

Tab 1 CS/SB 154 by RI, Bradley (CO-INTRODUCERS) DiCeglie; (Compare to H 01395) Condominium and Cooperative Associations							
910284	A	S	RCS	FP, Bradley	Delete L.148 - 200:	03/17	12:42 PM
648940	A	S	RCS	FP, Bradley	Delete L.323 - 357:	03/17	12:42 PM
368622	A	S	RCS	FP, Bradley	Delete L.371 - 373:	03/17	12:42 PM
111888	A	S	RCS	FP, Bradley	Delete L.613:	03/17	12:42 PM
333574	A	S	RCS	FP, Bradley	Delete L.716:	03/17	12:42 PM
673282	A	S	RCS	FP, Bradley	Delete L.857 - 866:	03/17	12:42 PM
411842	A	S	RCS	FP, Bradley	btw L.1609 - 1610:	03/17	12:42 PM
Tab 2 SB 234 by Avila; (Identical to H 01009) Statutorily Required Reports							
576424	A	S	RCS	FP, Avila	Delete L.104 - 148:	03/17	12:42 PM
Tab 3 CS/SB 256 by GO, Ingoglia; (Similar to H 01445) Employee Organizations Representing Public Employees							
366640	A	S	RCS	FP, Ingoglia	Delete L.242 - 247:	03/17	12:42 PM
Tab 4 CS/SB 236 by BI, Hutson; (Similar to CS/CS/1ST ENG/H 00837) Civil Remedies							
209768	D	S	FAV	JU, Hutson	Delete everything after	03/14	07:16 PM
344956	SD	S	RCS	FP, Hutson	Delete everything after	03/17	12:42 PM
532740	ASA	S	UNFAV	FP, Torres	Delete L.575 - 583.	03/17	12:42 PM
636650	ASA	S	WD	FP, Osgood	btw L.662 - 663:	03/17	12:42 PM
544944	ASA	S	UNFAV	FP, Osgood	btw L.678 - 679:	03/17	12:42 PM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

FISCAL POLICY
Senator Hutson, Chair
Senator Stewart, Vice Chair

MEETING DATE: Thursday, March 16, 2023

TIME: 8:30—11:30 a.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Hutson, Chair; Senator Stewart, Vice Chair; Senators Albritton, Berman, Boyd, Burton, Calatayud, Collins, DiCeglie, Garcia, Jones, Mayfield, Osgood, Rodriguez, Simon, Thompson, Torres, Trumbull, Wright, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 154 Regulated Industries / Bradley (Compare H 1395)	Condominium and Cooperative Associations; Revising the circumstances under which community association managers or management firms must comply with a specified provision; revising the definition of the terms "milestone inspection" and "substantial structural deterioration"; authorizing local enforcement agencies to make certain determinations relating to milestone inspections after a building reaches a specified age; authorizing municipal governing bodies to adopt certain ordinances relating to association repairs; revising the types of policyholders not required to purchase flood insurance as a condition for maintaining certain policies issued by the Citizens Property Insurance Corporation; revising condominium association reserve account requirements, etc. RI 02/21/2023 Fav/CS FP 03/16/2023 Fav/CS	Fav/CS Yeas 20 Nays 0
2	SB 234 Avila (Identical H 1009)	Statutorily Required Reports; Revising the procedure for filing statutorily required or authorized reports; requiring state entities to redact exempt or confidential and exempt information from reports before filing; providing that the Division of Library and Information Services of the Department of State or the department, or any contractor thereof, is not responsible for redaction and may not be held liable for the failure of a state entity to redact exempt or confidential and exempt information from its reports; requiring the division to compile and annually update a list of all statutorily required reports and their submission dates, etc. GO 03/07/2023 Favorable FP 03/16/2023 Fav/CS	Fav/CS Yeas 20 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Fiscal Policy

Thursday, March 16, 2023, 8:30—11:30 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
3	CS/SB 256 Governmental Oversight and Accountability / Ingoglia (Similar H 1445)	Employee Organizations Representing Public Employees; Requiring a public employee who desires to be a member of an employee organization to sign a membership authorization form beginning on a specified date; requiring an employee organization to revoke a public employee's membership upon receipt of his or her written request for revocation; prohibiting certain employee organizations from having dues and uniform assessments deducted and collected by the employer from certain salaries; revising requirements for applications for initial registrations and renewals of registration of employee organizations; revising prohibitions for employee organizations and certain persons and entities relating to employee organizations, etc. GO 03/07/2023 Fav/CS FP 03/16/2023 Fav/CS	Fav/CS Yeas 13 Nays 7
4	CS/SB 236 Banking and Insurance / Hutson (Similar CS/CS/H 837, Compare H 1165)	Civil Remedies; Creating a rebuttable presumption that a lodestar fee is a sufficient and reasonable attorney fee in most civil actions; reducing the statute of limitations for negligence actions; providing standards for bad faith actions; providing standards for the admissibility of evidence to prove the cost of damages for medical expenses in certain civil actions; providing that a party in a negligence action who is at fault by a specified amount may not recover damages under a comparative negligence action, etc. BI 03/07/2023 Fav/CS JU 03/14/2023 Fav/1 Amendment FP 03/16/2023 Fav/CS	Fav/CS Yeas 13 Nays 6

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/SB 154

INTRODUCER: Fiscal Policy Committee, Regulated Industries Committee, and Senators Bradley and DiCeglie

SUBJECT: Condominium and Cooperative Associations

DATE: March 17, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Oxamendi</u>	<u>Imhof</u>	<u>RI</u>	<u>Fav/CS</u>
2.	<u>Oxamendi</u>	<u>Yeatman</u>	<u>FP</u>	<u>Fav/CS</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 154 revises the milestone inspection requirements for condominium and cooperative buildings that are three or more stories in height to:

- Limit the milestone inspection requirements to buildings that include a residential condominium or cooperative;
- Provide that the milestone inspection requirements apply to buildings that in whole or in part are subject to the condominium or cooperative forms of ownership, such as mixed-ownership buildings;
- Clarify that all owners of a mixed-ownership building in which portions of the building are subject to the condominium or cooperative form of ownership are responsible for ensuring compliance and must share the costs of the inspection;
- Require a building that reaches 30 years of age before December 31, 2024, to have a milestone inspection before December 31, 2024;
- Delete the 25-year milestone inspection requirements for buildings that are within three miles of the coastline;
- Authorize the local enforcement agencies that are responsible with enforcing the milestone inspection requirements the option to set a 25-year inspection requirement if justified by local environmental conditions, including proximity to seawater;
- Authorize the local enforcement agency to extend the inspection deadline for a building upon a petition showing good cause that the owner or owners of the building have entered into a contract with an architect or engineer to perform the milestone inspection services and the milestone inspection cannot reasonably be completed before the deadline; and

- Permit local enforcement agencies to accept an inspection and report that was completed before July 1, 2022, if the inspection and report substantially comply with the milestone requirements;
- Provide that the inspection services may be provided by a team of design professionals with an architect or engineer acting as a registered design professional in responsible charge; and
- Clarify that an association must distribute a copy of the summary of the inspection reports to unit owners within 30 days of its receipt.

The bill requires the Florida Building Commission to establish by rule a building safety program to implement the milestone inspection requirements within the Florida Building Code. The commission must specify the minimum requirements for the commission's building safety program by December 31, 2024, including inspection criteria, testing protocols, standardized inspection and reporting forms that are adaptable to an electronic format, and record maintenance requirements for the local authority having jurisdiction.

The bill revises the requirement that all personal lines residential policies issued by the Citizens Property Insurance Corporation must include flood coverage to exempt unit owner policies from the flood insurance requirement.

The bill clarifies that both the condominium or cooperative unit owner and any person authorized by any owner as his or her representative may inspect the official records of the association.

The bill revises the reserve funding requirements relating to condominium and cooperative associations to:

- Require associations that are subject to the structural integrity reserve study (SIRS) requirement to base a budget adopted on or after January 1, 2025, on the findings and recommendations of the association's most recent SIRS;
- Permit associations that are not subject to the SIRS requirement to waive reserves if approved by a majority vote of all voting interests;
- Permit multicondominium associations to waive reserves if an alternative funding method has been approved by the division; and
- Provide that reserve assessments may be adjusted for inflation.

The bill amends the SIRS requirements to:

- Limit the SIRS requirement to residential condominiums and cooperatives;
- Clarify that the SIRS recommendation must include a reserve funding schedule;
- Delete "floor" from the list of building components that must be visually inspected in the SIRS;
- Permit the visual inspection portion of the SIRS to be verified by an engineer or architect;
- Permit persons who have been certified as a Reserve Specialist, or Professional Reserve Analyst by the Community Associations Institute or the Association of Professional Reserve Analysts to perform or verify the visual inspection portion of the SIRS;
- Exempt from the SIRS requirement:
 - Single-family, two-family, or three-family dwellings with three or fewer habitable stories above ground; and

- Any portion or component of a building that has not been submitted to the condominium or cooperative form of ownership; or any portion or component of a building that is maintained by a party other than the condominium or cooperative association.

Effective July 1, 2027, the bill permits condominium and cooperative unit owners to use the mediation process in this section for specified disputes related to compliance with the milestone inspection or SIRS requirements.

The bill provides additional presale notice requirements in contracts for sales of a unit by a developer or nondeveloper. This provision is similar to current contract notices to unit owners obligated to furnish certain governing documents to the prospective buyer of a unit more than three days before closing for sales by a nondeveloper or 15 days before closing for sales by a developer. A contract that does not conform to these notice requirements is voidable at the option of the purchaser prior to closing.

For the 2023-2024 fiscal year, the bill appropriates \$1,301,928 in recurring funds and \$67,193 in nonrecurring funds from the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund to the Department of Business and Professional Regulation, and to authorize 10 full-time employees. See Section V, Fiscal Impact Statement.

Except for the dispute resolution provisions that take effect on July 1, 2027, the bill takes effect upon becoming law.

II. Present Situation:

Building Safety

SB 4-D (Special Session D 2022)

During the Special Session D, 2022, SB 4-D¹ by Senator Boyd was enacted to revise the laws related to building safety. The act required the Florida Building Code to provide that when 25 percent or more of a roofing system or roof section is being repaired, replaced, or recovered, only the portion of the roofing system or roof section undergoing such work need be constructed in accordance with the current Florida Building Code in effect at the time of such work.

