document in, and pursuant to the laws of, this state.

(b) The person creating the document is, or the attesting witnesses or Florida notary public whose electronic signatures are obtained in the execution of the document are, physically located within this state at the time the document is executed.

(c) In the case of a self-proved electronic will, the electronic will designates a qualified custodian who is domiciled in and a resident of this state or incorporated or organized in this state.

Section 8. Section 732.526, Florida Statutes, is created to read:

732.526 *Probate.*—An electronic will, other than a holographic or nuncupative will, of a nonresident of this state which is executed or deemed executed in another state in accordance with the laws of that state or of this state may be offered for and admitted to original probate in this state and is subject to the jurisdiction of the courts of this state. The venue for the probate of electronic wills is as provided in s. 733.101(1) or, in the case of the electronic will of a nonresident, may be the county in which the qualified custodian or attorney for the petitioner or personal representative has his or her domicile or registered office.

Section 9. Section 732.527, Florida Statutes, is created to read:

732.527 *Qualified custodians.*—

(1) To serve as a qualified custodian of an electronic will, a person or entity must:

(a) Not be named as a fiduciary under the electronic will or an heir or devisee, as defined in s. 731.201, of the testator;

(b) Be domiciled in and a resident of this state or be incorporated or organized in this state;

(c) In the course of maintaining custody of electronic wills, regularly employ, and store electronic records containing electronic wills in, a system that:

1. Protects electronic records from destruction, alteration, or unauthorized access; and

2. Detects any change to an electronic record; and

(d) Furnish for any court hearing involving an electronic will that is currently or was previously stored by the qualified custodian any information requested by the court pertaining to the qualified custodian's qualifications, policies, and practices related to the creation, sending, communication, receipt, maintenance, storage, and production of electronic wills.

(2) The qualified custodian of an electronic will shall provide access to or information concerning the electronic will, or the electronic record containing the electronic will, only:

(a) To the testator;

(b) To persons authorized by the testator in the electronic will or in written instructions signed by the testator in accordance with s. 732.502;

(c) After the death of the testator, to the testator's nominated personal representative; or

(d) At any time, as directed by a court of competent jurisdiction.

(3) The qualified custodian of the electronic record of an electronic will may elect to destroy such record, including any of the documentation required to be created and stored under paragraph (1)(d), at any time after the earlier of the fifth anniversary of the conclusion of the administration of the estate of the testator or 20 years after the death of the testator.

(4) A qualified custodian who at any time maintains custody of the electronic record of an electronic will may elect to cease serving in such capacity by:

(a) Delivering the electronic will or the electronic record containing the electronic will to the testator, if then living, or, after the death of the testator, by filing the will with the court in accordance with s. 732.901; and

(b) If the outgoing qualified custodian intends to designate a successor qualified custodian, by doing the following:

1. Providing written notice to the testator of the name, address, and qualifications of the proposed successor qualified custodian. The testator must provide written consent before the electronic record, including the electronic will, is delivered to a successor qualified custodian;

2. Delivering the electronic record containing the electronic will to the successor qualified custodian; and

3. Delivering to the successor qualified custodian an affidavit of the outgoing qualified custodian stating that:

a. The outgoing qualified custodian is eligible to act as a qualified custodian in this state;

b. The outgoing qualified custodian is the qualified custodian designated by the testator in the electronic will or appointed to act in such capacity under this paragraph;

c. The electronic will has at all times been in the custody of one or more qualified custodians in compliance with this section since the time the electronic record was created, and identifying such qualified custodians; and

d. To the best of the outgoing qualified custodian's knowledge, the electronic will has not been altered since the time it was created.

For purposes of making this affidavit, the outgoing qualified custodian may rely conclusively on any affidavits delivered by a predecessor qualified custodian in connection with its designation or appointment as qualified custodian; however, all such affidavits must be delivered to the successor qualified custodian.

(5) Upon the request of the testator which is made in a writing signed in accordance with s. 732.502 or s. 732.523, a qualified custodian who at any time maintains custody of the electronic record of the testator's electronic will must cease serving in such capacity and must deliver to a successor qualified custodian designated in writing by the testator the electronic record containing the electronic will and the affidavit required in subparagraph (4)(b)3.

(6) A qualified custodian may not succeed to office as a qualified custodian of an electronic will unless he or she agrees in writing to serve in such capacity.

(7) If a qualified custodian is an entity, an affidavit, or an appearance by the testator in the presence of a duly authorized officer or agent of such entity, acting in his or her own capacity as such, shall constitute an affidavit, or an appearance by the testator in the presence of the qualified custodian.

(8) A qualified custodian must provide a paper copy of an electronic will and the electronic record containing the electronic will to the testator immediately upon request. For the first such request in any 365-day period, the testator may not be charged a fee for being provided with these documents.

(9) The qualified custodian shall be liable for any damages caused by the negligent loss or destruction of the electronic record, including the electronic will, while it is in the possession of the qualified custodian. A qualified custodian may not limit liability for such damages.

(10) A qualified custodian may not terminate or suspend access to, or downloads of, the electronic will by the testator.

(11) Upon receiving information that the testator is dead, a qualified custodian must deposit the electronic will with the court in accordance with s. 732.901. A qualified custodian may not charge a fee for depositing the electronic will with the clerk, providing the affidavit is made in accordance with s. 732.503, or furnishing in writing any information requested by a court under paragraph (1)(d).

(12) Except as provided in this act, a qualified custodian must at all times keep information provided by the testator confidential and may not disclose such information to any third party.

Section 10. Section 732.528, Florida Statutes, is created to read:

732.528 Liability coverage; receivership of qualified custodians.—

(1) A qualified custodian shall:

(a) Post and maintain a blanket surety bond of at least \$250,000 to secure the faithful performance of all duties and obligations required under this act. The bond must be made payable to the Governor and his or her successors in office for the benefit of all persons who store electronic records with a qualified custodian and their estates, beneficiaries, successors, and heirs and be conditioned on the faithful performance of all duties and obligations under this act. The terms of the bond must cover the acts or omissions of the qualified custodian and each agent or employee of the qualified custodian; or

(b) Maintain a liability insurance policy that covers any losses sustained by any person who stores electronic records with a qualified custodian and their estates, beneficiaries, successors, and heirs which are caused by errors or omissions by the qualified custodian and each agent or employee of the qualified custodian. The policy must cover losses of up to at least \$250,000 in the aggregate.

(2) The Attorney General may petition a court of competent jurisdiction for the appointment of a receiver to manage the electronic records of a qualified custodian for proper delivery and safekeeping if any of the following conditions exist:

(a) The qualified custodian is ceasing operation.

(b) The qualified custodian intends to close the facility and adequate arrangements have not been made for proper delivery of the electronic records in accordance with this act.

(c) The Attorney General determines that conditions exist which present a danger that electronic records will be lost or misappropriated.

(d) The qualified custodian fails to maintain and post a surety bond or maintain insurance required by this section.

Section 11. Present subsection (5) of section 732.901, Florida Statutes, is redesignated as subsection (6) of that section, and a new subsection (5) is added to that section, to read:

732.901 Production of wills.—

(5) An electronic will that is filed electronically with the clerk through the Florida Courts E-Filing Portal is deemed to have been deposited with the clerk as an original of the electronic will.

Section 12. Section 733.201, Florida Statutes, is amended to read:

733.201 Proof of wills.—

(1) Self-proved wills executed in accordance with this code may be admitted to probate without further proof.

(2) A will, other than an electronic will, may be admitted to probate upon the oath of any attesting witness taken before any circuit judge, commissioner appointed by the court, or clerk.

(3) If it appears to the court that the attesting witnesses cannot be found or that they have become incapacitated after the execution of the will or their testimony cannot be obtained within a reasonable time, a will, other than an electronic will, may be admitted to probate upon the oath of the personal representative nominated by the will as provided in subsection (2), whether or not the nominated personal representative is interested in the estate, or upon the oath of any person having no interest in the estate under the will stating that the person believes the writing exhibited to be the true last will of the decedent.

(4) If an electronic will, including an electronic will whose execution included the use of a video conference under s. 732.525(1)(b), is not self-proved, an electronic will may be admitted to probate upon the oath of the two attesting witnesses for the electronic will taken before any circuit judge, any commissioner appointed by the court, or the clerk. If it appears to the court that the attesting witnesses cannot be found, that they have become incapacitated after the execution of the electronic will, or that their testimony cannot be obtained within a reasonable time, an electronic will may be admitted to probate upon the oath of two disinterested witnesses providing all of the following information:

(a) *The date on which the electronic will was created, if the date is not indicated in the electronic will itself.*

(b) *When and how the electronic will was discovered, and by whom.*

(c) *All of the people who had access to the electronic will.*

(d) *The method by which the electronic will was stored and the safeguards that were in place to prevent alterations to the electronic will.*

(e) *A statement as to whether the electronic will has been altered since its creation.*

(f) *A statement that the electronic will is a true, correct, and complete tangible manifestation of the testator's true last will.*

(g) *If the execution of an electronic will included the use of a video conference under s. 732.525(1)(b), a statement as to whether a recording of the video conference is available for inspection by the court or cannot be found after a diligent search.*

(5) *A paper copy of an electronic will which is a true and correct copy of the electronic will may be offered for and admitted to probate and shall constitute an "original" of the electronic will.*

Section 13. Subsection (11) of section 736.0103, Florida Statutes, is amended to read:

736.0103 Definitions.—Unless the context otherwise requires, in this code:

(11) "Interests of the beneficiaries" means the beneficial interests intended by the settlor as provided in the terms of a ~~the~~ trust.

Section 14. Paragraph (c) of subsection (2) of section 736.0105, Florida Statutes, is amended to read:

736.0105 Default and mandatory rules.—

(2) The terms of a trust prevail over any provision of this code except:

(c) ~~The requirement that a trust and its terms be for the benefit of the trust's beneficiaries, and that the trust have a purpose that is lawful, not contrary to public policy, and possible to achieve.~~

Section 15. Subsections (1) and (3) of section 736.0109, Florida Statutes, are amended to read:

736.0109 Methods and waiver of notice.—

(1) Notice to a person under this code or the sending of a document to a person under this code must be accomplished in a manner reasonably suitable under the circumstances and likely to result in receipt of the notice or document. Permissible methods of notice or for sending a document include first-class mail, personal delivery, delivery to the person's last known place of residence or place of business, ~~or~~ a properly directed facsimile or other electronic message, *or posting to a secure electronic account or website in accordance with subsection (3).*

(3) *A document that is sent solely by posting to an electronic account or website is not deemed sent for purposes of this section unless the sender complies with this subsection. The sender has the burden of proving compliance with this subsection. In addition to the methods listed in subsection (1) for sending a document, a sender may post a document to a secure electronic account or website where the document can be accessed.*

(a) ~~Before a document may be posted to an electronic account or website, The recipient must sign a separate written authorization solely for the purpose of authorizing the sender to post documents on an electronic account or website before such posting. The written authorization must:~~

1. *Specifically indicate whether a trust accounting, trust disclosure document, or limitation notice, as those terms are defined in s. 736.1008(4), will be posted in this manner, and generally enumerate the other types of documents that may be posted in this manner.*

2. *Contain specific instructions for accessing the electronic account or website, including the security procedures required to access the electronic account or website, such as a username and password.*

3. *Advise the recipient that a separate notice will be sent when a document is posted to the electronic account or website and the manner in which the separate notice will be sent.*

4. *Advise the recipient that the authorization to receive documents by electronic posting may be amended or revoked at any time and include specific instructions for revoking or amending the authorization, including the address designated for the purpose of receiving notice of the revocation or amendment.*

5. *Advise the recipient that posting a document on the electronic account or website may commence a limitations period as short as 6 months even if the recipient never actually accesses the electronic account, electronic website, or ~~the~~ document.*

(b) *Once the recipient signs the written authorization, the sender must provide a separate notice to the recipient when a document is posted to the electronic account or website. As used in this subsection, the term "separate notice" means a notice sent to the recipient by means other than electronic posting, which identifies each document posted to the electronic account or website and provides instructions for accessing the ~~posted~~ document. The separate notice requirement is *deemed* satisfied if the recipient accesses the document on the electronic account or website.*

(c) *A document sent by electronic posting is deemed received by the recipient on the earlier of the date on which ~~that~~ the separate notice is received or the date on which ~~that~~ the recipient accesses the document on the electronic account or website.*

(d) *At least annually after a recipient signs a written authorization, a sender shall send a notice advising recipients who have authorized one or more documents to be posted to an electronic account or website that such posting may commence a limitations period as short as 6 months even if the recipient never accesses the electronic account or website or the document and that authority to receive documents by electronic posting may be amended or revoked at any time. This notice must be given by means other than electronic posting and may not be accompanied by any other written communication. Failure to provide such notice within 380 days after the last notice is deemed to automatically revoke the authorization to receive documents in the manner permitted under this subsection 380 days after the last notice is sent.*

(e) *The notice required in paragraph (d) may be in substantially the following form: "You have authorized the receipt of documents through posting to an electronic account or website on which ~~where~~ the documents can be accessed. This notice is being sent to advise you that a limitations period, which may be as short as 6 months, may be running as to matters disclosed in a trust accounting or other written report of a trustee posted to the electronic account or website even if you never actually access the electronic account or website or the documents. You may amend or revoke the authorization to receive documents by electronic posting at any time. If you have any questions, please consult your attorney."*

(f) *A sender may rely on the recipient's authorization until the recipient amends or revokes the authorization by sending a notice to the address designated for that purpose in the authorization or in the manner specified on the electronic account or website. The recipient, at any time, may amend or revoke an authorization to have documents posted on the electronic account or website.*

(g) *If a document is provided to a recipient solely through electronic posting pursuant to this subsection, the recipient must be able to access and print or download the document until the earlier of ~~remain accessible to the recipient on the electronic account or website for at least 4~~ years after the date that the document is deemed received by the recipient or the date upon which the recipient's access to the electronic account or website is terminated for any reason.*

1. *If the recipient's access to the electronic account or website is terminated for any reason, such termination does not invalidate the notice or sending of any document previously posted on the electronic account*

or website in accordance with this subsection, but may toll the applicable limitations period as provided in subparagraph 2.

2. If the recipient's access to the electronic account or website is terminated by the sender sooner than 4 years after the date on which the document was received by the recipient, any applicable limitations period set forth in s. 736.1008(1) or (2) which is still running is tolled for any information adequately disclosed in a document sent solely by electronic posting, from the date on which the recipient's access to the electronic account or website was terminated by the sender until 45 days after the date on which the sender provides one of the following to the recipient by means other than electronic posting:

a. Notice of such termination and notification to the recipient that he or she may request that any documents sent during the prior 4 years solely through electronic posting be provided to him or her by other means at no cost; or

b. Notice of such termination and notification to the recipient that his or her access to the electronic account or website has been restored.