The act also provided building safety inspection requirements for condominium and cooperative association buildings, increased the rights of unit owners and prospective unit owners to access information regarding the condition of such buildings, and revised the requirements for associations to fund reserves for the continued maintenance and repair of such buildings.

Regarding safety inspections for a building, the act:

- Required a condominium or cooperative association building that is three or more stories in height to have a “milestone inspection” of the building’s structural integrity by an architect or engineer when a building reaches:
 - 30 years of age and every 10 years thereafter, or

¹ Chapter 2022-269, Laws of Fla.

- 25 years of age and every 10 years thereafter if the building is located within three miles of a coastline.
- Exempted single-family, two-family, and three-family dwellings with three or fewer habitable stories above ground from the milestone inspection requirement.
- Required the building's initial milestone inspection to be performed before December 31, 2024, if a milestone inspection is required and the building's certificate of occupancy was issued on or before July 1, 1992.
- Required that a phase one milestone inspection must commence within 180 days after an association receives a written notice from the local enforcement agency.
- Required a phase two milestone inspection if there is evidence of "substantial structural deterioration" as determined by a phase one inspection.
- Specified the minimum contents of a milestone inspection report.
- Required inspection report results to be provided to local building officials and the affected association, and required an inspector-prepared summary to be provided to unit owners by mail and by email to unit owners who have consented to receive notices by email.
- Required that the contract between an association that is subject to the milestone inspection requirement and a community association manager (CAM) or CAM firm must require compliance with those requirements as directed by the board.
- Required the local enforcement agency to review and determine if a building is safe for human occupancy if an association fails to submit proof that repairs for substantial deterioration have been scheduled or begun within at least 365 days after the local enforcement agency receives a phase two inspection report.
- Required the Florida Building Commission to make recommendations to the Governor and Legislature regarding the inspection requirements in the bill and inspection for other types of buildings and structures that are three stories or higher.
- Provided that a willful and knowing failure by an officer or director of an association to have a milestone inspection performed is a breach of the officer's and director's fiduciary relationship to the unit owners.
- Required the developer's turnover inspection report to comply with the milestone inspection requirements.
- Required associations to report to the Florida Division of Condominiums, Timeshares, and Mobile Homes (division) on or before January 1, 2023, the number of buildings that are three stories or higher in height and the total number of units in such buildings and required the division to publish that information on its website.
- Required developer and non-developer unit owners to give prospective buyers of a unit a copy of the inspector-prepared summary of the milestone inspection report.
- Extended the jurisdiction of the division to investigate complaints to include complaints related to the procedural completion of milestone inspections.

SB 4-D also revised the reserve funding requirements for condominium and cooperative associations.²

² (See *infra* Budgets and Reserves, Condominium and Cooperative Associations).

The Florida Building Code

In 1974, Florida adopted legislation requiring all local governments to adopt and enforce a minimum building code that would ensure that Florida's minimum standards were met. Local governments could choose from four separate model codes. The state's role was limited to adopting all or relevant parts of new editions of the four model codes. Local governments could amend and enforce their local codes, as they desired.³

In 1992, Hurricane Andrew demonstrated that Florida's system of local codes did not work. Hurricane Andrew destroyed many structures that were allegedly built according to the strongest code. The Governor eventually appointed a study commission to review the system of local codes and make recommendations for modernizing the system. The 1998 Legislature adopted the study commission's recommendations for a single state building code and enhanced the oversight role of the state over local code enforcement. The 2000 Legislature authorized implementation of the Florida Building Code (Building Code), and that first edition replaced all local codes on March 1, 2002.⁴ The current edition of the Building Code is the seventh edition, which is referred to as the 2020 Florida Building Code.⁵

Chapter 553, part IV, F.S., is known as the "Florida Building Codes Act" (act). The purpose and intent of the act is to provide a mechanism for the uniform adoption, updating, interpretation, and enforcement of a single, unified state building code. The Building Code must be applied, administered, and enforced uniformly and consistently from jurisdiction to jurisdiction.⁶

The Florida Building Commission (commission) was statutorily created to implement the Building Code. The commission, which is housed within the Department of Business and Professional Regulation (DBPR), is a 19-member technical body made up of design professionals, contractors, and government experts in various disciplines covered by the Building Code.⁷ The commission reviews several International Codes published by the International Code Council,⁸ the National Electric Code, and other nationally adopted model codes to determine if the Building Code needs to be updated, and adopts an updated Building Code every three years.⁹

Local Enforcement of the Florida Building Code

It is the intent of the Legislature that local governments have the power to inspect all buildings, structures, and facilities within their jurisdiction in protection of the public's health, safety, and welfare.¹⁰ Every local government must enforce the Building Code and issue building permits.¹¹

³ The Florida Building Commission Report to the 2006 Legislature, *Florida Department of Community Affairs*, p. 4, at http://www.floridabuilding.org/fbc/publications/2006_Legislature_Rpt_rev2.pdf (last visited February 15, 2023).

⁴ *Id.*; see also DBPR, *Building Code Information System*, at: <https://floridabuilding.org/c/default.aspx#> (last visited Feb. 16, 2023).

⁵ *Id.*

⁶ Section 553.72(1), F.S.

⁷ Section 553.74, F.S.

⁸ The International Code Council (ICC) is an association that develops model codes and standards used in the design, building, and compliance process to "construct safe, sustainable, affordable and resilient structures." International Code Council, *About the ICC*, available at <https://www.iccsafe.org/about/who-we-are/> (last visited Feb. 16, 2023).

⁹ Section 553.73(7), F.S.

¹⁰ Section 553.72, F.S.

¹¹ Sections 125.01(1)(bb), 125.56(1), and 553.80(1), F.S.

It is unlawful for a person, firm, or corporation to construct, erect, alter, repair, secure, or demolish any building without first obtaining a permit from the local government enforcing agency or from such persons as may, by resolution or regulation, be directed to issue such permit, upon the payment of reasonable fees as set forth in a schedule of fees adopted by the enforcing agency.¹²

Any construction work that requires a building permit also requires plans and inspections to ensure the work complies with the Building Code. The Building Code requires certain building, electrical, plumbing, mechanical, and gas inspections.¹³ Construction work may not be done beyond a certain point until it passes an inspection. Generally speaking, a permit for construction work that passes the required inspections is considered completed or closed.¹⁴

The Florida Building Code does not contain mandatory requirements for the maintenance and inspection of existing buildings in the state. Mandatory inspections of existing condominium buildings were once required by Florida law, but the law was repealed shortly after enactment. In 2008, the Legislature mandated that every condominium greater than three stories in height be inspected for maintenance, useful life, and replacement costs of the common elements every five years by an engineer or architect licensed in the state.¹⁵ A condominium association could waive this requirement for five years by a majority vote of interests present at a properly called meeting of the association.¹⁶ This provision was repealed in 2010.¹⁷

Building Code Administrators, Inspectors, and Plans Examiners

Building officials, inspectors, and plans examiners are regulated by the Florida Building Code Administrators and Inspectors Board (FBCAIB) within the DBPR. The FBCAIB consists of nine members appointed by the Governor and subject to confirmation by the Senate.¹⁸

A building code administrator, otherwise known as a building official, is a local government employee or a person contracted by a local government who supervises building code activities, including plans review, enforcement, and inspection.¹⁹

A building code inspector (inspector) inspects construction that requires permits to determine compliance with the Building Code and state accessibility laws. Inspectors are divided into several different categories. An inspector's ability to practice is limited to the category or categories in which the inspector has been licensed. The inspector categories are:²⁰

- Building inspector;

¹² Sections 125.56(4)(a) and 553.79(1), F.S.

¹³ 2020 Florida Building Code (7th ed.), s. 110.

¹⁴ Doug Wise, *Closing Inactive & Excluded Building Permits*, Palm Beach County Planning, Zoning & Building Department, Building Division, at: <http://discover.pbcgov.org/pzb/building/BuildingCodes/PBO-126%20%E2%80%93Closing%20Inactive%20and%20Excluded%20Building%20Permits.pdf> (last visited Feb. 16, 2023).

¹⁵ Ch. 2008-28, Laws of Fla.

¹⁶ *Id.*

¹⁷ Ch. 2010-176, s. 59, Laws of Fla.

¹⁸ Section 468.605, F.S.

¹⁹ Section 468.603(2), F.S.

²⁰ Section 468.603(5), F.S.

- Coastal construction inspector;
- Commercial electrical inspector;
- Residential electrical inspector;
- Mechanical inspector;
- Plumbing inspector;
- Residential inspector; and
- Electrical inspector.

A plans examiner reviews plans submitted for building permits to determine design compliance with construction codes. The term includes a residential plans examiner who is qualified to determine that plans submitted for building permits comply with the applicable residential building, plumbing, mechanical, electrical, gas, energy, accessibility, and other applicable construction codes. A plans examiner's ability to practice is limited to the category or categories in which the plans examiner has been licensed. The plans examiner categories are:²¹

- Building plans examiner;
- Plumbing plans examiner;
- Mechanical plans examiner; and
- Electrical plans examiner.

Threshold Building Inspections

In 1981, a “five-story Harbour Cay Condominium building in Cocoa Beach, Florida, collapsed during the placement of concrete for the roof slab, killing 11 workers and injuring 23 more.”²² In response to this tragedy, the Legislature instituted threshold building inspections, requiring licensed “special inspectors” to conduct inspections for all threshold buildings.²³ A special inspector is a licensed architect or registered engineer who is certified under chs. 471 or 481, F.S., to conduct inspections of threshold buildings.²⁴

A threshold building is defined as any building which is greater than three stories or 50 feet in height, or which has an assembly occupancy classification, as defined in the Building Code, which exceeds 5,000 square feet in area and an occupant content of greater than 500 persons.²⁵ An enforcing agency must require a special inspector to perform structural inspections on a threshold building during new construction or during repair or restoration projects in which the structural system or structural loading of a building is being modified.²⁶

For a building that qualifies as a threshold building, a structural inspection plan must be submitted by the special inspector and the design professional of record to the enforcing agency

²¹ Section 468.603(8), F.S.

²² National Institute of Standards and Technology, Harbour Cay Condominium Collapse Florida 1981, available at <https://www.nist.gov/el/harbour-cay-condominium-collapse-florida-1981> (last visited Feb. 16, 2023).

²³ Florida Building Commission, Florida Building Construction Standards available at https://www.floridabuilding.org/fbc/commission/FBC_0413/Commission_Education_POC/173/173-1-MATERIAL%20.pdf (last visited Feb. 16, 2023).

²⁴ See s. 553.71, F.S.

²⁵ *Id.*

²⁶ Section 553.79(5)(a), F.S.

prior to the issuance of a building permit for the construction of or modification to the building.²⁷ However, a fee-simple owner may declare a building a threshold building even when it does not meet the definitions.²⁸

The inspection plan for a threshold building provides specific inspection instructions or the adequate inspection of construction. The owner must retain the services of a special inspector who must inspect the building according to the special inspection plan. In addition, the inspector must determine that a professional engineer who specializes in shoring design has inspected the shoring and reshoring for conformance with the shoring and reshoring plans submitted to the enforcing agency.²⁹ Special inspectors report directly to local building administrators and officials. The role of threshold building inspectors is unique to Florida.³⁰

There were 9,237 active Building Code Administrators/Inspectors licensed in Florida in Fiscal Year 2021-2022.³¹

Local Building Recertification Programs

Florida does not require recertification of buildings or regular inspections of existing buildings, which is consistent with state building codes across the country. Miami-Dade and Broward Counties have amended their local building codes to require a recertification process and inspection of buildings 40 years and older. Miami-Dade's program was established in 1975,³² and Broward County's program was modeled after Miami-Dade's and has been in effect since January 2006.³³

Miami Dade's recertification program states that:

All buildings, except single-family residences, duplexes and minor structures as defined below, shall be recertified in the manner described below where such buildings or structures have been in existence for forty (40) years or longer, as determined by the Building Official, who shall at such time issue a Notice of Required Inspection to the building owner. Subsequent recertification shall be required at ten (10) years interval. In the event a building is determined to be structurally and electrically safe under the conditions set forth herein, and such building or structure is less

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ Florida Board of Professional Engineers, *What Are Threshold Building Inspectors?*, available at <https://fbpe.org/what-are-threshold-building-inspectors/> (last visited Feb. 16, 2023).

³¹ Department of Business and Professional Regulation, *2021-2022 Annual Report, Division of Certified Public Accounting, Division of Professions, Division of Real Estate, Division of Regulation* at p. 20, at <http://www.myfloridalicense.com/DBPR/os/documents/Division%20Annual%20Report%20FY%2021-22.pdf> (last visited Feb. 16, 2023).

³² Miami-Dade Recertification at <https://www.miamidade.gov/global/economy/building/recertification.page#:~:text=Miami%2DDade%20County%20has%20had,amended%20on%20June%201%2C%202022> (last visited Feb. 19, 2023).

³³ Broward County, Building Safety Inspection Program, available at <https://www.broward.org/CodeAppeals/Documents/Broward%20County%20Building%20Safety%20Inspection%20Program.pdf> (last visited Feb. 16, 2023).

than forty (40) years of age, recertification shall not be required for a minimum of ten (10) years from that time, or age forty (40), whichever is the longer period of time.³⁴

Inspection procedures shall “conform, in general, to the minimum inspection procedural guidelines” issued by the county, and are for the purpose of determining the general structural condition of the building or structure to the extent reasonably possible which affects the safety of the building or structure.³⁵ Miami-Dade’s recertification program exempts buildings under 2,000 square feet,³⁶ and Broward’s program exempts buildings under 3,500 square feet.³⁷ The inspections must be carried out by a professional engineer or architect registered with the State of Florida.³⁸

Following the 2021 tragedy in Surfside, Florida, where a 12-story condominium building, known as Champlain Towers South, unexpectedly experienced structural failure and partially collapsed, resulting in the death of 98 people, the concept of recertification programs gained considerable attention. The City of Boca Raton recently instituted a building recertification program for buildings over 30 years of age that are greater than three stories or 50 feet in height, or greater than 5,000 square feet and have an occupancy greater than 500 people.³⁹

Community Associations

Chapters 718, 719, and 720, F.S.

Chapter 718, F.S., relating to condominiums, ch. 719, F.S., relating to cooperatives, and ch. 720, F.S., relating to homeowners’ associations, provide for the governance of community associations. The chapters delineate requirements for notices of meetings,⁴⁰ recordkeeping requirements, including which records are accessible to the members of the association,⁴¹ and financial reporting.⁴² Timeshare condominiums are generally governed by ch. 721, F.S., the “Florida Vacation Plan and Timesharing Act.”

³⁴ See Code of Miami-Dade, ch. 8 Building Code, s. 8-11(f)(ii), at https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH8BUCO_ARTIAD_S8-11EXBU (last visited Feb. 16, 2023).

³⁵ *Id.* at s. 8-11(f)(i).

³⁶ *Id.* at s. 8-11(f)(ii).

³⁷ Broward County, Building Safety Inspection Program, *available at*:

<https://www.broward.org/CodeAppeals/Documents/Broward%20County%20Building%20Safety%20Inspection%20Program.pdf> (last visited Feb. 16, 2023)

³⁸ *Id.* and See Code of Miami-Dade, ch. 8, Building Code, s. 8-11(iv).

³⁹ City of Boca Raton. Ordinance 5589, *available at*: <https://www.myboca.us/DocumentCenter/View/28152/Ordinance-No-5589?bidId=> (last visited Feb. 16, 2023)

⁴⁰ See ss. 718.112(2), 719.106(2)(c), and 720.303(2), F.S., for condominium, cooperative, and homeowners’ associations, respectively.

⁴¹ See ss. 718.111(12), 719.104(2), and 720.303(4), F.S., for condominium, cooperative, and homeowners’ associations, respectively.

⁴² See ss. 718.111(13), 719.104(4), and 720.303(7), F.S., for condominium, cooperative, and homeowners’ associations, respectively.

Division of Florida Condominiums, Timeshares, and Mobile Homes

The Division of Florida Condominiums, Timeshares, and Mobile Homes (division) within the DBPR administers the provisions of chs. 718 and 719, F.S., for condominium and cooperative associations, respectively. The division may investigate complaints and enforce compliance with chs. 718 and 719, F.S., for associations that are still under developer control.⁴³ The division also has the authority to investigate complaints against developers involving improper turnover or failure to transfer control to the association.⁴⁴ After control of the condominium is transferred from the developer to the unit owners, the division has jurisdiction to investigate complaints related to financial issues, elections, and maintenance of and unit owner access to association records.⁴⁵ For cooperatives, the division's jurisdiction extends to the development, construction, sale, lease, ownership, operation, and management of residential cooperative units.⁴⁶

As part of the division's authority to investigate complaints, the division may subpoena witnesses, take sworn statements from witnesses, issue cease and desist orders, and impose civil penalties against developers, associations, and association board members.⁴⁷

If the division has reasonable cause to believe that a violation of any provision of ch. 718, F.S., ch. 719, F.S., or a related rule has occurred, the division may institute enforcement proceedings in its name against any developer, bulk assignee, bulk buyer, association, officer, or member of the board of administration, or its assignees or agents. The division may conduct an investigation and issue an order to cease and desist from unlawful practices and to take affirmative action to carry out the purpose of the applicable chapter. Also, Florida law authorizes the division to petition a court to appoint a receiver or conservator to implement a court order or to enforce an injunction or temporary restraining order. The division may also impose civil penalties.⁴⁸ Unlike condominium and cooperative associations, homeowners' associations are not regulated by a state agency. For homeowners' associations, the division's authority is limited to the arbitration of recall election disputes.⁴⁹

Condominiums

A condominium is a "form of ownership of real property created under ch. 718, F.S.,"⁵⁰ the "Condominium Act." Condominium unit owners are in a unique legal position because they are exclusive owners of property within a community, joint owners of community common elements, and members of the condominium association.⁵¹ For unit owners, membership in the association is an unalienable right and required condition of unit ownership.⁵²

⁴³ Sections 718.501(1) and 719.501(1), F.S.

⁴⁴ *Id.*

⁴⁵ Section 718.501(1), F.S.

⁴⁶ Section 719.501(1), F.S.

⁴⁷ Sections 718.501(1) and 719.501(1), F.S.

⁴⁸ *Id.*

⁴⁹ See ss. 720.303(10)(d) and 720.306(9)(c), F.S.

⁵⁰ Section 718.103(11), F.S.

⁵¹ See s. 718.103, F.S., for the terms used in the Condominium Act.

⁵² *Id.*

A condominium association is administered by a board of directors referred to as a “board of administration.”⁵³ The board of administration is comprised of individual unit owners elected by the members of a community to manage community affairs and represent the interests of the association. Association board members must enforce a community's governing documents and are responsible for maintaining a condominium's common elements which are owned in undivided shares by unit owners.⁵⁴

There are approximately 1,529,764 condominium units in Florida operated by 27,588 associations.⁵⁵ Approximately 912,376 of these condominium units in Florida are at least 30 years in age.⁵⁶ Further breakdown of the age of condominium units in Florida is as follows:

- 105,404 units – 50 years old or older;
- 479,435 units – 40-50 years old;
- 327,537 units – 30-40 years old;
- 141,773 units – 20-30 years old;
- 428,657 units – 10-20 years old; and
- 46,958 units – 0-10 years old.⁵⁷

It is estimated that there are over 2 million residents occupying condominiums 30 years or older in Florida, based upon census data of an average of approximately 2.2 persons living in a condominium unit.⁵⁸

Cooperatives

Section 719.103(12), F.S., defines a “cooperative” to mean:

[T]hat form of ownership of real property wherein legal title is vested in a corporation or other entity and the beneficial use is evidenced by an ownership interest in the association and a lease or other muniment of title or possession granted by the association as the owner of all the cooperative property.

A cooperative differs from a condominium because, in a cooperative, no unit is individually owned. Instead, a cooperative owner receives an exclusive right to occupy the unit based on their ownership interest in the cooperative entity as a whole. A cooperative owner is either a stockholder or member of a cooperative apartment corporation who is entitled, solely by reason of ownership of stock or membership in the corporation, to occupy an apartment in a building owned by the corporation.⁵⁹ The cooperative holds the legal title to the unit and all common elements. The cooperative association may assess costs for the maintenance of common

⁵³ Section 718.103(4), F.S.