Any applicable limitations period is further tolled from the date on which any request is made pursuant to sub-subparagraph 2.a. until 20 days after the date on which the requested documents are provided to the recipient by means other than electronic posting. ~~The electronic account or website must allow the recipient to download or print the document. This subsection does not affect or alter the duties of a trustee to keep clear, distinct, and accurate records pursuant to s. 736.0810 or affect or alter the time periods for which the trustee must maintain those records.~~

(h) For purposes of this subsection, access to an electronic account or website is terminated by the sender when the sender unilaterally terminates the recipient's ability to access the electronic website or account or download or print any document posted on such website or account. Access is not terminated by the sender when access is terminated by an action of the recipient or by an action of the sender in response to the recipient's request to terminate access. The recipient's revocation of authorization pursuant to paragraph (f) is not considered a request to terminate access. ~~To be effective, the posting of a document to an electronic account or website must be done in accordance with this subsection. The sender has the burden of establishing compliance with this subsection.~~

(i) This subsection does not affect or alter the duties of a trustee to keep clear, distinct, and accurate records pursuant to s. 736.0810 or affect or alter the time periods for which the trustee must maintain such records. ~~preclude the sending of a document by other means.~~

(j) This subsection governs the posting of a document solely for the purpose of giving notice under this code or the sending of a document to a person under this code and does not prohibit or otherwise apply to the posting of a document to an electronic account or website for any other purpose or preclude the sending of a document by any other means.

Section 16. Subsection (3) of section 736.0110, Florida Statutes, is amended to read:

736.0110 Others treated as qualified beneficiaries.—

(3) The Attorney General may assert the rights of a qualified beneficiary with respect to a charitable trust having its principal place of administration in this state. *The Attorney General has standing to assert such rights in any judicial proceedings.*

Section 17. Paragraph (b) of subsection (2) of section 736.0403, Florida Statutes, is amended to read:

736.0403 Trusts created in other jurisdictions; formalities required for revocable trusts.—

(2) Notwithstanding subsection (1):

(b) The testamentary aspects of a revocable trust, executed by a settlor who is a domiciliary of this state at the time of execution, are invalid unless the trust instrument is executed by the settlor with the formalities required for the execution of a will under s. 732.502 or an electronic will under s. 732.523 which is self-proved; however, the qualified custodian of the trust instrument may not also be a trustee of the

trust ~~in this state~~. For purposes of this subsection, the term "testamentary aspects" means those provisions of the trust instrument that dispose of the trust property on or after the death of the settlor other than to the settlor's estate.

Section 18. Section 736.0404, Florida Statutes, is amended to read:

736.0404 Trust purposes.—A trust may be created only to the extent the purposes of the trust are lawful, not contrary to public policy, and possible to achieve. ~~A trust and its terms must be for the benefit of its beneficiaries.~~

Section 19. Effective upon becoming a law, section 736.04117, Florida Statutes, is amended to read:

736.04117 Trustee's power to invade principal in trust.—

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

(a) "Absolute power" means ~~Unless the trust instrument expressly provides otherwise, a trustee who has absolute power under the terms of a trust to invade the principal of the trust, referred to in this section as the "first trust," to make distributions to or for the benefit of one or more persons may instead exercise the power by appointing all or part of the principal of the trust subject to the power in favor of a trustee of another trust, referred to in this section as the "second trust," for the current benefit of one or more of such persons under the same trust instrument or under a different trust instrument; provided:~~

~~1. The beneficiaries of the second trust may include only beneficiaries of the first trust;~~

~~2. The second trust may not reduce any fixed income, annuity, or unitrust interest in the assets of the first trust; and~~

~~3. If any contribution to the first trust qualified for a marital or charitable deduction for federal income, gift, or estate tax purposes under the Internal Revenue Code of 1986, as amended, the second trust shall not contain any provision which, if included in the first trust, would have prevented the first trust from qualifying for such a deduction or would have reduced the amount of such deduction.~~

~~(b) For purposes of this subsection, an absolute power to invade principal shall include a power to invade principal that is not limited to specific or ascertainable purposes, such as health, education, maintenance, and support, regardless of whether or not the term "absolute" is used. A power to invade principal for purposes such as best interests, welfare, comfort, or happiness constitutes ~~shall constitute~~ an absolute power not limited to specific or ascertainable purposes.~~

(b) "Authorized trustee" means a trustee, other than the settlor or a beneficiary, who has the power to invade the principal of a trust.

(c) "Beneficiary with a disability" means a beneficiary of the first trust who the authorized trustee believes may qualify for governmental benefits based on disability, regardless of whether the beneficiary currently receives those benefits or has been adjudicated incapacitated.

(d) "Current beneficiary" means a beneficiary who, on the date his or her qualification is determined, is a distributee or permissible distributee of trust income or principal. The term includes the holder of a presently exercisable general power of appointment but does not include a person who is a beneficiary only because he or she holds another power of appointment.

(e) "Governmental benefits" means financial aid or services from any state, federal, or other public agency.

(f) "Internal Revenue Code" means the Internal Revenue Code of 1986, as amended.

(g) "Power of appointment" has the same meaning as provided in s. 731.201(30).

(h) "Presently exercisable general power of appointment" means a power of appointment exercisable by the powerholder at the relevant time. The term:

1. Includes a power of appointment that is exercisable only after the occurrence of a specified event or that is subject to a specified restriction, but only after the event has occurred or the restriction has been satisfied.

2. Does not include a power exercisable only upon the powerholder's death.

(i) "Substantially similar" means that there is no material change in a beneficiary's beneficial interests or in the power to make distributions and that the power to make a distribution under a second trust for the benefit of a beneficiary who is an individual is substantially similar to the power under the first trust to make a distribution directly to the beneficiary. A distribution is deemed to be for the benefit of a beneficiary if:

1. The distribution is applied for the benefit of a beneficiary;
2. The beneficiary is under a legal disability or the trustee reasonably believes the beneficiary is incapacitated, and the distribution is made as permitted under this code; or
3. The distribution is made as permitted under the terms of the first trust instrument and the second trust instrument for the benefit of the beneficiary.

(j) "Supplemental needs trust" means a trust that the authorized trustee believes would not be considered a resource for purposes of determining whether the beneficiary who has a disability is eligible for governmental benefits.

(k) "Vested interest" means a current unconditional right to receive a mandatory distribution of income, a specified dollar amount, or a percentage of value of a trust, or a current unconditional right to withdraw income, a specified dollar amount, or a percentage of value of a trust, which right is not subject to the occurrence of a specified event, the passage of a specified time, or the exercise of discretion.

1. The term includes a presently exercisable general power of appointment.
2. The term does not include a beneficiary's interest in a trust if the trustee has discretion to make a distribution of trust property to a person other than such beneficiary.

(2) **DISTRIBUTION FROM FIRST TRUST TO SECOND TRUST WHEN AUTHORIZED TRUSTEE HAS ABSOLUTE POWER TO INVADE.**—

(a) Unless a trust instrument expressly provides otherwise, an authorized trustee who has absolute power under the terms of the trust to invade its principal, referred to in this section as the "first trust," to make current distributions to or for the benefit of one or more beneficiaries may instead exercise such power by appointing all or part of the principal of the trust subject to such power in favor of a trustee of one or more other trusts, whether created under the same trust instrument as the first trust or a different trust instrument, including a trust instrument created for the purposes of exercising the power granted by this section, each referred to in this section as the "second trust," for the current benefit of one or more of such beneficiaries only if:

1. The beneficiaries of the second trust include only beneficiaries of the first trust; and
2. The second trust does not reduce any vested interest.

(b) In an exercise of absolute power, the second trust may:

1. Retain a power of appointment granted in the first trust;
2. Omit a power of appointment granted in the first trust, other than a presently exercisable general power of appointment;
3. Create or modify a power of appointment if the powerholder is a current beneficiary of the first trust;
4. Create or modify a power of appointment if the powerholder is a beneficiary of the first trust who is not a current beneficiary, but the exercise of the power of appointment may take effect only after the

powerholder becomes, or would have become if then living, a current beneficiary of the first trust; and

5. Extend the term of the second trust beyond the term of the first trust.

(c) The class of permissible appointees in favor of which a created or modified power of appointment may be exercised may differ from the class identified in the first trust.

(3) **DISTRIBUTION FROM FIRST TRUST TO SECOND TRUST WHEN AUTHORIZED TRUSTEE DOES NOT HAVE ABSOLUTE POWER TO INVADE.**—Unless the trust instrument expressly provides otherwise, an authorized trustee who has a power, other than an absolute power, under the terms of a first trust to invade principal to make current distributions to or for the benefit of one or more beneficiaries may instead exercise such power by appointing all or part of the principal of the first trust subject to such power in favor of a trustee of one or more second trusts. If the authorized trustee exercises such power:

(a) The second trusts, in the aggregate, shall grant each beneficiary of the first trust beneficial interests in the second trusts which are substantially similar to the beneficial interests of the beneficiary in the first trust.

(b) If the first trust grants a power of appointment to a beneficiary of the first trust, the second trust shall grant such power of appointment in the second trust to such beneficiary, and the class of permissible appointees shall be the same as in the first trust.

(c) If the first trust does not grant a power of appointment to a beneficiary of the first trust, then the second trust may not grant a power of appointment in the second trust to such beneficiary.

(d) Notwithstanding paragraphs (a), (b), and (c), the term of the second trust may extend beyond the term of the first trust, and, for any period after the first trust would have otherwise terminated, in whole or in part, under the provisions of the first trust, the trust instrument of the second trust may, with respect to property subject to such extended term:

1. Include language providing the trustee with the absolute power to invade the principal of the second trust during such extended term; and
2. Create a power of appointment, if the powerholder is a current beneficiary of the first trust, or expand the class of permissible appointees in favor of which a power of appointment may be exercised.

(4) **DISTRIBUTION FROM FIRST TRUST TO SUPPLEMENTAL NEEDS TRUST.**—

(a) Notwithstanding subsections (2) and (3), unless the trust instrument expressly provides otherwise, an authorized trustee who has the power under the terms of a first trust to invade the principal of the first trust to make current distributions to or for the benefit of a beneficiary with a disability may instead exercise such power by appointing all or part of the principal of the first trust in favor of a trustee of a second trust that is a supplemental needs trust if:

1. The supplemental needs trust benefits the beneficiary with a disability;
2. The beneficiaries of the second trust include only beneficiaries of the first trust; and
3. The authorized trustee determines that the exercise of such power will further the purposes of the first trust.

(b) Except as affected by any change to the interests of the beneficiary with a disability, the second trusts, in the aggregate, shall grant each other beneficiary of the first trust beneficial interests in the second trusts which are substantially similar to such beneficiary's beneficial interests in the first trust.

(5) **PROHIBITED DISTRIBUTIONS.**—

(a) An authorized trustee may not distribute the principal of a trust under this section in a manner that would prevent a contribution to that trust from qualifying for, or that would reduce the exclusion, deduction,

or other federal tax benefit that was originally claimed or could have been claimed for, that contribution, including:

1. The exclusions under s. 2503(b) or s. 2503(c) of the Internal Revenue Code;
2. A marital deduction under s. 2056, s. 2056A, or s. 2523 of the Internal Revenue Code;
3. A charitable deduction under s. 170(a), s. 642(c), s. 2055(a), or s. 2522(a) of the Internal Revenue Code;
4. Direct skip treatment under s. 2642(c) of the Internal Revenue Code; or
5. Any other tax benefit for income, gift, estate, or generation-skipping transfer tax purposes under the Internal Revenue Code.

(b) If S corporation stock is held in the first trust, an authorized trustee may not distribute all or part of that stock to a second trust that is not a permitted shareholder under s. 1361(c)(2) of the Internal Revenue Code. If the first trust holds stock in an S corporation and is, or but for provisions of paragraphs (a), (c), and (d) would be, a qualified subchapter S trust within the meaning of s. 1361(d) of the Internal Revenue Code, the second trust instrument may not include or omit a term that prevents it from qualifying as a qualified subchapter S trust.

(c) Except as provided in paragraphs (a), (b), and (d), an authorized trustee may distribute the principal of a first trust to a second trust regardless of whether the settlor is treated as the owner of either trust under ss. 671-679 of the Internal Revenue Code; however, if the settlor is not treated as the owner of the first trust, he or she may not be treated as the owner of the second trust unless he or she at all times has the power to cause the second trust to cease being treated as if it were owned by the settlor.

(d) If an interest in property which is subject to the minimum distribution rules of s. 401(a)(9) of the Internal Revenue Code is held in trust, an authorized trustee may not distribute such an interest to a second trust under subsection (2), subsection (3), or subsection (4) if the distribution would shorten the otherwise applicable maximum distribution period.

(6) **EXERCISE BY WRITING.**—The exercise of a power to invade principal under subsection (2), subsection (3), or subsection (4) must be by a written instrument in writing, signed and acknowledged by the authorized trustee, and filed with the records of the first trust.

(7)(3) **RESTRICTIONS ON EXERCISE OF POWER.**—The exercise of a power to invade principal under subsection (2), subsection (3), or subsection (4):

(a) Is ~~(1) shall be~~ considered the exercise of a power of appointment, excluding other than a power to appoint to the authorized trustee, the authorized trustee's creditors, the authorized trustee's estate, or the creditors of the authorized trustee's estate.

(b) Is, ~~and shall be~~ subject to the provisions of s. 689.225 covering the time at which the permissible period of the rule against perpetuities begins and the law that determines the permissible period of the rule against perpetuities of the first trust.

(c) May be to a second trust created or administered under the law of any jurisdiction.

(d) May not:

1. Increase the authorized trustee's compensation beyond the compensation specified in the first trust instrument; or
2. Relieve the authorized trustee from liability for breach of trust or provide for indemnification of the authorized trustee for any liability or claim to a greater extent than the first trust instrument; however, the exercise of the power may divide and reallocate fiduciary powers among fiduciaries and relieve a fiduciary from liability for an act or failure to act of another fiduciary as otherwise allowed under law or common law.

(8) **NOTICE.**—

(a)(4) The authorized trustee shall provide written notification of the manner in which he or she intends to exercise his or her power to invade principal to ~~notify all qualified beneficiaries of the following parties first trust, in writing,~~ at least 60 days before prior to the effective date of the authorized trustee's exercise of such power ~~the trustee's power to invade principal pursuant to subsection (2), subsection (3), or subsection (4): (1), of the manner in which the trustee intends to exercise the power.~~

1. All qualified beneficiaries of the first trust;
2. If paragraph (5)(c) applies, the settlor of the first trust;
3. All trustees of the first trust; and
4. Any person who has the power to remove or replace the authorized trustee of the first trust.

(b) The authorized trustee shall satisfy the trustee's notice obligation under this subsection is satisfied when he or she provides copies of the proposed instrument exercising the power, the trust instrument of the first trust, and the proposed trust instrument of the second trust.

(c) If all of those required to be notified qualified beneficiaries waive the notice period by signed written instrument delivered to the authorized trustee, the authorized trustee's power to invade principal shall be exercisable immediately.

(d) The authorized trustee's notice under this subsection does ~~shall~~ not limit the right of any beneficiary to object to the exercise of the authorized trustee's power to invade principal except as otherwise provided in other applicable provisions of this code.

(9)(5) **INAPPLICABILITY OF SPENDTHRIFT CLAUSE OR OTHER PROHIBITION.**—The exercise of the power to invade principal under subsection (2), subsection (3), or subsection (4) ~~(1)~~ is not prohibited by a spendthrift clause or by a provision in the trust instrument that prohibits amendment or revocation of the trust.

(10)(6) **NO DUTY TO EXERCISE.**—Nothing in this section is intended to create or imply a duty to exercise a power to invade principal, and no inference of impropriety may ~~shall~~ be made as a result of an authorized trustee's failure to exercise a ~~trustee not exercising~~ power to invade principal conferred under subsections (2), (3), and (4) ~~subsection (1)~~.

(11)(7) **NO ABRIDGEMENT OF COMMON LAW RIGHTS.**—The provisions of this section may ~~shall~~ not be construed to abridge the right of any trustee who has a power of invasion to appoint property in further trust that arises under the terms of the first trust or under any other section of this code or under another provision of law or under common law.

Section 20. Subsection (3) of section 736.08135, Florida Statutes, is amended to read:

736.08135 Trust accountings.—

(3) Subsections (1) and (2) govern the form and content of ~~This section applies to~~ all trust accountings rendered for any accounting periods beginning on or after January 1, 2003, and all trust accountings rendered on or after July 1, 2017. This subsection does not affect the beginning period from which a trustee is required to render a trust accounting.

Section 21. Subsection (3) of section 736.1008, Florida Statutes, is amended to read:

736.1008 Limitations on proceedings against trustees.—

(3) When a trustee has not issued a final trust accounting or has not given written notice to the beneficiary of the availability of the trust records for examination and that claims with respect to matters not adequately disclosed may be barred, a claim against the trustee for breach of trust based on a matter not adequately disclosed in a trust disclosure document is barred as provided in chapter 95 and accrues when the beneficiary has actual knowledge of:

(a) The facts upon which the claim is based, if such actual knowledge is established by clear and convincing evidence; or

(b) The trustee's repudiation of the trust or adverse possession of trust assets.

Paragraph (a) applies to claims based upon acts or omissions occurring on or after July 1, 2008. *A beneficiary's actual knowledge that he or she has not received a trust accounting does not cause a claim to accrue against the trustee for breach of trust based upon the failure to provide a trust accounting required by s. 736.0813 or former s. 737.303 and does not commence the running of any period of limitations or laches for such a claim, and paragraph (a) and chapter 95 do not bar any such claim.*

Section 22. *The changes to ss. 736.08135 and 736.1008, Florida Statutes, made by this act are intended to clarify existing law, are remedial in nature, and apply retroactively to all cases pending or commenced on or after July 1, 2017.*

Section 23. Present subsections (2), (3), and (4) of section 736.1201, Florida Statutes, are redesignated as subsections (3), (4), and (5), respectively, present subsection (5) of that section is amended, and a new subsection (2) is added to that section, to read:

736.1201 Definitions.—As used in this part:

(2) *“Delivery of notice” means delivery of a written notice required under this part using any commercial delivery service requiring a signed receipt or by any form of mail requiring a signed receipt.*

~~(5) “State attorney” means the state attorney for the judicial circuit of the principal place of administration of the trust pursuant to s. 736.0108.~~

Section 24. Section 736.1205, Florida Statutes, is amended to read:

736.1205 Notice that this part does not apply.—In the case of a power to make distributions, if the trustee determines that the governing instrument contains provisions that are more restrictive than s. 736.1204(2), or if the trust contains other powers, inconsistent with the provisions of s. 736.1204(3) that specifically direct acts by the trustee, the trustee shall notify the ~~state~~ Attorney General by *delivery of notice* when the trust becomes subject to this part. Section 736.1204 does not apply to any trust for which notice has been given pursuant to this section unless the trust is amended to comply with the terms of this part.

Section 25. *Sections 1 through 12 and section 17 of this act apply to electronic wills executed on or after July 1, 2017.*

Section 26. Subsection (2) of section 736.1206, Florida Statutes, is amended to read:

736.1206 Power to amend trust instrument.—

(2) In the case of a charitable trust that is not subject to ~~the provisions of~~ subsection (1), the trustee may amend the governing instrument to comply with ~~the provisions of~~ s. 736.1204(2) *after delivery of notice to, and with the consent of, the state Attorney General.*

Section 27. Section 736.1207, Florida Statutes, is amended to read:

736.1207 Power of court to permit deviation.—This part does not affect the power of a court to relieve a trustee from any restrictions on the powers and duties that are placed on the trustee by the governing instrument or applicable law for cause shown and on complaint of the trustee, ~~the state~~ Attorney General, or an affected beneficiary and notice to the affected parties.

Section 28. Paragraph (b) of subsection (4) of section 736.1208, Florida Statutes, is amended to read:

736.1208 Release; property and persons affected; manner of effecting.—

(4) Delivery of a release shall be accomplished as follows:

(b) If the release is accomplished by reducing the class of permissible charitable organizations, by delivery of ~~notice~~ *a copy* of the release to the ~~state~~ Attorney General, *including a copy of the release.*

Section 29. Section 736.1209, Florida Statutes, is amended to read:

736.1209 Election to come under this part.—With the consent of that organization or organizations, a trustee of a trust for the benefit of a public charitable organization or organizations may come under s. 736.1208(5) by *delivery of notice to filing with the state Attorney General of the an* election, accompanied by the proof of required consent. Thereafter the trust shall be subject to s. 736.1208(5).

Section 30. Except as otherwise provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2017.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to wills and trusts; amending s. 731.201, F.S.; revising the definition of the term “will” to include electronic wills; amending s. 732.506, F.S.; excluding electronic wills from specified methods to revoke a will; creating s. 732.521, F.S.; providing a short title; creating s. 732.522, F.S.; defining terms; creating s. 732.523, F.S.; specifying requirements that must be satisfied in the execution of electronic wills; creating s. 732.524, F.S.; providing requirements for self-proof of electronic wills; creating s. 732.525, F.S.; specifying the circumstances under which a person is deemed to be in the presence of or appearing before another person; providing that an electronic record satisfies the requirement that a record be in writing; providing that an electronic signature satisfies the requirement that a document be signed; providing requirements for certain documents to be deemed executed in this state; creating s. 732.526, F.S.; authorizing an electronic will of a nonresident of this state which is properly executed in this or another state to be offered for and admitted to probate in this state; providing the venue for the probate of such electronic will; creating s. 732.527, F.S.; specifying requirements for service as a qualified custodian; requiring qualified custodians to provide access to or information concerning the electronic will, or the electronic record containing the electronic will, only to specified persons or as directed by a court; authorizing a qualified custodian to destroy the electronic record of an electronic will after a certain date; providing conditions under which a qualified custodian may cease serving as a qualified custodian; requiring a qualified custodian to cease serving in such capacity upon the written request of the testator; requiring that a successor qualified custodian agree in writing to serve in that capacity for an electronic will before succeeding to office; specifying what constitutes an affidavit of a qualified custodian; requiring a qualified custodian to deliver certain documents upon request from the testator; prohibiting a qualified custodian from charging the testator a fee for such documents under certain circumstances; providing that a qualified custodian is liable for certain damages under certain circumstances; prohibiting a qualified custodian from terminating or suspending access to, or downloads of, an electronic will by the testator; requiring a qualified custodian to deposit an electronic will with the court upon receiving information that the testator is dead; prohibiting a qualified custodian from charging a fee for certain actions taken upon the death of the testator; requiring a qualified custodian to keep certain information confidential; amending s. 732.528, F.S.; requiring a qualified custodian to post and maintain a blanket surety bond, subject to certain requirements, or to maintain a certain liability insurance policy; authorizing the Attorney General to petition a court for the appointment of a receiver to manage certain records under certain conditions; amending s. 732.901, F.S.; providing that an electronic will that is filed electronically with the clerk is deemed to have been deposited as an original of the electronic will; amending s. 733.201, F.S.; providing for the proof of electronic wills; providing requirements for admitting an electronic will that is not self-proved into probate; providing that a paper copy of an electronic will constitutes an “original” of the electronic will subject to certain conditions; amending s. 736.0103, F.S.; redefining the term “interests of the beneficiaries”; amending s. 736.0105, F.S.; deleting a requirement that a trust be for the benefit of the trust's beneficiaries; amending s. 736.0109, F.S.; revising provisions relating to notice or sending of electronic trust documents; providing requirements for such documents to be deemed sent; requiring a certain authorization to specify documents subject to electronic posting; revising requirements for a recipient to electronically access such documents; prohibiting the termi-

nation of a recipient's electronic access to such documents from invalidating certain notice or sending of electronic trust documents; tolling specified limitations periods under certain circumstances; providing requirements for electronic access to such documents to be deemed terminated by a sender; providing applicability; amending s. 736.0110, F.S.; providing that the Attorney General has standing to assert certain rights in certain proceedings; amending s. 736.0403, F.S.; providing that, for purposes of establishing the validity of the testamentary aspects of a revocable trust, the qualified custodian of the trust instrument may not also be a trustee of the trust; amending s. 736.0404, F.S.; deleting a restriction on the purpose for which a trust is created; amending s. 736.04117, F.S.; defining and redefining terms; authorizing an authorized trustee to appoint all or part of the principal of a trust to a second trust under certain circumstances; providing requirements for the second trust and its beneficiaries; providing that the second trust may retain, omit, or create specified powers; authorizing the term of the second trust to extend beyond the term of the first trust; providing requirements for distributions to a second trust when the authorized trustee does not have absolute power; providing requirements for such second trust; providing requirements for grants of power by the second trust; authorizing a second trust created by an authorized trustee without absolute power to grant absolute power to the second trust's trustee; authorizing an authorized trustee to appoint the principal of a first trust to a supplemental needs trust under certain circumstances; providing requirements for such supplemental needs trust; prohibiting an authorized trustee from distributing the principal of a trust in a manner that would reduce specified tax benefits; prohibiting the distribution of S corporation stock from a first trust to a second trust under certain circumstances; prohibiting a settlor from being treated as the owner of a second trust if he or she was not treated as the owner of the first trust; prohibiting an authorized trustee from distributing a trust's interest in property to a second trust if it is subject to specified rules of the Internal Revenue Code; prohibiting the exercise of power to invade a trust's principal to increase an authorized trustee's compensation or relieve him or her from certain liability; specifying who an authorized trustee must notify when he or she exercises his or her power to invade the trust's principal; specifying the documents that the authorized trustee must provide with such notice; amending s. 736.08135, F.S.; revising applicability; amending s. 736.1008, F.S.; clarifying that certain knowledge by a beneficiary does not cause a claim to accrue for breach of trust or commence the running of a period of limitations or laches; providing legislative intent; providing for retroactive application; amending s. 736.1201, F.S.; defining the term "delivery of notice"; conforming a provision to changes made by the act; amending s. 736.1205, F.S.; requiring an authorized trustee to provide certain notice to the Attorney General rather than the state attorney; providing applicability; amending ss. 736.1206, 736.1207, 736.1208, and 736.1209, F.S.; conforming provisions to changes made by the act; providing effective dates.

On motion by Senator Passidomo, by two-thirds vote, **CS for CS for HB 277**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gainer	Rodriguez
Baxley	Galvano	Rouson
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Book	Hutson	Stargel
Bracy	Lee	Steube
Brandes	Mayfield	Stewart
Braynon	Montford	Thurston
Broxson	Passidomo	Torres
Campbell	Perry	Young
Clemens	Powell	
Farmer	Rader	

Nays—None

SPECIAL RECOGNITION

Senator Torres recognized Senator Farmer who was celebrating his birthday on this day.

MOTIONS

On motion by Senator Benacquisto, the rules were waived and **CS for CS for SB 1012**, **CS for SB 1014**, and **SB 1252** were retained on the Special Order Calendar.

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 Friday, April 28, 2017: CS for CS for SB 1406, SB 1416, CS for CS for SB 1682, SB 862, CS for CS for SB 842, SB 314, CS for CS for SB 304, CS for SB 1398, CS for CS for SB 196, CS for SB 1238, CS for SB 1084, CS for CS for SB 1012, CS for SB 928, CS for SB 1014, CS for CS for CS for SB 840, CS for CS for SB 776, CS for SB 446, SB 1252.

Respectfully submitted,
Lizbeth Benacquisto, Rules Chair
Wilton Simpson, Majority Leader
Oscar Braynon II, Minority Leader

The Committee on Rules recommends the following pass: CS for SB 202; CS for SB 204; SB 248; CS for SB 294; CS for CS for SB 680; CS for CS for SB 736; CS for CS for CS for SB 738; CS for CS for SB 744; CS for SB 850; CS for SB 1494; HJR 7105 with 1 amendment; HB 7107 with 1 amendment

The bills were placed on the Calendar.

The Committee on Appropriations recommends committee substitutes for the following: CS for SB 796; CS for SB 880; SB 916

The bills with committee substitute attached were referred to the Committee on Rules under the original reference.

The Committee on Appropriations recommends committee substitutes for the following: CS for CS for SB 240; CS for SB 406; CS for SB 922; CS for CS for SB 1044; CS for SB 1104

The bills with committee substitute attached were placed on the Calendar.

The Committee on Rules recommends the following not pass: CS for SB 856

The bill was laid on the table.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Appropriations; Health Policy; and Banking and Insurance; and Senators Lee and Mayfield—

CS for CS for CS for SB 240—A bill to be entitled An act relating to direct primary care; amending s. 409.973, F.S.; requiring plans operating in the managed medical assistance program to provide enrollees an opportunity to enter into a direct primary care agreement with identified network primary care providers; encouraging such plans to enter into alternative payment arrangements with network primary care providers for a specified purpose; creating s. 456.0625, F.S.; defining terms; authorizing primary care providers or their agents to enter into direct primary care agreements for providing primary care services; providing applicability; specifying requirements for direct primary care agreements; creating s. 624.27, F.S.; providing construction and applicability of the Florida Insurance Code as to direct primary care agreements; providing an exception for primary care providers or their agents from certain requirements under the code under certain circumstances; providing an effective date.