⁵⁴ Section 718.103(2), F.S.

⁵⁵ Report of the Florida Bar RPPTL Condominium Law and Policy Life Safety Advisory Task Force (Task Force Report), p. 4, available at: <https://www-media.floridabar.org/uploads/2021/10/Condominium-Law-and-Policy-Life-Safety-Advisory-Task-Force-Report.pdf> (last visited Feb. 16, 2023).

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ See *Walters v. Agency for Health Care Administration*, 288 So.3d 1215 (Fla. 3d DCA 2019), review dismissed 2020 WL 3442763 (Fla. 2020).

expenses.⁶⁰ There are 778 cooperative associations in Florida that are registered with the DBPR.⁶¹

Official Records – Condominium and Cooperative Associations

Florida law specifies the official records that condominium and cooperative associations must maintain.⁶² Generally, the official records must be maintained in Florida for at least seven years.⁶³ Certain of these records must be accessible to the members of an association.⁶⁴ Additionally, certain records are protected or restricted from disclosure to members, such as records protected by attorney-client privilege, personnel records, and personal identifying records of owners.⁶⁵

SB 4-D gave unit owners in condominium and cooperative associations the right to inspect and copy, as official records, the milestone inspection report and all other inspection reports relating to structural or life safety. SB 4-D also gave renters the right to inspect the milestone inspection reports.⁶⁶

A condominium association with 150 or more units is required to post digital copies of specified documents on its website or make such documents available through an application that can be downloaded on a mobile device.⁶⁷ Cooperative associations are not required to maintain such a website.

Budgets and Reserves – Florida Condominium and Cooperative Associations

Condominium and cooperative associations must have a budget of estimated revenues and expenses.⁶⁸ The board must adopt the annual budget at least 14 days before the start of the association's fiscal year.⁶⁹

In addition to annual operating expenses, the budget must include reserve accounts for capital expenditures and deferred maintenance. Reserve accounts must include, but are not limited to, roof replacement, building painting, and pavement resurfacing, regardless of the amount of deferred maintenance expense or replacement cost, and any other item that has a deferred maintenance expense or replacement cost that exceeds \$10,000.

The amount to be reserved must be computed using a formula based upon the estimated remaining useful life and estimated replacement cost or deferred maintenance expense of each reserve item. Replacement reserve assessments may be adjusted annually to take into account

⁶⁰ See ss. 719.106(1)(g) and 719.107, F.S.

⁶¹ See Task Force Report, pp. 4-5.

⁶² See ss. 718.111(12) and 719.104(2), F.S., relating to condominium and cooperative associations, respectively.

⁶³ See ss. 718.111(12)(b) and 719.104(2)(b), F.S., relating to condominium and cooperative associations, respectively.

⁶⁴ See ss. 718.111(12)(a) and 719.104(2)(a), F.S., relating to condominium and cooperative associations, respectively.

⁶⁵ See ss. 718.111(12)(c) and 719.104(2)(c), F.S., relating to condominium and cooperative associations, respectively.

⁶⁶ *Id.*

⁶⁷ Section 718.111(12)(g), F.S.

⁶⁸ Sections 718.112(2)(f) and 719.106(1)(j), F.S., relating to the annual budget for condominium and cooperative associations, respectively.

⁶⁹ *Id.*

any changes in estimates or extension of the useful life of a reserve item caused by deferred maintenance.⁷⁰

Regarding the funding of reserves for the continued maintenance and repair of condominium and cooperative buildings, SB 4-D created ss. 718.112(2) and 719.106(1), F.S., relating to condominium and cooperative associations, to:

- Require condominium associations and cooperative associations to complete a structural integrity reserve study every 10 years for each building in an association that is three stories or higher in height.
- Require associations existing on or before July 1, 2022, that are controlled by non-developer unit owners, to have a structural integrity reserve study completed by December 31, 2024.
- Define “structural integrity reserve study” (SIRS) as a study of the reserve funds required for future major repairs and replacement of the common elements based on a visual inspection of the common elements.
- Require that the study include a visual inspection, and state the estimated remaining useful life and the estimated replacement cost of the following items (structural integrity items): roof, load bearing walls or other primary structural members, floor, foundation, fireproofing and fire protection systems, plumbing, and any item with a deferred maintenance or replacement cost that exceeds \$10,000.
- Require the visual inspection to be performed by a person licensed as an engineer or an architect. However, any qualified person or entity may perform the other components of a SIRS.
- Require a developer to have a SIRS completed for each building in the association that is three stories or more in height before turning over control of an association to the non-developer unit owners.
- Provide that it is a breach of a board member or officer’s fiduciary duty if an association fails to complete a SIRS.

After December 31, 2024, condominium and cooperative associations may not waive reserves. This prohibition applies to all associations, regardless of building height. Associations also may not opt to provide less reserves or no reserves than are required for the structural integrity items. Nor may those reserves be used for any other purpose than their intended purpose.⁷¹

Reserve Studies

Ten other states require a reserve study or a reserve schedule for condominium associations, but only Florida uses the term “structural integrity reserve study.”⁷² A reserve study determines how much an association needs to collect in annual reserve contributions for the board to afford capital projects when they are needed. A reserve study includes a physical inspection of the association’s property and a financial analysis of the association’s current reserves, payments by

⁷⁰ Sections 718.112(2)(f)2.a. and 719.106(1)(j)2., F.S., relating to condominium and cooperative associations, respectively.

⁷¹ Sections 718.112(2)(f) and 719.106(1)(j), F.S., relating to condominium and cooperative associations, respectively.

⁷² See Community Association Institute, *Reserve Requirements and Funding*, at: <https://www.caionline.org/Advocacy/Priorities/ReserveStudy/Pages/default.aspx> (last visited Jan. 29, 2020). The nine states are: California, Colorado, Delaware, Hawaii, Nevada, Oregon, Utah, Virginia, and Washington State.

unit or homeowners into the association's reserve account, and anticipated future expenditures, thus allowing the community to pay for capital projects as they become necessary.⁷³

The Community Associations Institute⁷⁴ and the Association of Professional Reserve Analysts⁷⁵ provide certification standards to certify persons to perform reserve studies.

Financial Reporting - Condominium and Cooperative Associations

Sections 718.11(13), 719.104(4), and 720.303(7), F.S., provide comparable financial reporting requirements for condominium, cooperative, and homeowners' associations, respectively.

Within 90 days following the end of the fiscal or calendar year, or annually on such date as provided in the association's bylaws, the governing board of the association must complete, or contract with a third party to complete, the financial report. Within 21 days after the financial report is completed by the board or received from the third party, but no later than 120 days after the end of the fiscal year, the board must provide each member of the association a copy of the financial report or a notice that it is available at no charge upon a written request.

The division is required to adopt rules setting forth uniform accounting principles, standards, and reporting requirements for cooperative associations.⁷⁶ For condominium associations, the division's rulemaking authority is broader; the division must adopt rules setting forth uniform accounting principles and standards to be used by all condominium associations and addressing the financial reporting requirements for multicondominium associations. For condominium associations, the division's rules must include, but not be limited to:

...standards for presenting a summary of association reserves, including a good faith estimate disclosing the annual amount of reserve funds that would be necessary for the association to fully fund reserves for each reserve item based on the straight-line accounting method. This disclosure is not applicable to reserves funded via the pooling method. In adopting such rules, the division shall consider the number of members and annual revenues of an association.⁷⁷

Pre-sale Disclosures - Condominium and Cooperative Associations

Developers and nondeveloper owners of condominium or cooperative units must give certain documents to a prospective buyer or lessee before the execution of a contract for the sale of a residential unit, including a copy of the inspector prepared summary of the milestone inspection report as described in ss. 553.899 and 718.301(4), F.S., and a copy of the most recent SIRS or a

⁷³ See Community Association Institute, *Understanding and Utilizing Your Reserve Study to Ensure Long-Term Success*, at: <https://www.caiddc.org/understanding-and-utilizing-your-reserve-study-to-ensure-long-term-success/> (last visited Feb. 16, 2023).

⁷⁴ See Community Association Institute, *Reserve Specialist*, <https://www.caionline.org/LearningCenter/credentials/Pages/RS.aspx> (last visited Feb. 17, 2023).

⁷⁵ See Association of Professional Reserve Analysts, <https://www.apra-usa.com/> (last visited Feb. 17, 2023).

⁷⁶ Section 719.104(4)(a), F.S.

⁷⁷ Section 718.111(13), F.S. See also s. 719.104(4)(a), F.S., which requires the division to adopt rules setting forth uniform accounting principles, standards, and reporting requirements for cooperative associations. Sections 718.501(1)(f) and 719.501(1)(f), F.S., also authorize the division to adopt rules to administer and enforce chs. 718 and 719, F.S.

statement that the association has not completed a SIRS.⁷⁸ Current law does not require the developer to provide a statement that a required milestone inspection has not been completed or that such an inspection is not required. Current law also does not provide for a statement if a SIRS is not required.

The developer may not close for 15 days following the execution of a purchase contract, or execution of a lease of a residential unit for an unexpired term of more than five years, and the delivery of the required documents to the buyer, including the documents creating the association, the bylaws, and the estimated operating budget of the association. A prospective purchaser may void the contract within 15 days of his or her receipt of all the required documents.⁷⁹

A nondeveloper unit owner must provide the prospective buyer or lessee certain information, including the articles of incorporation, bylaws and rules, a copy of the most recent financial information, and a “Frequently Asked Questions and Answers” document.⁸⁰ These documents must be provided more than three days, excluding Saturdays, Sundays, and legal holidays, before the execution of the contract, or the sales contract is voidable by the prospective purchaser. These disclosures do not apply to the leasing of a residential unit by a nondeveloper owner.⁸¹

Each contract for sale of a residential unit must contain in conspicuous type a statement acknowledging that the purchaser has received the document and his or her right to void the contract if the required documents are not provided more than three days, excluding Saturdays, Sundays, and legal holidays, before the execution of the contract.