By the Committees on Appropriations; and Health Policy; and Senators Bradley, Young, and Hutson—

CS for CS for SB 406—A bill to be entitled An act relating to compassionate use of low-THC cannabis and marijuana; amending s. 381.986, F.S.; providing legislative intent; defining and redefining terms; authorizing physicians to issue physician certifications to specified patients who meet certain conditions; authorizing physicians to make specific determinations in certifications; requiring physicians to meet certain conditions to be authorized to issue and make determinations in physician certifications; requiring a physician to conduct a physical examination and make a full assessment of the medical history of a patient and make certain determinations before the physician may certify a patient and specify a delivery device; requiring a physician to review the compassionate use registry and confirm that a patient does not have an active physician certification issued by another physician before the physician may certify a patient and specify a delivery device; specifying certain persons who may assist a qualifying patient under the age of 18 in the purchasing and administering of marijuana; prohibiting qualifying patients under the age of 18 from purchasing marijuana; providing that a physician may in certain circumstances certify an amount greater than a 90-day supply; eliminating the requirement that physicians maintain patient treatment plans and submit the treatment plans to the University of Florida College of Pharmacy; requiring written consent of a parent or legal guardian for the treatment of minors; requiring that certain physicians annually reexamine and reassess patients and update patient information in the compassionate use registry; revising criminal penalties; prohibiting a medical marijuana treatment center from advertising services it is not authorized to provide; providing fines; prohibiting a person or entity from advertising or providing medical marijuana treatment center services without being registered with the Department of Health as a medical marijuana treatment center; providing penalties; authorizing a distance learning format for a specified course and reducing the number of hours required for the course; providing that physicians who meet specified requirements are grandfathered for the purpose of specified education requirements; authorizing qualifying patients to designate caregivers; requiring caregivers to meet specified requirements; prohibiting a qualifying patient from designating more than one caregiver at any given time; providing exceptions; requiring the department to register caregivers meeting certain requirements on the compassionate use registry; prohibiting a nursing home or assisted living facility from preventing certain residents from hiring a caregiver; authorizing a nursing home or assisted living facility to prohibit its employees from acting as caregivers to residents; providing that a nursing home or assisted living facility is not required to provide a caregiver to certain residents; revising the entities to which the compassionate use registry must be accessible; requiring the department to adopt certain rules by a specified date; authorizing the department to charge a fee for identification cards; requiring the department to begin issuing identification cards to qualified registrants by a specific date; requiring the department to make certain determinations before issuing an identification card to a patient; providing that a patient or the parent or legal guardian of a patient must provide the department with certain documentation to qualify for an identification card; requiring the department to adopt a rule listing documents that a patient may provide to qualify for an identification card; providing requirements for the identification cards; requiring the department to register certain dispensing organizations as medical marijuana treatment centers by a certain date; requiring the department to register additional medical marijuana treatment centers in accordance with a specified schedule; deleting obsolete provisions; revising the operational requirements for medical marijuana treatment centers; authorizing the department to waive certain requirements under specified circumstances; requiring that certain receptacles be childproof; requiring that additional information be included on certain labels; requiring that a medical marijuana treatment center comply with certain standards in the production and dispensing of edible or food products; requiring a medical marijuana treatment center to enter additional information into the compassionate use registry; restricting the number of dispensing facilities that may dispense marijuana; providing an exception; requiring a medical marijuana treatment center to keep a copy of a transportation manifest in certain vehicles at certain times; requiring the department to establish a quality control program that requires medical marijuana treatment centers to submit samples from each batch or lot of marijuana to an independent testing laboratory; requiring a medical marijuana treatment center to maintain records of all tests conducted; re-

quiring the department to adopt rules to create and oversee the quality control program; providing that the department must license independent testing laboratories; authorizing an independent testing laboratory to collect and accept samples of, possess, store, transport, and test marijuana; prohibiting a person with an ownership interest in a medical marijuana treatment center from owning an independent testing laboratory; requiring the department to develop rules and a process for licensing requirements; authorizing the department to impose application and renewal fees; specifying that an independent testing laboratory must be certified to perform required tests; requiring the department to suspend or reduce any mandatory testing if the number of licensed and certified independent testing laboratories is insufficient to process the tests necessary to meet the patient demand for medical marijuana treatment centers; providing that an independent testing laboratory may only accept certain samples; requiring the department to approve a medical marijuana treatment center's request for a change in ownership, equity structure, or transfer of registration to a new entity if certain criteria are met; providing an exception to a requirement regarding the submission of fingerprints and passing of a background check; providing that a request is deemed approved if not denied by the department within a specified timeframe; requiring the department to adopt rules; requiring the department to establish, maintain, and control a seed-to-sale tracking system for marijuana; providing applicability; conforming provisions to changes made by the act; providing that certain research institutions may possess, test, transport, and dispose of marijuana subject to certain conditions and as provided by department rule; providing for the use of emergency rulemaking procedures by the department; creating s. 1004.4351, F.S.; providing a short title; providing legislative findings; defining terms; establishing the Coalition for Medical Marijuana Research and Education within the H. Lee Moffitt Cancer Center and Research Institute, Inc.; providing a purpose for the coalition; requiring the department to electronically submit to the coalition a data set that includes certain information for each patient registered with the compassionate use registry; requiring the coalition to review the data submitted by the department and to make certain determinations and to potentially issue recommendations for changes to state law and rules; establishing the Medical Marijuana Research and Education Board to direct the operations of the coalition; providing for the appointment of board members; providing for terms of office, reimbursement for certain expenses, and the conduct of meetings of the board; authorizing the board to appoint a coalition director; prescribing the duties of the coalition director; requiring the board to advise specified entities and officials regarding medical marijuana research and education in this state; requiring the board to annually adopt a Medical Marijuana Research and Education Plan; providing requirements for the plan; requiring the board to issue an annual report to the Governor and the Legislature by a specified date; specifying responsibilities of the H. Lee Moffitt Cancer Center and Research Institute, Inc.; amending ss. 381.987, 385.211, 499.0295, and 1004.441, F.S.; conforming provisions to changes made by the act; providing a directive to the Division of Law Revision and Information; providing an effective date.

By the Committees on Appropriations; and Education; and Senator Bean—

CS for CS for SB 796—A bill to be entitled An act relating to K-12 public schools; creating s. 1002.333, F.S., relating to high-impact schools and high-impact school operators; defining terms; providing eligibility criteria for high-impact school operators; providing for the designation and redesignation of a high-impact school operator; authorizing high-impact school operators to establish high-impact schools in specified areas; providing the process for the establishment of a high-impact school; providing the requirements for a performance-based agreement; authorizing the State Board of Education to designate a high-impact school as a local education agency; providing that a school district sponsor is not liable for specified damages; providing that a high-impact school may be a private or public employer; authorizing a high-impact school to participate in the Florida Retirement System; authorizing a high-impact school operator to employ certain staff; providing specific statutory exemptions for high-impact schools; providing requirements for facilities used by high-impact schools; requiring districts to annually provide a list of specified property to the Department of Education; requiring that high-impact schools be funded through the Florida Education Finance Program; establishing additional funding sources and guidelines for eligible expenditures; providing authority

and obligations of the State Board of Education; providing a mechanism for the resolution of disputes; providing for rulemaking; creating s. 1001.292, F.S.; establishing the High-impact Schools Revolving Loan Program; providing criteria for administration of the program; providing an effective date.

By the Committees on Appropriations; and Community Affairs; and Senator Stargel—

CS for CS for SB 880—A bill to be entitled An act relating to government accountability; amending s. 11.40, F.S.; specifying that the Governor, the Commissioner of Education, or the designee of the Governor or of the commissioner may notify the Legislative Auditing Committee of an entity's failure to comply with certain auditing and financial reporting requirements; amending s. 11.45, F.S.; defining the terms "abuse," "fraud," and "waste"; revising the definition of the term "local governmental entity"; excluding water management districts from certain audit requirements; removing a cross-reference; authorizing the Auditor General to conduct audits of tourist development councils and county tourism promotion agencies; revising reporting requirements applicable to the Auditor General; amending s. 28.35, F.S.; revising reporting requirements applicable to the Florida Clerks of Court Operations Corporation; amending s. 43.16, F.S.; revising the responsibilities of the Justice Administrative Commission, each state attorney, each public defender, the criminal conflict and civil regional counsel, the capital collateral regional counsel, and the Guardian Ad Litem Program, to include the establishment and maintenance of certain internal controls; amending s. 112.061, F.S.; revising certain lodging rates for the purpose of reimbursement to specified employees; authorizing an employee to expend his or her funds for certain lodging expenses; defining the term "statewide travel management system"; requiring agencies and the judicial branch to report certain travel information of public officers and employees in the statewide travel management system; requiring executive branch state agencies and the judicial branch to use the statewide travel management system for certain purposes; amending ss. 129.03, 129.06, and 166.241, F.S.; requiring counties and municipalities to maintain certain budget documents on the entities' websites for a specified period; amending s. 215.86, F.S.; revising the purposes for which management systems and internal controls must be established and maintained by each state agency and the judicial branch; amending s. 215.97, F.S.; revising certain audit threshold requirements; amending s. 215.985, F.S.; revising the requirements for a monthly financial statement provided by a water management district; amending s. 218.32, F.S.; revising the requirements for the annual financial audit report of a local governmental entity; authorizing the Department of Financial Services to request additional information from a local governmental entity; requiring a local governmental entity to respond to such requests within a specified timeframe; requiring the department to notify the Legislative Auditing Committee of noncompliance; amending s. 218.33, F.S.; requiring local governmental entities to establish and maintain internal controls to achieve specified purposes; amending s. 218.39, F.S.; requiring an audited entity to respond to audit recommendations under specified circumstances; amending s. 218.391, F.S.; revising the membership of the audit committee of certain governing bodies; prohibiting an audit committee member from being an employee, a chief executive officer, or a chief financial officer of the respective governmental entity; requiring an auditor to include certain information in a management letter; requiring the chair of a governmental entity's governing body to submit an affidavit containing certain information when the entity contracts with an auditor to conduct an audit; providing requirements and procedures for selecting an auditor; requiring the Legislative Auditing Committee to determine whether a governmental entity should be subject to state action under certain circumstances; amending s. 286.0114, F.S.; prohibiting a board or commission from requiring an advance copy of testimony or comments from a member of the public as a precondition to being given the opportunity to be heard at a public meeting; amending s. 373.536, F.S.; deleting obsolete language; requiring water management districts to maintain certain budget documents on the districts' websites for a specified period; amending s. 1001.42, F.S.; authorizing additional internal audits as directed by the district school board; amending s. 1002.33, F.S.; revising the responsibilities of the governing board of a charter school to include the establishment and maintenance of internal controls; removing obsolete provisions; amending s. 1002.37, F.S.; requiring completion of an annual financial audit of the Florida Virtual School; specifying audit require-

ments; requiring an audit report to be submitted to the board of trustees of the Florida Virtual School and the Auditor General; deleting obsolete provisions; amending s. 1010.01, F.S.; requiring each school district, Florida College System institution, and state university to establish and maintain certain internal controls; amending s. 1010.30, F.S.; requiring a district school board, Florida College System institution board of trustees, or university board of trustees to respond to audit recommendations under certain circumstances; amending ss. 218.503 and 1002.455, F.S.; conforming provisions and cross-references to changes made by the act; declaring that the act fulfills an important state interest; providing an effective date.

By the Committee on Appropriations; and Senators Grimsley and Stargel—

CS for SB 916—A bill to be entitled An act relating to the statewide Medicaid managed care program; amending s. 409.912, F.S.; deleting the fee-for-service option as a basis for the reimbursement of Medicaid provider service networks; amending s. 409.964, F.S.; deleting an obsolete provision; amending s. 409.966, F.S.; requiring that a databook consist of data that is consistent with actuarial rate-setting practices and standards; requiring that the source of such data include the 24 most recent months of validated data from the Medicaid Encounter Data System; deleting provisions relating to a report and report requirements; revising the designation and county makeup of regions of the state for purposes of procuring health plans that may participate in the Medicaid program; adding a factor that the Agency for Health Care Administration must consider in the selection of eligible plans; deleting a requirement related to fee-for-service provider service networks; amending s. 409.968, F.S.; requiring, rather than authorizing, provider service networks to be prepaid plans; deleting a fee-for-service option for Medicaid reimbursement for provider service networks; amending s. 409.971, F.S.; deleting an obsolete provision; amending s. 409.974, F.S.; revising the number of eligible Medicaid health care plans the agency must procure for certain regions in the state; deleting an obsolete provision; amending s. 409.978, F.S.; deleting an obsolete provision; amending s. 409.981, F.S.; revising the number of eligible Medicaid health care plans the agency must procure for certain regions in the state; deleting requirement that the agency consider a specific factor relating to the selection of managed medical assistance plans; providing an effective date.

By the Committees on Appropriations; and Banking and Insurance; and Senator Garcia—

CS for CS for SB 922—A bill to be entitled An act relating to insurance adjusters; amending s. 626.015, F.S.; conforming a cross-reference; amending s. 626.854, F.S.; redefining the term "public adjuster"; deleting a certain prohibited act of a public adjuster; deleting a provision specifying the methods for an insured or claimant to provide certain notice to an insurer; providing construction relating to certain limitations on insurance claim payments and public adjuster compensation; revising a prohibition against certain entities relating to a contract or power of attorney that vests certain authority in a property insurance claim; conforming a cross-reference; prohibiting persons from conducting certain activities relating to insurance claims; providing an exception for attorneys and public adjusters; repealing s. 626.8541, F.S., relating to public adjuster apprentices; amending s. 626.8548, F.S.; redefining the term "all-lines adjuster"; creating s. 626.8561, F.S.; defining the term "public adjuster apprentice"; amending s. 626.8584, F.S.; redefining the term "nonresident all-lines adjuster"; amending s. 626.861, F.S.; revising construction relating to employees of an insurer; amending s. 626.864, F.S.; revising the permissible appointments of all-lines adjusters; amending s. 626.865, F.S.; revising the qualifications for licensure for public adjusters; amending s. 626.8651, F.S.; requiring public adjuster apprentices to be appointed, rather than licensed, by the Department of Financial Services; specifying qualifications for such appointments; revising requirements and limitations for public adjusting firms and public adjusters who supervise public adjuster apprentices; revising certain prohibited acts and exceptions to such acts of public adjuster apprentices; conforming provisions to changes made by the act; amending s. 626.8695, F.S.; revising requirements for designating primary adjusters; redefining the term "primary adjuster"; revising the accountability of a primary adjuster for persons under his or her supervision; revising a prohibition against an adjusting firm loca-

tion conducting insurance business under certain circumstances; revising procedures for an adjusting firm to determine a person's current licensure status; repealing s. 626.872, F.S., relating to all-lines adjuster temporary licenses; amending s. 626.874, F.S.; revising conditions for the department to issue adjuster licenses in the event of catastrophes or emergencies; amending s. 626.875, F.S.; revising the minimum time period for a records retention requirement for adjusters; amending s. 626.876, F.S.; revising certain prohibitions relating to exclusive employment of public adjusters and specified all-lines adjusters; repealing s. 626.879, F.S., relating to pools of insurance adjusters; providing an effective date.