Prospectus or Offering Circular - Condominium and Cooperative Associations

Every developer of a residential condominium or cooperative which contains more than 20 residential units, or which is part of a group of residential condominiums or cooperatives which will be served by property to be used in common by unit owners of more than 20 residential units, must prepare a prospectus or offering circular and file it with the division prior to entering into an enforceable contract of purchase and sale of any unit or lease of a unit for more than five years. A copy of the prospectus or offering circular must be provided to each buyer.⁸²

The prospectus or offering circular must contain certain information about the condominium or cooperative, including an estimated operating budget for the condominium and the association, and a schedule of the unit owner's expenses.⁸³

⁷⁸ Sections 718.503(1) and 719.503(1), F.S.

⁷⁹ Sections 718.503(1) and 719.503(1), F.S., providing the developer disclosures before the sale or lease of a residential condominium or cooperative unit, respectively.

⁸⁰ See ss. 718.503(2) and 719.503(2), F.S., providing the nondeveloper disclosures before the sale of a residential condominium or cooperative unit, respectively.

⁸¹ *Id.*

⁸² Sections 718.504 and 719.504, F.S., requiring a prospectus or offering circular for a residential condominium or cooperative unit, respectively.

⁸³ See ss. 718.504(21) and 719.504(20) and (21), F.S., requiring certain budget information for the condominium or cooperative be included in the prospectus or offering circular, respectively.

Alternative Dispute Resolution - Condominium and Cooperative Associations

Section 718.1255, F.S., provides an alternative dispute resolution process for certain disputes between unit owners and condominium associations. Before the institution of court litigation, other than an election or recall dispute, a party to a dispute must either petition the division for nonbinding arbitration or initiate presuit mediation. Unit owners in cooperative associations are also subject to the dispute resolution requirements in s. 718.1255, F.S.⁸⁴

Disputes in cooperative associations, including recall election disputes, are subject to the same alternative dispute resolution requirements and procedures applicable to condominiums as set forth in s. 718.1255, F.S.⁸⁵

Alternative dispute resolution offers a more efficient, cost-effective option to court litigation, but alternative dispute resolution should not be used as a mechanism to encourage the filing of frivolous or nuisance suits.⁸⁶

Alternative dispute resolution is required for any disagreements between two or more parties that involves:⁸⁷

- The authority of the board of directors to require an owner to take any action, or not to take any action, involving that owner's unit or the appurtenance thereto and the authority of the board of directors to alter or add to common areas or elements;⁸⁸
- The board of directors' failure to:
 - Properly conduct elections;
 - Give adequate notice of meetings;
 - Properly conduct meetings;
 - Provide access to association books and records; and
- A plan of termination pursuant to s. 718.117, F.S.

The division does not have jurisdiction to arbitrate or mediate disputes between a unit owner and an association that involve:⁸⁹

- Title to any unit or common element;
- The interpretation or enforcement of any warranty;
- The levy of a fee or assessment, or the collection of an assessment levied against a party;
- The eviction or other removal of a tenant from a unit;
- Alleged breaches of fiduciary duty by one or more directors; or
- Claims for damages to a unit based upon the alleged failure of the association to maintain the common elements or condominium property.

⁸⁴ See s. 719.1255, F.S.

⁸⁵ Sections 719.1255 and 719.106(1)(f), F.S.

⁸⁶ Section 718.1255(3)(b), F.S., providing legislative findings regarding the advantages of pre-suit alternative dispute resolution.

⁸⁷ Section 718.1255(1)(a), F.S., defining the term “dispute.”

⁸⁸ *Id.*

⁸⁹ *Id.*

Recall and election disputes in condominium, cooperative, and homeowners' associations are not eligible for presuit mediation and must be arbitrated by the division or filed directly with a court of competent jurisdiction.⁹⁰

Arbitration is binding on the parties if all parties in arbitration agree to be bound in a writing filed in the arbitration,⁹¹ or if a complaint for a trial de novo is not filed in a court of competent jurisdiction in which the condominium is located within 30 days after the arbitration decision is rendered.⁹²

The filing fee for a petition to the division to initiate nonbinding arbitration or presuit mediation is \$50.⁹³ The division employs full-time arbitrators and may certify private attorneys to conduct mandatory nonbinding arbitration.

Current law also encourages parties to a condominium dispute to participate in voluntary mediation through a Citizen Dispute Settlement Center as provided in s. 44.201, F.S.⁹⁴

The mediation of disputes in condominium and cooperative associations is regulated under s. 720.311, F.S., which also provides for the mediation of the certain homeowners' association disputes under ch. 720, F.S. An aggrieved party in a dispute must initiate the mediation proceedings by serving a written petition for mediation to the opposing party. The petition must be in the format provided in s. 720.311, F.S., and must identify the specific nature of the dispute and the basis for the alleged violations. The written offer must include five certified mediators that the aggrieved party believes to be neutral. The serving of the petition tolls the statute of limitations for the dispute. If emergency relief is required, a temporary injunction may be sought in court before the mediation.⁹⁵

The opposing party has 20 days to respond to the petition. If the opposing party fails to respond or refuses to mediate, the aggrieved party may proceed to civil court. If the parties agree to mediation, the mediator must hold the mediation within 90 days after the petition is sent to the opposing parties. The parties share the costs of mediation except for the cost of attorney's fees. Mediation is confidential, and persons who are not parties to the dispute (other than attorneys or a designated representative for the association) may not attend the mediation conference.⁹⁶

The bylaws for condominium and cooperative associations must provide for mandatory dispute resolution.⁹⁷

⁹⁰ Section 718.1255(5), F.S.

⁹¹ Section 718.1255(4)(a), F.S.

⁹² Section 718.1255(4)(k), F.S.

⁹³ Section 718.1255(4)(a), F.S.

⁹⁴ Section 718.1255(2), F.S.

⁹⁵ *Id.*

⁹⁶ Section 720.311(2)(b), F.S.

⁹⁷ Sections 718.112(2)(k) and 719.106(1)(l), F.S., relating to condominium and cooperative associations, respectively.

Insurance

Citizens Property Insurance Corporation—Overview

Citizens Property Insurance Corporation (Citizens or corporation) is a state-created, not-for-profit, tax-exempt governmental entity whose public purpose is to provide property insurance coverage to those unable to find affordable coverage in the voluntary admitted market.⁹⁸ Citizens is not a private insurance company.⁹⁹ Citizens was statutorily created in 2002 when the Florida Legislature combined the state's two insurers of last resort, the Florida Residential Property and Casualty Joint Underwriting Association (RPCJUA) and the Florida Windstorm Underwriting Association (FWUA).¹⁰⁰

Citizens operates in accordance with the provisions in s. 627.351(6), F.S., and is governed by an eight member Board of Governors (board) that administers its Plan of Operations. The Plan of Operations is reviewed and approved by the Financial Services Commission.¹⁰¹ The Governor, President of the Senate, Speaker of the House of Representatives, and Chief Financial Officer each appoint two members to the board.¹⁰² Citizens is subject to regulation by the Office of Insurance Regulation.

Citizens offers property insurance through three different accounts: a personal lines account, a commercial lines account, and a coastal account.

The Personal Lines Account (PLA) offers personal lines residential policies that provide comprehensive, multi-peril coverage statewide, except for those areas contained in the Coastal Account. The PLA also writes policies that exclude coverage for wind damage in areas contained within the Coastal Account. Personal lines residential coverage consists of the types of coverage provided to homeowners, mobile home owners, dwellings, tenants, and condominium unit owners policies.¹⁰³

The Commercial Lines Account (CLA) offers commercial lines residential and non-residential policies that provide basic perils coverage statewide, except for those areas contained in the Coastal Account. The CLA also writes policies that exclude coverage for wind in areas contained within the Coastal Account. Commercial lines coverage includes commercial residential policies covering condominium associations, homeowners' associations, and apartment buildings. The coverage also includes commercial non-residential policies covering business properties.¹⁰⁴

⁹⁸ The term "admitted market" means insurance companies licensed to transact insurance in Florida.

⁹⁹ Section 627.351(6)(a)1., F.S.

¹⁰⁰ Section 2, ch. 2002-240, Laws of Fla.

¹⁰¹ Section 627.351(6)(a)2., F.S.

¹⁰² Section 627.351(6)(c)4.a., F.S.

¹⁰³ See s. 627.351(6)(b)2.a., F.S.; Citizens, *Account History and Characteristics*, <https://www.citizensfla.com/documents/20702/1183352/20160315+05A+Citizens+Account+History.pdf/31f51358-7105-40e9-aa75-597f51a99563> (Mar. 2016) (last visited Feb. 16, 2023).

¹⁰⁴ *Id.*

The Coastal Account offers personal residential, commercial residential, and commercial non-residential policies in coastal areas of the state. Citizens must offer policies that solely cover the peril of wind (wind only policies) and may offer multi-peril policies.¹⁰⁵

Flood Insurance

The Flood Disaster Protection Act of 1973 (FDPA)¹⁰⁶ prohibits lending institutions from making, increasing, extending, or renewing any loan secured by improved real estate or a mobile home located in special flood hazard areas and in which flood insurance has been made available under federal law, unless the building or mobile home is covered by flood insurance in an amount equal to the outstanding principal balance of the loan or the maximum limit of coverage available.

Under Florida law, an authorized insurer may issue a policy for flood insurance coverage,¹⁰⁷ but homeowners' insurance policies typically do not cover flood losses.¹⁰⁸ Although private flood insurance may be obtained by endorsement or a separate policy, this requirement is generally satisfied with coverage obtained through the National Flood Insurance Program (NFIP) which is managed by Federal Emergency Management Agency (FEMA).¹⁰⁹ The NFIP offers flood insurance coverage for buildings and content which must be purchased separately with separate deductibles. For residential property, the maximum coverage amount is \$250,000 for the building and \$100,000 for the contents and, for commercial property, the maximum coverage for building and building contents is \$500,000 each.¹¹⁰

Flood Zones

The National Flood Insurance Program with the Federal Emergency Management Administration (FEMA) maintains flood maps to show a community's risk of flooding. The map provides flood zones to designate the flooding risks. Flood risk areas that are designated with the letters B, C, and X on the FEMA flood maps are moderate to low-risk flood areas and have a reduced but not completely removed flood risk. One in three insurance claims come from moderate to low-risk flood areas. Flood risk areas that are designated with the letters A or V on the FEMA flood maps have the highest risk of flooding. Owners of properties that are in a high-risk zone and have a federally backed mortgage are required to purchase flood insurance as a condition of the loan.¹¹¹

Flood Notice

An insurer that issues or renews a homeowner's insurance policy without flood coverage must include the following statement with the policy documents:

¹⁰⁵ *Id.*

¹⁰⁶ 42 U.S.C. s. 4012a.(b).