By the Committees on Appropriations; Judiciary; and Children, Families, and Elder Affairs; and Senators Garcia and Campbell—

CS for CS for CS for SB 1044—A bill to be entitled An act relating to child welfare; amending s. 39.01, F.S.; defining the term “legal father” and redefining the term “parent”; amending s. 39.201, F.S.; providing that central abuse hotline information may be used for employment screening of residential group home caregivers; amending s. 39.202, F.S.; providing that confidential records held by the Department of Children and Families concerning reports of child abandonment, abuse, or neglect, including reports made to the central abuse hotline and all records generated as a result of such reports, may be accessed for employment screening of residential group home caregivers; changing the time period for the release of records to certain individuals; amending s. 39.301, F.S.; requiring a safety plan to be issued for a perpetrator of domestic violence only if the perpetrator can be located; specifying what constitutes reasonable efforts; requiring that a child new to a family under investigation be added to the investigation and assessed for safety; amending s. 39.302, F.S.; conforming a cross-reference; providing that central abuse hotline information may be used for certain employment screenings; amending s. 39.402, F.S.; requiring a court to inquire as to the identity and location of a child's legal father at the shelter hearing; specifying the types of information that fall within the scope of such inquiry; amending s. 39.503, F.S.; requiring a court to conduct under oath the inquiry to determine the identity or location of an unknown parent; requiring a court to seek additional information relating to a father's identity in such inquiry; requiring the diligent search to determine a parent's or prospective parent's location to include a search of the Florida Putative Father Registry; authorizing the court to order scientific testing to determine parentage if certain conditions exist; amending s. 39.504, F.S.; requiring the same judge to hear a pending dependency proceeding and an injunction proceeding; providing that the court may enter an injunction based on specified evidence; amending s. 39.507, F.S.; requiring a court to consider maltreatment allegations against a parent in an evidentiary hearing relating to a dependency petition; amending s. 39.5085, F.S.; revising eligibility guidelines for the Relative Caregiver Program with respect to relative and nonrelative caregivers; amending s. 39.521, F.S.; providing new time guidelines for filing with the court and providing copies of case plans and family functioning assessments; providing for assessment and program compliance for a parent who caused harm to a child by exposing the child to a controlled substance; providing in-home safety plan requirements; providing requirements for family functioning assessments; providing supervision requirements after reunification; amending s. 39.522, F.S.; providing conditions for returning a child to the home with an in-home safety plan; amending s. 39.523, F.S.; providing legislative findings and intent; requiring children placed in out-of-home care to be assessed to determine the most appropriate placement; requiring the placement assessments to be documented in the Florida Safe Families Network; requiring a court to review and approve placements; requiring the department to post specified information relating to assessment and placement on its website and update that information annually on specified dates; authorizing the department to adopt rules; creating s. 39.6001, F.S.; requiring the department, in partnership with the Department of Health, the Agency for Health Care Administration, and other state agencies and community partners, to develop a strategy for certain coordinated services; providing for creation of a safe care plan that addresses the health and substance abuse disorder treatment needs of a newborn and affected family or caregivers and provides for the monitoring of services provided under the plan; amending s. 39.6011, F.S.; providing requirements for confidential information in a case planning conference; providing restrictions; amending s. 39.6012, F.S.; providing for assessment and program compliance for a parent who caused harm to a child by exposing the

child to a controlled substance; amending s. 39.6221, F.S.; providing that relocation requirements for parents in dissolution proceedings do not apply to certain permanent guardianships; amending s. 39.701, F.S.; providing safety assessment requirements for children coming into a home under court jurisdiction; granting rulemaking authority; amending s. 39.801, F.S.; providing an exception to the notice requirement regarding the advisory hearing for a petition to terminate parental rights; amending s. 39.803, F.S.; requiring a court to conduct under oath the inquiry to determine the identity or location of an unknown parent after the filing of a termination of parental rights petition; requiring a court to seek additional information relating to a legal father's identity in such inquiry; revising minimum requirements for the diligent search to determine the location of a parent or prospective parent; authorizing the court to order scientific testing to determine parentage if certain conditions exist; amending s. 39.806, F.S.; revising circumstances under which grounds for the termination of parental rights may be established; amending s. 39.811, F.S.; revising circumstances under which the rights of one parent may be terminated without terminating the rights of the other parent; amending s. 125.901, F.S.; creating an exception to the requirement that, for an independent special district in existence on a certain date and serving a population of a specified size, the governing body of the county submit the question of the district's retention or dissolution to the electorate in a specified general election; amending s. 322.051, F.S., requiring that an identification card for certified unaccompanied homeless youth include a specified statement; amending s. 395.3025, F.S.; revising requirements for access to patient records; amending s. 402.40, F.S.; defining the term “child welfare trainer”; providing rulemaking authority; creating s. 409.16741, F.S.; providing legislative findings and intent; requiring the Department of Children and Families to develop or adopt one or more initial screening assessment instruments to identify and determine the needs of, and plan services for, substance-exposed newborns and their families; requiring the department to conduct certain staffings relating to services for substance-exposed newborns and their families; requiring that certain local service capacity be assessed; requiring that child protective investigators receive specialized training in working with substance-exposed newborns and their families before they accept such cases when possible; providing for consultation; creating s. 409.16742, F.S.; providing legislative findings and intent; establishing a shared family care residential services pilot program for substance-exposed newborns; amending s. 409.992, F.S.; limiting compensation from state-appropriated funds for administrative employees of community-based care agencies; amending s. 456.057, F.S.; revising requirements for access to patient records; repealing s. 409.141, F.S., relating to equitable reimbursement methodology; repealing s. 409.1677, F.S., relating to model comprehensive residential services programs; amending s. 743.067, F.S.; defining the term “certified unaccompanied homeless youth”; requiring the Office on Homelessness within the Department of Children and Families to develop a standardized form to be used in the certification process; providing information that must be included in the form; authorizing a certified unaccompanied homeless youth to apply at no charge to the Department of Highway Safety and Motor Vehicles for an identification card; conforming terminology; amending s. 1009.25, F.S.; revising the exemption from the payment of tuition and fees for homeless students; amending ss. 39.524, 394.495, 409.1678, and 960.065, F.S.; conforming cross-references; amending ss. 409.1679 and 1002.3305, F.S.; conforming provisions to changes made by the act; reenacting s. 483.181(2), F.S., relating to acceptance, collection, identification, and examination of specimens, to incorporate the amendment made to s. 456.057, F.S., in a reference thereto; providing an appropriation; providing effective dates.

By the Committees on Appropriations; and Environmental Preservation and Conservation; and Senator Perry—

CS for CS for SB 1104—A bill to be entitled An act relating to resource recovery and management; amending s. 403.703, F.S.; defining the terms “gasification,” “post-use polymer,” “pyrolysis,” and “pyrolysis facility” and revising definitions; amending s. 403.7045, F.S.; providing that certain pyrolysis facilities are exempt from certain resource recovery regulations; conforming a cross-reference; amending s. 403.7046, F.S.; requiring certain handlers of post-use polymers to certify to the Department of Environmental Protection; revising rule requirements relating to such certification; authorizing recovered materials dealers to use pyrolysis facilities for recovered materials or post-use polymers

processing; amending ss. 171.205, 316.003, 377.709, and 487.048, F.S.; conforming cross-references; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Appropriations; and Senators Grimsley and Stargel—

CS for SB 916—A bill to be entitled An act relating to the statewide Medicaid managed care program; amending s. 409.912, F.S.; deleting the fee-for-service option as a basis for the reimbursement of Medicaid provider service networks; amending s. 409.964, F.S.; deleting an obsolete provision; amending s. 409.966, F.S.; requiring that a databook consist of data that is consistent with actuarial rate-setting practices and standards; requiring that the source of such data include the 24 most recent months of validated data from the Medicaid Encounter Data System; deleting provisions relating to a report and report requirements; revising the designation and county makeup of regions of the state for purposes of procuring health plans that may participate in the Medicaid program; adding a factor that the Agency for Health Care Administration must consider in the selection of eligible plans; deleting a requirement related to fee-for-service provider service networks; amending s. 409.968, F.S.; requiring, rather than authorizing, provider service networks to be prepaid plans; deleting a fee-for-service option for Medicaid reimbursement for provider service networks; amending s. 409.971, F.S.; deleting an obsolete provision; amending s. 409.974, F.S.; revising the number of eligible Medicaid health care plans the agency must procure for certain regions in the state; deleting an obsolete provision; amending s. 409.978, F.S.; deleting an obsolete provision; amending s. 409.981, F.S.; revising the number of eligible Medicaid health care plans the agency must procure for certain regions in the state; deleting requirement that the agency consider a specific factor relating to the selection of managed medical assistance plans; providing an effective date.

—was placed on the Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 259 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Local, Federal & Veterans Affairs Subcommittee and Representative(s) Magar, Harrell—

CS for HB 259—A bill to be entitled An act relating to Martin County; creating the Village of Indiantown; providing a charter; providing legislative intent; providing for a council-manager form of government; providing boundaries; providing municipal powers; providing for a village council and composition thereof; providing for eligibility, terms, duties, compensation, and reimbursement of expenses of council members; providing for a mayor and vice mayor; providing scheduling requirements of council meetings; prohibiting interference with village employees; providing for filling of vacancies and forfeiture of office; providing for the appointment of a village manager and village attorney and the qualifications, removal, powers, and duties thereof; providing for the establishment of village departments, agencies, personnel, and boards; providing for an annual independent audit; providing that the state is not liable for financial shortfalls of the village; providing for nonpartisan elections and matters relating thereto; providing for the recall of council members; providing for initiative and referenda; providing for a code of ethics; providing for future amendments to the charter; providing for severability; providing a village transition schedule and procedures for the first election; providing for first-year expenses; providing for adoption of comprehensive plans and land development regulations; providing for accelerated entitlement to state-shared revenues; providing for entitlement to all local revenue sources allowed by general law; providing for the sharing of communications

services tax revenues; providing for receipt and distribution of local option gas tax revenues; providing for waiver of specified eligibility provisions; requiring a referendum; providing effective dates.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 277 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Judiciary Committee, Civil Justice & Claims Subcommittee and Representative(s) Grant, J., White, Burgess, Duran, Fischer—

CS for CS for HB 277—A bill to be entitled An act relating to electronic wills; amending s. 731.201, F.S.; revising the definition of the term "will" to include electronic wills; amending s. 732.506, F.S.; specifying the manner in which an electronic will is revoked; creating s. 732.521, F.S.; providing a short title; creating s. 732.522, F.S.; providing definitions; creating s. 732.523, F.S.; specifying requirements that must be satisfied in the execution of electronic wills; creating s. 732.524, F.S.; providing requirements for self-proof of electronic wills; creating s. 732.525, F.S.; providing that an electronic signature satisfies the requirement that a document be signed; providing requirements for certain documents to be deemed executed in this state; creating s. 732.526, F.S.; authorizing an electronic will that is properly executed in this or another state to be offered for and admitted to probate in this state; providing the venue for the probate of such electronic will; creating s. 732.527, F.S.; specifying requirements for service as a qualified custodian; requiring qualified custodians to provide access to or information concerning the electronic will, or the electronic record containing the electronic will, only to specified persons; authorizing a qualified custodian to destroy the electronic record of an electronic will after a certain date; requiring a qualified custodian to cancel, delete, destroy, mark as revoked, or obliterate an electronic will under certain circumstances; providing conditions under which a qualified custodian may cease service as a qualified custodian; requiring a qualified custodian to cease serving in such capacity upon the written request of the testator; requiring that a successor qualified custodian agree in writing to serve in that capacity for an electronic will before succeeding to office; specifying what constitutes an affidavit of a qualified custodian; requiring a qualified custodian to deliver certain documents upon request from the testator; prohibiting a qualified custodian from charging the testator a fee for such documents under certain circumstances; providing that a qualified custodian is liable for certain damages under certain circumstances; prohibiting a qualified custodian from terminating or suspending access to, or downloads of, an electronic will by the testator; prohibiting a qualified custodian from charging a fee for certain actions taken upon the death of the testator; requiring a qualified custodian to keep certain information confidential; creating s. 732.528, F.S.; providing indemnity requirements for qualified custodians; providing the Attorney General standing to petition a court for the appointment of a receiver to manage electronic records of a qualified custodian under certain conditions; amending s. 733.201, F.S.; providing for the proof of electronic wills; providing requirements for admitting an electronic will that is not self-proved into probate; providing that a paper copy of an electronic will constitutes an "original" of the electronic will subject to certain conditions; providing applicability ; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 329 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Health & Human Services Committee and Representative(s) Harrell, Albritton—

CS for HB 329—A bill to be entitled An act relating to child protection; amending s. 61.13, F.S.; prohibiting a time-sharing plan from requiring or being interpreted to require visitation at a recovery re-

sidence between specified hours; providing exceptions; requiring the court to consider certain factors to determine the best interest of the child; prohibiting the court from ordering visitation at a recovery residence under specified circumstances; amending s. 397.487, F.S.; authorizing a certified recovery residence to allow a minor child to visit a recovery residence, excluding visits during specified hours; providing exceptions; prohibiting a certified recovery residence from allowing visitation under specified circumstances; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 343 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Asencio, Cortes, J., Gruters, Mercado, Slosberg—

CS for CS for HB 343—A bill to be entitled An act relating to payment card offenses; amending s. 817.625, F.S.; revising definitions; revising terminology; revising offenses of using a scanning device or re-encoder with the intent to defraud; prohibiting the use of a skimming device with intent to defraud; prohibiting the possession, sale, or delivery of a skimming device; providing criminal penalties; amending s. 921.0022, F.S.; ranking the offense of possessing, selling, or delivering a skimming device on the offense severity ranking chart; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 531 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Berman—

HB 531—A bill to be entitled An act relating to the Solid Waste Authority of Palm Beach County, Palm Beach County; amending ch. 2001-331, Laws of Florida; increasing the time period for granting or extending a franchise, contract, or permit; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 533 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Cruz—

HB 533—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; authorizing the City of Tampa to enter into a supplemental contract with certain firefighters and police officers to comply with ch. 2015-39, Laws of Florida, by providing for the establishment of an unfunded defined contribution plan component; authorizing the board of trustees to adopt rules implementing the defined contribution plan component in the event it becomes funded; confirming in part the City of Tampa Firefighters and Police Officers Pension Contract; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 573, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Agriculture & Natural Resources Appropriations Subcommittee, Natural Resources & Public Lands Subcommittee and Representative(s) Burton, Killebrew—

CS for CS for HB 573—A bill to be entitled An act relating to water protection and sustainability; creating the "Heartland Headwaters Protection and Sustainability Act"; creating s. 373.462, F.S.; providing legislative findings and intent; creating s. 373.463, F.S.; requiring the Polk Regional Water Cooperative to prepare an annual report concerning water resource projects within a specified area; specifying requirements for such report; requiring the report to be submitted annually to the Legislature, the Department of Environmental Protection, and the appropriate water management districts; requiring the inclusion of such report in the appropriate consolidated water management district annual report; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on the Environment and Natural Resources; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 647 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Grant, J., Toledo, Harrison, Raburn, Raulerson, Shaw, Spano—

HB 647—A bill to be entitled An act relating to the Hillsborough County Public Transportation Commission; prohibiting the commission from incurring additional obligations or indebtedness; requiring the commission to wind down its affairs, liquidate its assets, and satisfy its obligations and indebtedness by a specified date; repealing chs. 98-451, 2001-299, 2007-297, 2008-290, 2010-265, 2010-272, and 2012-247, Laws of Florida; dissolving the commission; amending ch. 2000-445, Laws of Florida, as amended; correcting a cross reference; providing effective dates.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 687 by the required Constitutional two-thirds vote of the membership and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Commerce Committee, Energy & Utilities Subcommittee and Representative(s) La Rosa, Avila—

CS for CS for HB 687—A bill to be entitled An act relating to utilities; amending s. 337.401, F.S.; authorizing the Department of Transportation and certain local governmental entities to prescribe and enforce rules or regulations regarding the placing and maintaining of certain voice or data communications services lines or wireless facilities on certain rights-of-way; providing a short title; providing definitions; prohibiting an authority from prohibiting, regulating, or charging for the collocation of small wireless facilities in public rights-of-way under certain circumstances; authorizing an authority to require a registration process and permit fees under certain circumstances; requiring an authority to accept, process, and issue applications for permits subject to specified requirements; prohibiting an authority from requiring ap-

proval or requiring fees or other charges for routine maintenance, the replacement of certain wireless facilities, or the installation, placement, maintenance, or replacement of certain micro wireless facilities; providing an exception; providing requirements for the collocation of small wireless facilities on authority utility poles; providing requirements for rates, fees, and other terms related to authority utility poles; authorizing an authority to apply current ordinances regulating placement of communications facilities in the right-of-way for certain applications; requiring an authority to waive certain permit application requirements and small wireless facility placement requirements; prohibiting an authority from adopting or enforcing any regulation on the placement or operation of certain communications facilities and from regulating any communications services or imposing or collecting any tax, fee, or charge not specifically authorized under state law; providing construction; requiring a wireless provider to comply with certain nondiscriminatory undergrounding requirements of an authority; authorizing the authority to waive any such requirements; authorizing a wireless infrastructure provider to apply to an authority to place utility poles in the public rights-of-way to support the collocation of small wireless facilities; providing application requirements; requiring the authority to accept and process the application subject to certain requirements; providing construction; authorizing an authority to enforce certain local codes, administrative rules, or regulations; authorizing an authority to enforce certain pending local ordinances, administrative rules, or regulations under certain circumstances, subject to waiver by the authority; providing construction; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Governmental Oversight and Accountability; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 695 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Government Accountability Committee, Transportation & Tourism Appropriations Subcommittee, Transportation & Infrastructure Subcommittee and Representative(s) Santiago—

CS for CS for CS for HB 695—A bill to be entitled An act relating to the South Florida Regional Transportation Authority; creating s. 343.545, F.S.; defining terms; authorizing the South Florida Regional Transportation Authority, in conjunction with the operation of a certain commuter rail service, to have the power to assume specified indemnification and insurance obligations, subject to certain requirements; amending s. 341.302, F.S.; authorizing the Department of Transportation to agree to assume certain indemnification and insurance obligations under certain circumstances; amending s. 343.52, F.S.; defining the term "department"; amending s. 343.53, F.S.; conforming a cross-reference; amending s. 343.54, F.S.; prohibiting the authority from entering into certain contracts or agreements without department approval of the authority's expenditures; amending s. 343.58, F.S.; providing that certain funds provided to the authority constitute state financial assistance; requiring a written agreement for provision of such funds; authorizing the department to advance a certain amount of funds under certain circumstances; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 699 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Mariano, Yarborough—

CS for CS for HB 699—A bill to be entitled An act relating to Internet identifiers; amending s. 775.21, F.S.; revising the definition of the term "Internet identifier"; defining the term "social Internet communication"; requiring a sexual predator to register each Internet identifier's corresponding website homepage or application software name with the Department of Law Enforcement through the sheriff's office; requiring a sexual predator to report any change to certain information after initial in-person registration in a specified manner; providing that the department's sexual predator registration list is a public record, unless otherwise made exempt or confidential and exempt; providing penalties; making technical changes; amending s. 943.0435, F.S.; requiring a sexual offender, upon initial registration, to report in person at the sheriff's office; requiring the sexual offender to report any change to each Internet identifier's corresponding website homepage or application software name in person at the sheriff's office in a specified manner; requiring a sexual offender to report any change to certain information after initial in-person registration in a specified manner; making technical changes; reenacting ss. 943.0437(2), 944.606(1)(c), 944.607(1)(e), 985.481(1)(c), and 985.4815(1)(e), F.S., relating to the definition of the term "Internet identifier," to incorporate the amendment made to s. 775.21, F.S., in references thereto; reenacting ss. 944.606(3)(a), 944.607(4)(a), (9), and (13)(c), 985.481(3)(a), and 985.4815(4)(a), (9), and (13)(b), F.S., relating to sexual offenders, notification to the Department of Law Enforcement of information on sexual offenders, notification to the department upon release of sexual offenders adjudicated delinquent, and notification to the department of information on juvenile sexual offenders, respectively, to incorporate the amendment made to s. 943.0435, F.S., in references thereto; reenacting ss. 794.056(1), 921.0022(3)(g), and 938.085, F.S., relating to the Rape Crisis Program Trust Fund, the Criminal Punishment Code offense severity ranking chart, and additional costs to fund rape crisis centers, respectively, to incorporate the amendments made to ss. 775.21 and 943.0435, F.S., in references thereto; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 727, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Commerce Committee, Government Operations & Technology Appropriations Subcommittee, Careers & Competition Subcommittee and Representative(s) Leek, Edwards, Alexander, Asencio, Byrd, Clemons, Fine, Fischer, Grall, Grant, J., Gruters, Hahnfeldt, Henry, Mariano, Massullo, McClain, Miller, A., Moraitis, Payne, Peters, Ponder, Renner, Rommel, Roth, Santiago, Silvers, White—

CS for CS for CS for HB 727—A bill to be entitled An act relating to the accessibility of places of public accommodation; creating s. 553.5141, F.S.; providing definitions; authorizing qualified experts to advise and provide certain inspections for places of public accommodation relating to the Americans with Disabilities Act; authorizing certain owners of a place of public accommodation to file a certificate of conformity or remediation plan with the Department of Business and Professional Regulation; providing requirements for such submission; requiring a court to consider certain information in specified actions; requiring the department to develop and maintain a website for specified purposes; providing an appropriation; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 737 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Local, Federal & Veterans Affairs Subcommittee and Representative(s) Hager—

CS for HB 737—A bill to be entitled An act relating to the Port of Palm Beach District, Palm Beach County; codifying, amending, reenacting, and repealing special acts relating to the district; repealing chs. 74-570, 75-468, 81-459, 87-523, 90-462, 95-467, and 99-457, Laws of Florida; deleting obsolete language; redesignating the trade zones established by the district as foreign trade zones and authorizing such foreign trade zones to maintain trade operations outside of the boundaries of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 759 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Government Accountability Committee and Representative(s) Clemons—

CS for HB 759—A bill to be entitled An act relating to the City of Gainesville, Alachua County; amending ch. 12760, Laws of Florida (1927), as amended by ch. 90-394, Laws of Florida, relating to the city's charter; repealing section 3.06 of the city's charter, relating to the appointment, qualifications, powers, and duties of the general manager for utilities of Gainesville Regional Utilities; creating the Gainesville Regional Utilities Authority and establishing it as the governing board of Gainesville Regional Utilities; providing definitions; specifying the powers and duties of the authority; specifying the composition of the authority and the selection and removal, terms, compensation, organization, and liability of its members; specifying certain management and personnel for the authority; specifying applicability to certain city ordinances, policies, rates, fees, assessments, charges, rules, regulations, budgets, and contracts; requiring the authority to develop and review an ethics policy and code of conduct; providing a ballot statement; requiring a referendum; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 879 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Justice Appropriations Subcommittee and Representative(s) Burgess—

CS for HB 879—A bill to be entitled An act relating to the unlawful acquisition of utility services; amending s. 812.14, F.S.; revising the elements that constitute theft of utilities; clarifying that the presence of certain devices and alterations on the property of, and the actual possession by, a person constitutes prima facie evidence of a violation; clarifying that certain evidence of the manufacturing of a controlled substance in a leased dwelling constitutes prima facie evidence of a violation by an owner, lessor, sublessor; clarifying that specified circumstances create prima facie evidence of theft of utility services for the purpose of facilitating the manufacture of a controlled substance; revising such circumstances; specifying the types of damages that may be recovered as civil damages or restitution in a criminal case for damaging property of a utility or for the theft of electricity services; specifying the methods and bases used to determine and assess damages in a civil action or restitution in a criminal case for damaging property of a utility or for the theft of electricity services; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 891 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Beshears—

HB 891—A bill to be entitled An act relating to the Carrabelle Port and Airport Authority, Franklin County; repealing chs. 80-471 and 86-464, Laws of Florida; abolishing the district; transferring assets and liabilities of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 905 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Fine—

HB 905—A bill to be entitled An act relating to the Barefoot Bay Recreation District, Brevard County; authorizing an amendment to the district charter, subject to approval by a vote of the electors of the district, to impose term limits for members of the board of trustees; providing an exception to general law; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 921 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Local, Federal & Veterans Affairs Subcommittee and Representative(s) Grall—

CS for HB 921—A bill to be entitled An act relating to Fellsmere Drainage District, Indian River County; codifying the district's charter pursuant to s. 189.019, Florida Statutes; providing legislative intent; amending, codifying, reenacting, and repealing special acts relating to the district; repealing chs. 8877 (1921), 11555 (1925), 12023 (1927), 14719 (1931), 16998 (1935), 28418 (1953), 61-1414, and 69-1161, Laws of Florida, relating to the Fellsmere Drainage District; changing the name of the district to the Fellsmere Water Control District; removing the 99-year term limitation of the district originally provided by court decree; amending the boundaries of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 925, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Commerce Committee, Insurance & Banking Subcommittee and Representative(s) Miller, M., Plakon, Killebrew—

CS for CS for HB 925—A bill to be entitled An act relating to the Department of Financial Services; amending s. 17.575, F.S.; replacing, within the Division of Treasury, the Treasury Investment Committee with the Treasury Investment Council; specifying the composition and term length of members; specifying duties of the council; providing that members shall serve without additional compensation or honorarium but may receive per diem and travel expense reimbursement; amending s. 215.422, F.S.; providing applicability of certain requirements relating to payments, warrants, and invoices to payments made in relation to certain agreements funded with federal or state assistance; reordering and amending s. 554.1021, F.S.; defining and redefining terms; amending s. 554.103, F.S.; requiring, rather than authorizing, the Department of Financial Services to adopt amendments and interpretations of a specified code into the State Boiler Code; revising requirements that installers, rather than owners, must comply with before installing a boiler; authorizing the department to adopt rules; conforming provisions to changes made by the act; amending s. 554.104, F.S.; deleting a provision relating to boilers of special design which is recreated in s. 554.103, F.S.; requiring certification of boiler inspectors; requiring an application for a certification examination; specifying qualifications and requirements for the certification examination; requiring the department to adopt a specified training course; providing authorized methods and requirements for the training course; requiring the chief boiler inspector to issue a certificate of competency to a person meeting certain requirements; providing procedures for renewing a certificate; authorizing the department to adopt rules; amending s. 554.105, F.S.; renaming the chief inspector as the chief boiler inspector; revising requirements for the department through the state boiler inspection program; amending s. 554.106, F.S.; renaming deputy inspectors as deputy boiler inspectors; specifying required and authorized duties of deputy boiler inspectors; amending s. 554.107, F.S.; renaming special inspectors as special boiler inspectors; revising entities that may employ special boiler inspectors; specifying required inspection intervals for special boiler inspectors; amending s. 554.108, F.S.; providing an exemption, under certain conditions, from inspection requirements; specifying duties of an owner or an owner's designee to allow an inspector to conduct inspections; specifying requirements for boiler inspections and inspection reports; providing a penalty against an insurance carrier if certain followup inspections are not conducted; revising conditions that require a boiler to be shut down; revising requirements and procedures for a boiler that must be shut down; providing construction; authorizing the department to adopt rules; creating s. 554.1081, F.S.; revising requirements for boiler inspections by insurance companies and local governmental agencies; amending s. 554.109, F.S.; conforming provisions to changes made by the act; revising boilers that are exempt from regulation under the chapter; revising requirements for certain exempt boilers and water heaters; amending s. 554.1101, F.S.; conforming provisions to changes made by the act; requiring a boiler insurance company to notify, within a specified timeframe, the chief boiler inspector under certain circumstances; requiring a certificateholder to submit a certain certificate of insurance to the chief boiler inspector under certain circumstances; amending s. 554.111, F.S.; requiring an application for a boiler permit to include a specified fee; requiring the chief boiler inspector to deposit fines into a specified trust fund; conforming provisions to changes made by the act; repealing ss. 554.112 and 554.113, F.S., relating to examinations, and certification of inspectors and renewals, respectively; amending s. 554.114, F.S.; revising prohibited acts; providing penalties for a boiler insurance company or authorized inspection agency that fails to conduct certain inspections; conforming provisions to changes made by the act; amending s. 554.115, F.S.; adding authorized disciplinary actions for the department; adding specified grounds for disciplinary action against an owner of a boiler; revising grounds for disciplinary action against a boiler inspector; deleting a provision requiring a chief inspector to report certain persons to the state attorney; deleting a provision authorizing certain administrative action by the chief inspector; deleting a provision relating to the duration of a suspended certificate of compliance; creating s. 554.1151, F.S.; authorizing the department to impose specified administrative fines in lieu of or in addition to certain disciplinary actions; authorizing procedures for payment of fines by a certificateholder; requiring a certificate to be revoked under certain circumstances; amending s. 624.307, F.S.; authorizing the department to expend funds for professional development of its employees;