¹⁰⁷ Section 627.715(1), F.S.

¹⁰⁸ Disaster Rally, *National Flood Insurance Program – How to Be Eligible*, [National Flood Insurance Program - How to Be Eligible \(disasterrally.com\)](https://disasterrally.com) (last visited Feb. 20, 2023).

¹⁰⁹ The Office of the Comptroller of the Currency, *Flood Disaster Protection Act: Guidance Regarding Lapse and Extension of FEMA's Authority to Issue Flood Insurance Contracts*, Jun. 9, 2010, [Flood Disaster Protection Act: Guidance Regarding Lapse and Extension of FEMA's Authority to Issue Flood Insurance Contracts | OCC \(ots.gov\)](https://www.occ.gov/news-press/pr/20100609-flood-disaster-protection-act-guidance) (last visited Feb. 16, 2023).

¹¹⁰ The FEMA, National Flood Insurance Program, *Understanding Your Policy Terms*, [Flood Insurance Coverage, Deductibles Explained \(floodsmart.gov\)](https://www.floodsmart.gov/floodsmart/understanding-your-policy-terms) (last visited Feb. 16, 2023).

¹¹¹ The FEMA, National Flood Insurance Program, *What is a flood map?*, [FEMA Flood Maps Explained \(floodsmart.gov\)](https://www.floodsmart.gov/floodsmart/what-is-a-flood-map) (last visited Feb. 17, 2023).

“FLOOD INSURANCE: YOU MAY ALSO NEED TO CONSIDER THE PURCHASE OF FLOOD INSURANCE. YOUR HOMEOWNER’S INSURANCE POLICY DOES NOT INCLUDE COVERAGE FOR DAMAGE RESULTING FROM FLOOD EVEN IF HURRICANE WINDS AND RAIN CAUSED THE FLOOD TO OCCUR. WITHOUT SEPARATE FLOOD INSURANCE COVERAGE, YOU MAY HAVE UNCOVERED LOSSES CAUSED BY FLOOD. PLEASE DISCUSS THE NEED TO PURCHASE SEPARATE FLOOD INSURANCE COVERAGE WITH YOUR INSURANCE AGENT.”

Citizens Flood Insurance Requirement

Section 627.351(6)(aa), F.S., requires Citizens personal lines residential policyholders to secure and maintain flood insurance that meets certain requirements as a condition of eligibility for Citizens coverage. There is a timetable for implementation of the flood insurance coverage requirement for personal lines residential Citizens policyholders. For Citizens personal lines residential policyholders whose property is located within special hazard flood zones defined by the FEMA, flood coverage must be obtained by:

- April 1, 2023 for Citizens’ new policies.
- July 1, 2023 for Citizens’ renewal policies.

For all other risks, the requirement to obtain flood insurance must be implemented for specified Citizens’ policyholders as follows:

- March 1, 2024, for policies insuring property to a limit of \$600,000 or more.
- March 1, 2025, for policies insuring property to a limit of at least \$500,000 but less than \$600,000.
- March 1, 2026, for policies insuring property to a limit of at least \$400,000 but less than \$500,000.
- March 1, 2027, for all other policyholders.

III. Effect of Proposed Changes:

Community Association Managers

Section 468.4334(1), F.S., requires a community association manager or firm that has a contract with a community association that has a building on the association’s property that is subject to s. 553.899, F.S., to comply with that section as directed by the board. The bill amends that section to delete the redundant term “that has a building on the association’s property.”

Milestone Inspections

The bill amends s. 553.899, F.S., to revise the milestone inspection requirements to:

- Limit the milestone inspection requirements to residential condominium and cooperative buildings;

- Provides that the three-story height of a building is determined by the Florida Building Code;¹¹²
- Provide that the milestone inspection requirements apply to buildings that in whole or in part are subject to the condominium or cooperative forms of ownership, such as mixed-ownership buildings;
- Clarify that in mix-ownership buildings, in which portions of the building are not subject to the condominium or cooperative form of ownership, all of the owners of the building are responsible for ensuring compliance and must share the costs of the inspection;
- Provide that the condominium or cooperative association is responsible for all costs associated with the inspection attributable to the portions of the building for which it is responsible under the governing documents of the association;
- Requires a building that reaches 30 years of age before December 31, 2024, to have a milestone inspection before December 31, 2024;
- Delete the 25-year milestone inspection requirement for buildings that are within three miles of the coastline;
- Provide an option for local enforcement agencies that are responsible with enforcing the milestone inspection requirements to set a 25-year inspection requirement if justified by local environmental conditions, including proximity to seawater;
- Authorize the local enforcement agency to extend the inspection deadline for a building upon a petition showing good cause that the owner or owners of the building have entered into a contract with an architect or engineer to perform the milestone inspection services and the milestone inspection cannot be reasonably completed before the deadline;
- Permit local enforcement agencies to accept an inspection and report that was completed before July 1, 2022, if the inspection and report substantially comply with the milestone requirements; associations must still comply with the unit owner notice requirements;
- Clarify various terms, such as referencing the “life of the building” instead of “its service life;”
- Provide that the inspection services may be provided by a team of design professionals with an architect or engineer acting as a registered design professional in responsible charge;¹¹³
- Revise the definition of the term “substantial structural deterioration” to include “structural weakness;”
- Require the milestone inspection report to be given to any other owner of the building that is not a condominium or cooperative association;
- Require the milestone inspector to submit a phase two progress report to the local enforcement agency within 180 days of submitting the phase one inspection report; and
- Clarify that the association must distribute a copy of the summary of the inspection reports to unit owners within 30 days of its receipt.

Regarding the Florida Building Commission, the bill requires the commission to establish by rule a building safety program to implement the milestone inspection requirements within the Florida

¹¹² See 2020 Florida Building Code, Building, 7th Ed., section 202, *Definitions*, defining the term “story.”

¹¹³ Fla. Admin. Code R. 61G15-18.011 defines the term “responsible charge” to mean “that degree of control an engineer is required to maintain over engineering decisions made personally or by others over which the engineer exercises supervisory direction and control authority. The engineer in responsible charge is the Engineer of Record as defined in subsection 61G15-30.002(1), F.A.C.” See also Florida Board of Professional Engineers, Engineer Interns and Responsible Charge at <https://fbpe.org/engineering-interns-and-responsible-charge/> (last visited Feb. 21, 2023).

Building Code. The commission must specify the minimum requirements for the commission's building safety program by December 31, 2024, including inspection criteria, testing protocols, standardized inspection and reporting forms that are adaptable to an electronic format, and record maintenance requirements for the local authority having jurisdiction.

Flood Insurance

The bill amends s. 627.351, F.S., to exempt unit owner policies from the flood insurance requirement for Citizens personal lines property coverage. The bill also revises the provision requiring flood insurance coverage by specified dates to base the dates by which flood insurance coverage must be obtained on the dwelling replacement cost instead of property value.

Access to Records

The bill amends ss. 718.111(12)(c) and 719.104(2)(c), F.S., relating to the access to official records for condominium and cooperative associations, respectively, to clarify that both any association member and any person authorized by the association member as a representative may inspect the official records of the association. It clarifies that the association does not have the right to choose which party, the member or their representative, has the right to inspect the official records of the association.

Reserves and the Structural Integrity Reserve Study

Definitions

The bill creates s. 718.103(1), F.S., to define the term “alternative funding method” to mean a method approved by the division for funding the capital expenditures and deferred maintenance obligations for a multicondominium association with at least 25 condominiums. The method must reasonably be expected to fully satisfy the association's reserve funding obligations. The division-approved method is limited to the allocation of funds in the annual operating budget. The bill does not provide a comparable provision for cooperative associations because current law does not authorize “multi-cooperative associations.”

The bill also revises the definition of the term “structural integrity reserve study” in ss. 718.103(25) and 719.103(24), F.S., to move the substantive SIRS requirements for condominiums and cooperatives, respectively, from the definition subsection to the SIRS provisions in ss. 718.112(2)(g) and 719.106(1)(k), F.S., as amended by the bill.

Reserve Funding Requirements

The bill revises the reserve funding requirements in ss. 718.112(2)(f) and 719.106(1)(j), F.S., relating to condominiums and cooperative associations, respectively, to:

- Require associations that are subject to the SIRS requirement to base a budget adopted on or after January 1, 2025, on the findings and recommendations of the most recent SIRS;
- Distinguish the reserve accounting requirements for associations that are subject to the SIRS requirements and those associations that are not subject to those requirements by:
 - Limiting the prohibition against the waiving of reserves and the use of reserves for other purposes to the associations that must perform the SIRS;

- Permitting unit owners in nondeveloper-controlled associations that are not required to have a SIRS, to vote to not provide reserves, reduce the funding of reserves, or to use reserves for other than their intended purpose, if approved by a majority vote of all voting interests.¹¹⁴
- Permit multicondominium associations to waive reserves if an alternative funding method has been approved by the division;
- Provide that reserve assessments may be adjusted for inflation; and
- Prohibit the uses of reserve funds for the SIRS items for other purposes other than the “replacement or deferred maintenance costs of the SIRS components” instead of “their intended purposes.”

Structural Integrity Reserve Studies

The bill amends the SIRS requirements in ss. 718.112(2)(g) and 719.106(1)(j), F.S., relating to condominiums and cooperative associations, respectively, to:

- Limit the SIRS requirement to residential condominium and cooperatives;
- Clarifies that the three-story building threshold for a SIRS study is determined by the Florida Building Code.¹¹⁵
- Replace the term “common areas” with “condominium property” or “cooperative property,” where appropriate;
- Clarify that the SIRS recommendation must include a reserve funding schedule;
- Delete “floor” from the list of building components that must be visually inspected in the SIRS;
- Permit the visual inspection portion of the SIRS to be verified by an engineer or architect;
- Permit persons who have been certified as a Reserve Specialist, or Professional Reserve Analyst by the Community Associations Institute or the Association of Professional Reserve Analysts to perform or verify the visual inspection portion of the SIRS;
- Clarify that the SIRS may recommend that reserves do not need to be maintained for any item for which an estimate of useful life and an estimate of replacement cost or deferred maintenance expense cannot be determined;
- Require reserves for deferred maintenance for the amount recommended by the SIRS, including for items for which there is no ascertainable estimate of useful life;
- Exempt from the SIRS requirement:
 - Buildings less than three stories in height, building;
 - Single-family, two-family, or three-family dwellings with three or fewer habitable stories above ground; and
 - Any portion or component of a building that has not been submitted to the condominium or cooperative form of ownership; or any portion or component of a building that is maintained by a party other than the condominium or cooperative association.

¹¹⁴ Under current law, until December 31, 2024, when the waiver prohibition in SB 4-D takes effect, the required vote to waive reserves is by a majority of association members voting in person at a meeting in person or by proxy.

¹¹⁵ *Supra* note 112.

Dispute Resolution

Effective July 1, 2027, the bill amends the dispute resolution provision in s. 718.1255, F.S., to redefine the term “dispute” to permit unit owners in condominium and cooperative associations to utilize the mediation process in s. 720.311, F.S., related to disputes in homeowners’ associations. Under the bill, condominium and cooperative unit owners may use the mediation process in this section for disputes related to failure of a board of administration to perform a required structural or life safety inspection, including the milestone inspection, perform a structural integrity reserve study, fund reserves, or make or provide necessary maintenance or repairs of association property as recommended by the milestone inspection or SIRS.

Effective July 1, 2027, the bill reenacts s. 719.1255, F.S., relating to cooperative association disputes, to incorporate the amendments made to s. 718.1255, F.S.

Maintenance Obligations of the Association

The bill amends s. 718.113, F.S., which provides that maintenance of the common elements is the responsibility of the condominium association and details the maintenance obligations for condominium boards, to provide that:

- The association shall provide for the maintenance, repair, and replacement of the applicable condominium property identified in s. 718.301(4)(p), F.S., except for any maintenance responsibility for limited common elements¹¹⁶ assigned to the unit by the declaration; and
- After turnover of control to the unit owners, the association must perform any required maintenance for which it bears responsibility identified by the developer in the turnover report until the association obtains new maintenance protocols from a licensed professional engineer or architect.

The bill creates s. 719.105(5), F.S., to provide identical obligations for maintenance of the cooperative property by the cooperative association.

In addition, the bill provides that maintenance of cooperative property is the responsibility of the association, which is identical to the provision in current law in s. 718.113(1), F.S., for condominium associations.

Presale Disclosures

The bill amends ss. 718.503(1)(b) and 719.503(1)(b), F.S., for condominium and cooperative associations, respectively, to require developers to give prospective buyers of a unit a statement in conspicuous type¹¹⁷ indicating that the association has not completed the milestone inspection or is not required to complete a milestone inspection, if applicable.

¹¹⁶ Section 718.103, F.S., defines “limited common elements” to mean those common elements which are reserved for the use of a certain unit or units to the exclusion of all other units, as specified in the declaration.

¹¹⁷ Section 718.103(14), F.S., relating to condominiums, defines “conspicuous type” to mean “bold type in capital letters no smaller than the largest type, exclusive of headings, on the page on which it appears and, in all cases, at least 10-point type. Where conspicuous type is required, it must be separated on all sides from other type and print. Conspicuous type may be used in a contract for purchase and sale of a unit, a lease of a unit for more than 5 years, or a prospectus or offering circular

Sections ss. 718.503(1)(b) and 719.503(1)(b), F.S., for condominium and cooperative associations, respectively, are also amended to provide that the statement that the required reserve study has not been completed must be in conspicuous type, if applicable. It also requires a statement that the association is not required to complete a reserve study, if applicable.

The bill creates ss. 718.503(1)(d) and 719.503(1)(d), F.S., relating to condominium and cooperative associations, to provide additional presale notice requirements in contracts for sales of a unit by a developer or nondeveloper. This provision is similar to current contract notices related to developer and nondeveloper unit owners' obligations to furnish certain governing documents to the prospective buyer of a unit more than three days before execution of the contract for sales by a nondeveloper or 15 days before execution of the contract for sales by a developer. The bill:

- Requires a presale contract notice advising that the association has failed to complete a required milestone inspection or SIRS, as appropriate, or advising that a milestone inspection or SIRS is not required;
- Creates a contract notice for associations that have completed the milestone inspection and SIRS in which the prospective buyer acknowledges that he or she has been provided a copy of the most recent structural integrity reserve study and milestone inspection report, if applicable;
- Creates a contract notice that advises the prospective buyer that the sales contract is voidable if the buyer has not been provided with a current copy of the SIRS or the inspector-prepared summary more than 15 days before the execution of a contract with a developer or three days before the execution of the contract with a nondeveloper; and
- Provides that a contract that does not conform to these notice requirements is voidable at the option of the purchaser prior to closing.

Rulemaking

The bill reenacts the existing rulemaking authority of the Division of Florida Condominiums, Timeshares, and Mobile Homes in ss. 718.501(1)(f) and 719.501(1)(f), F.S, relating to condominium and cooperative associations.

Appropriation

For the 2023-2024 fiscal year, the bill appropriates of \$1,301,928 in recurring funds and \$67,193 in nonrecurring funds from the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund to the Department of Business and Professional Regulation, and to authorize 10 full-time employees.

Effective Dates

The bill takes effect upon becoming law. However, the dispute resolution provision in s. 718.1255, F.S., and the reenacting of s. 719.1255, F.S., take effect on July 1, 2027.

only where required by law.” Section 719.103 (11), F.S., relating to cooperatives, defines “conspicuous type” to mean “type in capital letters no smaller than the largest type on the page on which it appears.”

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

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

None.

B. Private Sector Impact:

Under the bill, condominium and cooperative associations and unit owners in those communities may incur additional expenses related to the required conduct of a milestone inspection and reserve study. However, the associations and unit owners may benefit from the long-term financial planning benefits of a reserve study and from the maintenance or repair of association property.

The agency analysis from the Florida Building Commission for SB 1702 (Reg. Sess. 2022), which provided a similar milestone inspection requirement, noted that the comparable recertification and building safety inspections currently being conducted in Miami-Dade and Broward counties can cost as much as \$20,000 to \$40,000 for the inspection of a 15 to 20 story condominium, and between \$2,000 and \$4,000 for the inspection of a small commercial building. Any remedial work to remedy issues identified during the inspection would be in addition to these costs.¹¹⁸ The agency analysis for this bill did not mention this information.¹¹⁹

¹¹⁸ See Department of Business and Professional Regulation, *2022 Agency Legislative Bill Analysis for SB 1702* at p. 7 (Jan. 7, 2022) (on file with the Senate Regulated Industries Committee).

¹¹⁹ See Department of Business and Professional Regulation, *2023 Agency Legislative Bill Analysis for SB 154* (Feb. 14, 2023) (on file with the Senate Regulated Industries Committee).

Providers of reserve studies and architects and engineers who offer milestone inspections may benefit from additional business due to the required milestone inspections and reserve studies.

C. Government Sector Impact:

The Department of Business and Professional Regulation (DBPR) estimates that the Florida Building Commission (commission) may need to appoint a workgroup and hire a group of experts to research and assist with the development of minimum standards and protocols for the implementation of the building safety program. The commission staff estimates this could cost between \$200,000 and \$250,000 for fiscal years 2023-2024 and 2024-2025. The Division of Condominium, Timeshares, and Mobile Homes (division) states that it will incur additional expenses related to the number of full-time employees (FTE) required to review and analyze the new reserve requirements. The division will also need funding to contract for the review and analysis of the alternative funding methods with licensed professionals.¹²⁰ The division estimates it will need 10 additional staff (8 FTE and 2 supervisors) and associated costs.¹²¹

For the 2023-2024 fiscal year, the bill appropriates \$1,301,928 in recurring funds and \$67,193 in nonrecurring funds from the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund to the Department of Business and Professional Regulation, and to authorize 10 full-time employees.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Fannie Mae¹²² and the Federal Housing Administration¹²³ have altered their requirements for loans secured by condominiums and cooperatives in response to the Champlain Towers collapse, including requiring:

- The association to have assessments sufficient to fund any repairs; and
- That at least 10 percent of the association's assessments are dedicated to budget reserves.

Fannie Mae also provides that condominiums and cooperatives with significant deferred maintenance or that have received a directive from a regulatory authority or inspection agency to make repairs due to unsafe conditions are not eligible for purchase until the repairs are made.¹²⁴

¹²⁰ *Id.*

¹²¹ *Id.*

¹²² Fannie Mae, Lender Letter (LL-20221-14), Oct. 12, 2021, available at: <https://singlefamily.fanniemae.com/media/29411/display> (last visited Feb. 21, 2023).

¹²³ Freddie Mac, *Handbook 4000.1, FHA Single Family Housing Policy Handbook, Condominium Project Approval*, sec. II.C.2.vi., p. 530, available at: <https://www.hud.gov/sites/dfiles/OCHCO/documents/4000.1hsgh-102021.pdf> (last visited Feb. 21, 2023).

¹²⁴ *Supra* n. 120.

Although the underwriting standard was adopted before the Champlain Towers South collapse, Freddie Mac also requires that at least 10 percent of a condominium association's assessments are dedicated to budget reserves.¹²⁵

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 468.4334, 553.899, 627.351, 718.103, 718.111, 718.112, 718.1255, 718.113, 718.503, 719.103, 719.104, 719.106, 719.503, 558.002, 718.116, 720.3085, and 719.1255.

This bill reenacts the following sections of the Florida Statutes: 718.501 and 719.501.