amending s. 626.015, F.S.; defining terms; conforming a cross-reference; amending s. 626.207, F.S.; defining the term "applicant"; revising a list of felonies subject to a permanent bar from licensure; revising a condition for when certain disqualifying periods begin; conforming cross-references; providing an exception from a permanent bar on or disqualifying periods for cases of executive clemency; providing construction; amending s. 626.9954, F.S.; revising a list of felonies subject to a permanent bar from licensure; revising conditions for when certain disqualifying periods begin; conforming cross-references; providing an exception from a permanent bar on or disqualifying periods for cases of executive clemency; providing construction; amending s. 626.221, F.S.; revising qualifications for exemption from examinations for applicants for a license as an all-lines adjuster; amending s. 626.2815, F.S.; authorizing the department to approve a certain number of elective continuing education credits for certain insurance licensees; providing exceptions from a certain continuing education requirement for such licensees; amending s. 626.8734, F.S.; providing an exemption from the nonresident examination requirement for certain all-lines adjusters; amending s. 626.611, F.S.; deleting a condition for the involvement of moral turpitude in felonies or certain crimes in relation to compulsory disciplinary actions by the department against certain entities' licenses or appointments; conforming a cross-reference; amending s. 626.621, F.S.; revising grounds for the department's discretionary refusal, suspension, or revocation of the license or appointment of certain persons; amending s. 626.7845, F.S.; revising an exception to the prohibition against the unlicensed transaction of life insurance; conforming a cross-reference; amending s. 626.8305, F.S.; revising an exception to the prohibition against the unlicensed transaction of health insurance; conforming a cross-reference; amending s. 626.861, F.S.; authorizing certain insurer employees to adjust specified claim losses or damage; amending s. 626.9543, F.S.; removing the scheduled expiration of a requirement for insurers to permit claims from a Holocaust victim or certain related persons irrespective of certain conditions; removing the scheduled expiration of an exception from statutes of limitations or laches for certain actions brought by Holocaust victims or certain related persons; amending s. 633.516, F.S.; authorizing the Division of State Fire Marshal within the division to contract for studies of, rather than to make a continuous study of, occupational diseases of firefighters; adding persons in other fire-related fields to such studies; authorizing the division to release confidential information of an individual firefighter or a person in another fire-related field to certain parties under certain circumstances; amending s. 658.21, F.S.; revising requirements relating to the financial institution experience of certain proposed directors and officers of a proposed bank or trust company; amending s. 658.33, F.S.; revising the residency requirement for certain directors of a bank or trust company; revising requirements relating to the financial institution experience of certain officers of a bank or trust company; amending s. 768.28, F.S.; providing exceptions in tort claims against a county from requirements that a claimant present the written claim to the department within a specified timeframe and serve process upon the department; amending ss. 288.706, 626.7315, and 627.351, F.S.; conforming cross-references; repealing s. 43.19, F.S., relating to the disposition of certain money paid into a court which is unclaimed; amending s. 45.031, F.S.; revising the time periods within which certain persons must file claims for certain unclaimed surplus funds; amending s. 45.032, F.S.; deleting provisions defining and specifying the powers of a "surplus trustee"; authorizing specified entities to claim surplus funds that remain after a judicial sale; specifying procedures for those entities to receive such funds; specifying procedures for the clerk to use in handling surpluses that remain unclaimed; specifying the entities eligible for the surplus once the funds have been remitted to the department; conforming provisions to changes made by the act; amending s. 45.033, F.S.; conforming a provision to changes made by the act; repealing s. 45.034, F.S., relating to qualifications and appointment of a surplus trustee in foreclosure actions; amending s. 45.035, F.S.; revising service charges that a clerk may receive and deduct from surplus amounts; amending s. 717.113, F.S.; exempting certain funds remaining after a judicial sale and held in a court registry from becoming payable or distributable and subject to certain reporting requirements; amending ss. 717.124, 717.138, and 717.1401, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 951 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Local, Federal & Veterans Affairs Subcommittee and Representative(s) Raschein—

CS for HB 951—A bill to be entitled An act relating to the City of Key West, Monroe County; amending ch. 69-1911, Laws of Florida, as amended; providing for board members to be elected by all voters within the utility board's territory; revising residency requirements to allow for representation throughout the board's territory; changing the requirements of the organizational meeting; expanding authorized advertising vehicles; revising piggyback contract provisions; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1025 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Government Accountability Committee and Representative(s) Ingram—

CS for HB 1025—A bill to be entitled An act relating to the Firefighters' Relief and Pension Fund of the City of Pensacola, Escambia County; amending chapter 21483, Laws of Florida (1941), as amended; correcting and updating terminology and dates; prohibiting certain participants from receiving a cost-of-living increase in benefits while they are participants in the Deferred Retirement Option Plan; revising and providing definitions; providing the maximum number of hours per plan year of annual overtime pay for certain firefighters; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1075, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Government Accountability Committee, Local, Federal & Veterans Affairs Subcommittee and Representative(s) Byrd—

CS for CS for HB 1075—A bill to be entitled An act relating to Nassau County; creating the East Nassau Stewardship District; providing a short title; providing legislative findings and intent; providing definitions; stating legislative policy regarding creation of the district; establishing compliance with minimum requirements in s. 189.031(3), F.S., for creation of an independent special district; providing for creation and establishment of the district; establishing the legal boundaries of the district; providing for the jurisdiction and charter of the district; providing for a governing board and establishing membership criteria and election procedures; providing for board members' terms of office; providing for board meetings; providing for administrative duties of the board; providing a method for transition of the board from landowner

control to control by the resident electors of the district; providing for a district manager and district personnel; providing for a district treasurer, selection of a public depository, and district budgets and financial reports; providing for the general powers of the district; providing for the special powers of the district to plan, finance, and provide community infrastructure and services within the district; providing for bonds; providing for borrowing; providing for future ad valorem taxation; providing for special assessments; providing for issuance of certificates of indebtedness; providing for tax liens; providing for competitive procurement; providing for fees and charges; providing for amendment to charter; providing for required notices to purchasers of residential units within the district; defining district public property; providing severability; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1089 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Byrd—

HB 1089—A bill to be entitled An act relating to the Ocean Highway and Port Authority, Nassau County; amending ch. 2005-293, Laws of Florida; updating authority powers consistent with ch. 311, Florida Statutes; deleting obsolete language; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1091 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Criminal Justice Subcommittee and Representative(s) Plakon—

CS for HB 1091—A bill to be entitled An act relating to arrest warrants for state prisoners; creating s. 948.33, F.S.; authorizing a prisoner in a state prison who has an unserved violation of probation or an unserved violation of community control warrant to file a notice of unserved warrant in the circuit court where the warrant was issued; requiring the prisoner to serve notice on the state attorney; requiring the circuit court to schedule a status hearing within a certain time after receiving notice; specifying procedures and requirements for the status hearing; providing for prosecution of the violation; requiring the court to send the order to the county sheriff; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1135 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Local, Federal & Veterans Affairs Subcommittee and Representative(s) Willhite—

CS for HB 1135—A bill to be entitled An act relating to the West Palm Beach Police Pension Fund of the City of West Palm Beach, Palm Beach County; amending chapter 24981 (1947), Laws of Florida, as amended; revising definitions; revising trustee terms; clarifying powers of the board of trustees; adding provision for physical for determining

preexisting conditions; adding procedure for returning withdrawn contributions upon rehire or reinstatement to employment; adding normal retirement age for retirement based on years of service; deleting obsolete retirement calculations; clarifying survivor language for normal form of benefit; adding 10-year certain benefit to optional forms; adding a death benefit provision to the DROP account; clarifying the retiree's option to elect an optional form at the time of retirement; adding an actuarial equivalent calculation for survivor benefits paid to a spouse other than the one to whom the retiree was married at the time of retirement; deleting the section actuarial assumptions; clarifying the purchase of service is limited to 5 years; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1147 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Jenne, DuBose, Williams—

HB 1147—A bill to be entitled An act relating to the Central Broward Water Control District, Broward County; amending ch. 98-501, Laws of Florida, as amended; revising the manner in which the commission must act; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1149 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Moskowitz, Jacobs, Williams—

HB 1149—A bill to be entitled An act relating to the North Springs Improvement District, Broward County; amending chapter 2005-341, Laws of Florida, as amended; extending and enlarging the boundaries of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1151 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Local, Federal & Veterans Affairs Subcommittee and Representative(s) Caldwell—

CS for HB 1151—A bill to be entitled An act relating to the Lehigh Acres Fire Control and Rescue District and the Alva Fire Protection and Rescue Service District, Lee County; amending ch. 2000-406, Laws of Florida; amending the geographic boundaries of the Lehigh Acres Fire Control and Rescue District; ch. 2000-455, Laws of Florida, amending the geographic boundaries of Alva Fire Protection and Rescue Service District; providing construction; providing that the act shall take precedence over any conflicting law to the extent of such conflict; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1153 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Moskowitz, Williams—

HB 1153—A bill to be entitled An act relating to Broward County; providing legislative findings; providing for an alternate means to measure permitted sign height on interstate highways within Broward County; providing for the Florida Department of Transportation to promulgate rules; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1237, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Judiciary Committee, Civil Justice & Claims Subcommittee and Representative(s) Diaz, J., Avila, Cortes, J., Diaz, M., Nuñez—

CS for CS for HB 1237—A bill to be entitled An act relating to condominiums; amending s. 718.111, F.S.; prohibiting an officer, director, or manager from soliciting, offering to accept, or accepting a kickback for which consideration has not been provided; providing criminal penalties; requiring that an officer or director charged with certain crimes be removed from office; providing requirements for filling the vacancy left by such removal; prohibiting such officer or director from being appointed or elected or having access to official condominium association records for a specified time; providing an exception; requiring an officer or director to be reinstated if the charges are resolved without a finding of guilt; prohibiting an association from hiring an attorney who represents the management company of the association; prohibiting a board member, manager, or management company from purchasing a unit at a foreclosure sale under certain circumstances; revising recordkeeping requirements; providing that the official records of an association are open to inspection by an association member's authorized representative; providing that a renter of a unit has a right to inspect and copy the association's bylaws and rules; providing requirements relating to the posting of specified documents on an association's website; providing a remedy for an association's failure to provide a unit owner with a copy of the most recent financial report; requiring the Division of Florida Condominiums, Timeshares, and Mobile Homes to maintain and provide copies of financial reports; prohibiting a condominium association and its officers, directors, employees, and agents from using a debit card issued in the name of the association, or billed directly to the association, for the payment of any association expense; providing that the use of such debit card for any expense that is not a lawful obligation of the association may be prosecuted as credit card fraud; providing a directive to the Department of Business and Professional Regulation; amending s. 718.112, F.S.; providing board member term limits; providing an exception; deleting certification requirements relating to the recall of board members; revising the amount of time in which a recalled board member must turn over records and property of the association to the board; prohibiting certain associations from employing or contracting with a service provider that is owned or operated by certain persons; amending s. 718.1255, F.S.; authorizing, rather than requiring, the division to employ full-time attorneys to conduct certain arbitration hearings; providing requirements for the certification of arbitrators; prohibiting the department from entering into a legal services contract for certain arbitration hearings; requiring the division to assign or enter into contracts with arbitrators; requiring arbitrators to conduct hearings within

a specified period; providing an exception; providing arbitration proceeding requirements; amending s. 718.3025, F.S.; prohibiting specified parties from purchasing a unit at a foreclosure sale resulting from the association's foreclosure of association lien for unpaid assessments or from taking a deed in lieu of foreclosure; authorizing a contract with a party providing maintenance or management services to be cancelled by a majority vote of certain unit owners under specified conditions; creating s. 718.3027, F.S.; providing requirements relating to board director and officer conflicts of interest; providing that certain contracts are voidable and requiring the termination of such contracts under certain conditions; amending s. 718.303, F.S.; providing requirements relating to the suspension of voting rights of unit owners and members; prohibiting a receiver from exercising the voting rights of a unit owner whose unit is placed in receivership; amending s. 718.5012, F.S.; providing the ombudsman with an additional power; creating s. 718.71, F.S.; providing financial reporting requirements of an association; providing an effective date.

—was referred to the Committees on Judiciary; Regulated Industries; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1239 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Eagle, Cortes, J., Fitzenhagen—

HB 1239—A bill to be entitled An act relating to school bus safety; providing a short title; amending s. 316.027, F.S.; providing mandatory noncriminal penalties for certain violations resulting in serious bodily injury to or death of another person; amending s. 318.18, F.S.; requiring a fine and driver license suspension for such a violation; amending s. 322.27, F.S.; requiring imposition of points against a driver license for such a violation; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1291 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Local, Federal & Veterans Affairs Subcommittee and Representative(s) Davis—

CS for HB 1291—A bill to be entitled An act relating to the City of Jacksonville, Duval County; providing exceptions to general law; providing that a business licensed to sell alcoholic beverages for consumption on premises may sell such beverages for consumption off premises during certain events when such business is located within a certain district; requiring an application fee; providing that the city council shall specify a time period for certain events; providing definitions; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1293 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Davis—

HB 1293—A bill to be entitled An act relating to the City of Jacksonville, Duval County; amending ch. 87-471, Laws of Florida, as

amended; establishing special zones in Jacksonville; providing exceptions for space and seating requirements for liquor licenses for restaurants in the zones; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1295 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Raschein, Baez, Nuñez—

HB 1295—A bill to be entitled An act relating to Monroe County; providing definitions; providing an exception to general law; authorizing the School Board of Monroe County or the Board of County Commissioners of Monroe County, or any political subdivision thereof, to conduct public meetings, hearings, and workshops by means of communications media technology; authorizing the adoption of rules; providing for notices of public meetings, hearings, and workshops conducted by means of communications media technology; providing applicability and construction; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1297 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Abruzzo—

HB 1297—A bill to be entitled An act relating to Palm Beach County; amending ch. 74-565, Laws of Florida, as amended; revising the nomination process for appointees to the Building Code Advisory Board of Palm Beach County; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1307 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Health & Human Services Committee, Health Quality Subcommittee and Representative(s) Plasencia, Stevenson—

CS for CS for HB 1307—A bill to be entitled An act relating to physician assistant workforce surveys; amending ss. 458.347 and 459.022, F.S.; requiring that a physician assistant license renewal include the submission of a completed physician assistant workforce survey; requiring the Department of Health to report the data collected from such surveys to the boards biennially; requiring rulemaking; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1311 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Caldwell—

HB 1311—A bill to be entitled An act relating to the Lehigh Acres Municipal Services Improvement District, Lee and Hendry Counties; amending chapter 2015-202, Laws of Florida; expanding the territorial boundaries of the district; ratifying and confirming as valid all taxes and assessments levied by or for the district notwithstanding any defects in the assessment or levy of such taxes and assessments; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1313 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Stone—

HB 1313—A bill to be entitled An act relating to the Cold Springs Improvement District, Marion County; amending ch. 94-452, Laws of Florida; revising boundaries to remove certain lands from the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1315 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Local, Federal & Veterans Affairs Subcommittee and Representative(s) Metz—

CS for HB 1315—A bill to be entitled An act relating to the Lake County Water Authority, Lake County; amending ch. 2005-314, Laws of Florida; revising purpose of the authority; deleting obsolete language; removing power of the governing board and the authority to acquire land through eminent domain or condemnation; removing power of the board relating to certain state land; providing for the county or a municipality to acquire private property through eminent domain under certain circumstances; providing powers of the board relating to navigation and blockage of certain waterways in the county; prohibiting the board from expending public funds to promote recreation and tourism; providing powers of and restrictions on the authority and the board relating to parks; requiring certain documents to be published on the authority's website; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1317 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Metz—

HB 1317—A bill to be entitled An act relating to the North Lake County Hospital District, Lake County; amending ch. 2012-258, Laws of Florida; providing for expiration of the district at a specified time without further legislative action and permitting continuation of the

district by referendum; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1333, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Government Accountability Committee, Local, Federal & Veterans Affairs Subcommittee and Representative(s) La Rosa—

CS for CS for HB 1333—A bill to be entitled An act relating to Osceola County; creating the Sunbridge Stewardship District; providing a short title; providing legislative findings and intent; providing definitions; stating legislative policy regarding creation of the district; establishing compliance with minimum requirements in s. 189.031(3), F.S., for creation of an independent special district; providing for creation and establishment of the district; establishing the legal boundaries of the district; providing for the jurisdiction and charter of the district; providing for a governing board and establishing membership criteria and election procedures; providing for board members' terms of office; providing for board meetings; providing for administrative duties of the board; providing a method for transition of the board from landowner control to control by the resident electors of the district; providing for a district manager and district personnel; providing for a district treasurer, selection of a public depository, and district budgets and financial reports; providing for the general powers of the district; providing for the special powers of the district to plan, finance, and provide community infrastructure and services within the district; providing for bonds; providing for borrowing; providing for future ad valorem taxation; providing for special assessments; providing for issuance of certificates of indebtedness; providing for tax liens; providing for competitive procurement; providing for fees and charges; providing for amendment to charter; providing for required notices to purchasers of residential units within the district; defining district public property; providing for construction; providing severability; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1363 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Local, Federal & Veterans Affairs Subcommittee and Representative(s) Williamson—

CS for HB 1363—A bill to be entitled An act relating to Santa Rosa County; creating the Pace Fire Rescue District, an independent special district; creating a district charter; providing a short title; providing territorial boundaries of the district; providing purposes and intent; providing for a board of commissioners of the district; providing for qualification, election, membership, and terms of office; providing for the filling of vacancies; providing for meetings; providing rulemaking authority; providing powers and duties of the board; providing for use of district funds; authorizing the district to issue bonds and levy ad valorem taxes, non-ad valorem assessments, impact fees, and user charges; providing planning requirements; providing for modification of district boundaries; providing for amendment of the charter by special act of the Legislature; providing severability; requiring a referendum; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1401 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Rodrigues—

HB 1401—A bill to be entitled An act relating to the East Mulloch Drainage District; amending ch. 63-930, Laws of Florida, as amended; increasing the membership of the board of supervisors on a specified date; revising the qualifications for supervisors; providing and revising requirements relating to terms of supervisors; requiring supervisors to be elected by registered voters residing in the district; authorizing the Governor to appoint supervisors in certain situations; authorizing reimbursement of supervisors for travel and other necessary expenses; authorizing the board to levy certain assessments and taxes; deleting a provision relating to a cap on maintenance taxes; repealing ch. 83-455, Laws of Florida; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1437 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Watson, C.—

HB 1437—A bill to be entitled An act relating to Alachua County; amending ch. 57-1118, Laws of Florida, as amended; revising the membership of the county law library; revising the library's location; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1439 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Grant, M., Albritton—

HB 1439—A bill to be entitled An act relating to Charlotte County; providing space and seating requirements for the issuance of special alcoholic beverage licenses to event centers; providing an exception to general law; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 7059 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Judiciary Committee, Justice Appropriations Subcommittee, Criminal Justice Subcommittee and Representative(s) Grant, J.—

CS for CS for HB 7059—A bill to be entitled An act relating to juvenile justice; amending s. 382.0255, F.S.; requiring the Department of Health to waive fees for birth certificates issued to certain juvenile

offenders; amending s. 985.25, F.S.; revising terminology; providing that a child meeting specified criteria shall be placed in secure detention care until the child's detention hearing; amending s. 985.255, F.S.; revising terminology; providing an additional circumstance under which the court may order continued detention; providing criteria for a child to be a prolific juvenile offender; defining the term "arrest event"; specifying certain information and criteria that may be considered by a court only when determining whether a prolific juvenile offender should be held in secure detention; conforming provisions to changes made by the act; amending s. 985.26, F.S.; revising terminology; requiring the court to place a prolific juvenile offender in certain detention care under a special detention order until disposition; specifying time limitations for secure detention for a prolific juvenile offender; defining the term "disposition"; providing for the tolling of nonsecure detention care for an alleged violation of such detention care; providing for the retention of jurisdiction by the court over a child during the tolling period; revising the calculation of detention care days served if a child violates non-secure detention care; amending s. 985.265, F.S.; revising terminology; amending s. 985.27, F.S.; requiring secure detention for all children awaiting placement in a residential commitment program until the placement or commitment is accomplished; deleting provisions specifying the maximum number of days a child may be placed in secure detention under certain circumstances; amending s. 985.35, F.S.; requiring the adjudicatory hearing for a child who is a prolific juvenile offender to be held within a specified period unless such child requests a delay; revising the circumstances under which an adjudication of delinquency for a felony disqualifies a person from possessing a firearm; amending s. 985.514, F.S.; revising terminology; reenacting s. 790.22(8), F.S., relating to secure detention for minors charged with an offense involving BB guns, air or gas-operated guns, or electric weapons or devices, to incorporate the amendments made by the act to ss. 985.25, 985.255, and 985.26, F.S., in references thereto; reenacting s. 985.115(2), F.S., relating to release or delivery from custody, to incorporate the amendments made by the act to ss. 985.255 and 985.26, F.S., in references thereto; reenacting s. 985.13(2), F.S., relating to probable cause affidavits, to incorporate the amendments made by the act to ss. 985.255 and 985.26, F.S., in references thereto; reenacting s. 985.245(2)(b), F.S., relating to risk assessment instruments, to incorporate the amendment made by this act to s. 985.255, F.S., in a reference thereto; reenacting s. 985.255(2), F.S., relating to detention criteria and hearings, to incorporate the amendment made by this act to s. 985.26, F.S., in a reference thereto; reenacting s. 985.275(1), F.S., relating to detention of an escapee or absconder, to incorporate the amendment made by this act to s. 985.255, F.S., in a reference thereto; reenacting s. 985.319(6), F.S., relating to process and service, to incorporate the amendment made by this act to s. 985.255, F.S., in a reference thereto; providing a declaration of important state interest; providing an appropriation; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7097 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Health Quality Subcommittee and Representative(s) Fine—

HB 7097—A bill to be entitled An act relating to the direct support organization of the prescription drug monitoring program; amending s. 893.055, F.S.; providing for future repeal of provisions relating to the organization; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7109 by the required Constitutional two-thirds vote of the membership and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Ways & Means Committee and Representative(s) Boyd—

HB 7109—A bill to be entitled An act relating to taxation; amending s. 196.1975, F.S.; requiring certain corporations that provide homes for the aged to file specified affidavits with their annual tax exemption applications; providing an exemption; authorizing the property appraiser to request specified additional documentation under certain conditions; amending s. 196.1978, F.S.; discounting property taxes for properties that offer affordable housing to specified low-income persons and families; providing requirements for such discount; amending s. 198.30, F.S.; removing a requirement for circuit judges to report certain information regarding a decedent's estate to the Department of Revenue; amending s. 192.001, F.S.; revising the definition of the term "inventory" to include specified construction and agricultural equipment under certain circumstances; amending s. 206.02, F.S.; deleting license application and renewal taxes for terminal supplier and motor fuel importer, exporter, blender, and wholesaler licenses; amending s. 206.021, F.S.; deleting license application and renewal taxes for private or common carrier of motor fuel licenses; amending s. 206.022, F.S.; deleting license application and renewal taxes for terminal operator licenses; amending ss. 206.03 and 206.045, F.S.; conforming provisions to changes made by this act; repealing ss. 206.405 and 206.406, F.S., relating to the receipt and deposit of funds received from the payment of certain motor fuel license taxes; amending s. 206.41, F.S.; deleting the fee deducted from quarterly motor fuel refund claims to qualified taxpayers; amending ss. 206.9943, 206.9952, and 206.9865, F.S.; deleting application and renewal fees for pollutant tax, natural gas fuel retailer, and aviation fuel tax licenses; amending 210.20, F.S.; deleting specified cigarette taxes from being deposited into a specified trust fund for biomedical research purposes; amending s. 212.031, F.S.; reducing the tax levied on the renting, leasing, letting, and granting of a license for the use of real property; providing applicability; amending s. 212.04, F.S.; authorizing refunds or credits of taxes paid on admissions subsequently resold to exempt entities; amending s. 212.0515, F.S.; deleting provisions relating to required notice by vending machine operators, awards for reporting certain violations, and penalties for certain violations; amending s. 212.0596, F.S.; deleting authority for the department to establish a waiver for certain registration fees; amending s. 212.08, F.S.; revising the sales and use tax exemption for certain farm trailers; exempting certain animal and aquaculture health products, fencing materials, and oxygen products from the sales and use tax; specifying the total amount of community contribution tax credits that may be granted for contributions made to eligible sponsors of specified projects; extending the expiration date of the community contribution tax credit program; specifying criteria under which certain entities that operate a municipally owned golf course may receive a tax exemption when making payments to a dealer; providing sales tax exemptions for products used to absorb menstrual flow, diapers, and incontinence products; providing an annual sales tax holiday for purchases of certain clothing and footwear by eligible military veterans; authorizing certain dealers to opt out of participating in such tax exemption; providing requirements to opt out of participation; authorizing the department to adopt rules; providing a sales tax exemption for certain sales between related persons as described under specified federal laws and regulations; providing requirements for such exemption; providing definitions; amending s. 212.18, F.S.; deleting the application fees to obtain a certificate of registration as a sales tax dealer; amending s. 220.03, F.S.; extending the expiration date for the definitions of the terms "community contribution" and "project" in the income tax code; amending s. 220.183, F.S.; specifying the total amount of community contribution tax credits that may be granted for contributions made to eligible sponsors of specified projects; extending the expiration date of specified provisions relating to community contribution tax credits; amending s. 220.1845, F.S.; specifying the tax credits available for contaminated site rehabilitation in a specified year and annually thereafter; amending s. 220.196, F.S.; specifying the amount of research and development tax credits that may be granted to business enterprises in a specified year; amending s. 220.222, F.S.; deleting a provision that limits the time period for filing certain corporate income tax filings; amending s. 220.33, F.S.; specifying filing days for estimated payments for corporate income tax purposes; amending s. 320.04, F.S.; authorizing specified

entities to contract with license tag agents for services related to issuance and renewal of license tag registrations and motor vehicle titles; providing requirements for such contracts; amending ss. 320.08 and 320.10, F.S.; exempting certain marine boat trailers from license taxes; amending s. 320.102, F.S.; exempting certain marine boat trailers from a variety of fees, charges, taxes, and surcharges; amending s. 336.021, F.S.; authorizing a county to reimpose a current local option fuel tax rate under certain circumstances; amending 336.025, F.S.; authorizing a county to reimpose a current local option fuel tax rate under certain circumstances; requiring the rescission of such rate on a specified date; amending s. 376.30781, F.S.; revising the total amount of tax credits that may be granted for the rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in a specified year and annually thereafter; amending s. 376.70, F.S.; deleting provisions relating to drycleaning facility registration fees; amending s. 376.75, F.S.; deleting the registration fee for a certain pollutant tax license to import perchloroethylene; amending ss. 443.131 and 443.141, F.S.; revising the date on which certain employer contributions are due; providing a definition; amending s. 443.163, F.S.; authorizing the tax collection service provider to waive penalties for late-filed returns under certain circumstances; amending s. 563.01, F.S.; revising the definitions of the terms "beer" and "malt beverage" for purposes of the Beverage Law; amending s. 624.5105, F.S.; specifying the total amount of community contribution tax credits that may be granted each fiscal year; extending the expiration date of specified provisions relating to community contribution tax credits; amending s. 733.2121, F.S.; requiring a personal representative to serve notice of creditors on the department only if the department is a creditor; providing sales tax exemptions for the retail sale of certain clothing, school supplies, personal computers, personal computer-related accessories, disaster preparedness supplies, and educational textbooks and instructional materials during specified periods; providing exceptions; authorizing, and providing requirements for, certain dealers to opt out of participating in such tax exemption; authorizing the department to adopt emergency rules; amending s. 206.998, F.S.; conforming provisions to changes made by this act; providing repeal dates; providing for retroactive application; providing applicability; providing appropriations; providing effective dates.

—was referred to the Committee on Appropriations.

RETURNING MESSAGES — FINAL ACTION

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 118.

Portia Palmer, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 164.

Portia Palmer, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 312.

Portia Palmer, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 398.

Portia Palmer, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 724.

Portia Palmer, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1124.

Portia Palmer, Clerk

The bill contained in the foregoing message was ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 27 was corrected and approved.

ADJOURNMENT

On motion by Senator Benacquisto, the Senate adjourned at 6:05 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 1:00 p.m., Monday, May 1 or upon call of the President.

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April 28, 2017

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