IX. Additional Information:

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

CS/CS by Fiscal Policy on March 16, 2023:

The CS/CS amends s. 553.899, F.S., to:

- Restructure the milestone inspection requirements for better clarity by keeping related issues together;
- Provide that the three-story height of a building is determined by the Florida Building Code.
- Require a building that reaches 30 years of age before December 31, 2024, to have a milestone inspection before December 31, 2024;
- Permit local enforcement agencies to accept an inspection and report that was completed before July 1, 2022, with conditions; and
- Clarify that the requirement to ensure compliance with the milestone requirements apply to the associations and not to the unit owners.

The CS/CS also:

- Amends s. 627.351, F.S., to exempt unit owner policies from the flood insurance requirement for Citizens personal lines property coverage, and to revise the provision requiring flood insurance coverage by specified dates to base the dates by which flood insurance coverage must be obtained on the dwelling replacement cost instead of property value;
- Narrows the definition for “Alternative Funding Method” by limiting the method to multicondominiums with at least 25 condominiums and only permitting funding reserves through allocations in the annual operating budget;
- Clarifies that the three-story building threshold for a SIRS study by a condominium and cooperative association is determined by the Florida Building Code;
- Amends s. 718.1255, F.S., to replace the term “governing body” with “board of administration;”

¹²⁵ Freddie Mac, Established Condominium Projects, Effective June 1, 2022, available at: <https://guide.freddiemac.com/app/guide/section/5701.5> (last visited Feb. 21, 2023).

- Amends ss. 718.503(1)(d) and 719.503(1)(d), F.S., to clarify that the disclosures in these provisions apply to the developers of condominiums and cooperatives, not to the associations; and
- Provide an appropriation.

CS by Regulated Industries on February 21, 2023:

The CS:

- Amends s. 553.899(3), F.S., to clarify that in a mixed-use building the condominium or cooperative associations and the other owners of the building are equally responsible for arranging the milestone inspection;
- Amends ss. 718.503(1)(b) and 719.503(1)(b), F.S., for condominium and cooperative associations, respectively, to revise the types of documents the developer must give prospective buyers of a unit;
- Amends ss. 718.503(1)(d) and 719.503(1)(d), F.S., relating to condominium and cooperative associations, respectively, to specify the number of days before execution of the contract that the documents must be provided to the prospective purchaser; and
- Replaces the rulemaking provision in the bill with a reenacting of the existing rulemaking authority of the Division of Florida Condominiums, Timeshares, and Mobile Homes in ss. 718.501(1)(f) and 719.501(1)(f), F.S., relating to condominium and cooperative associations, respectively.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2023	.	
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The Committee on Fiscal Policy (Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete lines 148 - 200
and insert:

(3) (a) An owner or owners of a building that is three stories or more in height as determined by the Florida Building Code and that is subject, in whole or in part, to the condominium or cooperative form of ownership as a residential condominium association under chapter 718 or and a residential cooperative association under chapter 719 must have a milestone



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inspection performed ~~for each building that is three stories or more in height~~ by December 31 of the year in which the building reaches 30 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. If a building reaches 30 years of age before December 31, 2024, the building's initial milestone inspection must be performed before December 31, 2024. If the date of issuance for the certificate of occupancy is not available, the date of issuance of the building's certificate of occupancy shall be the date of occupancy evidenced in any record of the local building official.

(b) The local enforcement agency may determine that local circumstances, including environmental conditions such as proximity to salt water as defined in s. 379.101, require that ~~If the building is located within 3 miles of a coastline as defined in s. 376.031, the condominium association or cooperative association must have a milestone inspection~~ must be performed by December 31 of the year in which the building reaches 25 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter.

(c) The local enforcement agency may extend the date by which a building's initial milestone inspection must be completed upon a showing of good cause by the owner or owners of the building that the inspection cannot be timely completed, if the owner or owners have entered into a contract with an architect or engineer to perform the milestone inspection and the inspection cannot reasonably be completed before the deadline or other circumstance to justify an extension.



910284

(d) The local enforcement agency may accept an inspection report prepared by a licensed engineer or architect for a structural integrity and condition inspection of a building performed before July 1, 2022, if the inspection and report substantially comply with the requirements of this section. Notwithstanding when such inspection was completed, the condominium or cooperative association must comply with the unit owner notice requirements in subsection (9). The inspection for which an inspection report is accepted by the local enforcement agency under this paragraph is deemed a milestone inspection for the applicable requirements in chapters 718 and 719.

(4) The milestone inspection report must be arranged by a condominium or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership. The condominium association or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership are each ~~must arrange for the milestone inspection to be performed and is~~ responsible for ensuring compliance with the requirements of this section. The condominium association or cooperative association is responsible for all costs associated with the milestone inspection attributable to the portions of a building which the association is responsible to maintain under the governing documents of the association. This section ~~subsection~~ does not apply to a single-family, two-family, or three-family dwelling with three or fewer habitable stories above ground.

~~(4) If a milestone inspection is required under this section and the building's certificate of occupancy was issued~~



910284

~~on or before July 1, 1992, the building's initial milestone inspection must be performed before December 31, 2024. If the date of issuance for the certificate of occupancy is not available, the date of issuance of the building's certificate of occupancy shall be the date of occupancy evidenced in any record of the local building official.~~

(5) Upon determining that a building must have a milestone inspection, the local enforcement agency must provide written notice of such required inspection to the condominium association, ~~or~~ cooperative association, or any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership, as applicable, by certified mail, return receipt requested.

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

And the title is amended as follows:

Delete lines 11 - 18
and insert:

revising the deadline for milestone inspections of certain buildings; authorizing local enforcement agencies to make certain determinations relating to milestone inspections after a building reaches a specified age; authorizing local enforcement agencies to extend deadlines for milestone inspections under certain circumstances; authorizing local enforcement agencies to accept certain inspection reports under certain circumstances; deeming the inspections relating to such inspection reports a milestone inspection for certain purposes; revising costs that



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98 condominium and cooperative associations are
99 responsible for; revising



648940

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2023	.	
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The Committee on Fiscal Policy (Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete lines 323 - 357

and insert:

a. January 1, 2024, for a structure that has a dwelling replacement cost of ~~property valued at~~ \$600,000 or more.

b. January 1, 2025, for a structure that has a dwelling replacement cost of ~~property valued at~~ \$500,000 or more.

c. January 1, 2026, for a structure that has a dwelling replacement cost of ~~property valued at~~ \$400,000 or more.



648940

d. January 1, 2027, for all other personal lines residential property insured by the corporation.

2. All personal lines residential policyholders whose property insured by the corporation is located within the special flood hazard area defined by the Federal Emergency Management Agency must have flood coverage in place:

a. At the time of initial policy issuance for all new personal lines residential policies issued by the corporation on or after April 1, 2023.

b. By the time of the policy renewal for all personal lines residential policies renewing on or after July 1, 2023.

3. Policyholders ~~whose policies issued by the corporation do not provide coverage for the peril of wind~~ are not required to purchase flood insurance as a condition for maintaining the following their policies issued by ~~with~~ the corporation:

a. Policies that do not provide coverage for the peril of wind.

b. Policies that provide coverage under a condominium unit owners form.

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

And the title is amended as follows:

Delete lines 32 - 33

and insert:

revising requirements relating to the purchase of flood insurance as a condition for



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2023	.	
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The Committee on Fiscal Policy (Bradley) recommended the following:

Senate Amendment

Delete lines 371 - 373
and insert:
maintenance obligations for a multicondominium association
operating at least 25 condominiums which may reasonably be
expected to fully satisfy the association's reserve funding
obligations by the



111888

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2023	.	
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The Committee on Fiscal Policy (Bradley) recommended the following:

Senate Amendment

Delete line 613
and insert:
condominium property that is three stories or higher in height
as determined by the Florida Building Code

Delete line 1214
and insert:
three stories or higher in height as determined by the Florida
Building Code that includes, at a minimum, a



333574

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2023	.	
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The Committee on Fiscal Policy (Bradley) recommended the following:

Senate Amendment

Delete line 716
and insert:
(d) The failure of a board of administration, when required
by this



673282

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2023	.	
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The Committee on Fiscal Policy (Bradley) recommended the following:

Senate Amendment

Delete lines 857 - 866
and insert:
718.301(4) (p), or a statement in conspicuous type indicating
that the required milestone inspection described in ss. 553.899
and 718.301(4) (p) has not been completed or that a milestone
inspection is not required, as applicable.

19. A copy of the ~~association's~~ most recent structural
integrity reserve study, or a statement in conspicuous type



673282

indicating that the association has not completed a required structural integrity reserve study has not been completed or that a structural integrity reserve study is not required, as applicable.

Delete lines 1392 - 1401
and insert:
719.301(4)(p), or a statement in conspicuous type indicating that the required milestone inspection described in ss. 553.899 and 719.301(4)(p) has not been completed or that a milestone inspection is not required, as if applicable.

19. A copy of the ~~association's~~ most recent structural integrity reserve study or a statement in conspicuous type indicating that the association has not completed a required structural integrity reserve study has not been completed or that a structural integrity reserve study is not required, as applicable.



411842

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2023	.	
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The Committee on Fiscal Policy (Bradley) recommended the following:

Senate Amendment (with title amendment)

Between lines 1609 and 1610
insert:

Section 20. For the 2023-2024 fiscal year, the sums of \$1,301,928 in recurring funds and \$67,193 in nonrecurring funds from the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund are appropriated to the Department of Business and Professional Regulation, and 10 full-time equivalent positions with associated salary rate of 487,264 are



411842

11 authorized for the purpose of implementing this act.

12

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

14 And the title is amended as follows:

15 Between lines 89 and 90

16 insert:

17 appropriations; providing

By the Committee on Regulated Industries; and Senator Bradley

580-02150-23

2023154c1

1 A bill to be entitled
 2 An act relating to condominium and cooperative
 3 associations; amending s. 468.4334, F.S.; revising the
 4 circumstances under which community association
 5 managers or management firms must comply with a
 6 specified provision; amending s. 553.899, F.S.;
 7 revising legislative findings; revising the definition
 8 of the terms "milestone inspection" and "substantial
 9 structural deterioration"; revising who must have
 10 milestone inspections performed for buildings;
 11 authorizing local enforcement agencies to make certain
 12 determinations relating to milestone inspections after
 13 a building reaches a specified age; revising costs
 14 that condominium and cooperative associations are
 15 responsible for; requiring certain parties to obtain
 16 milestone inspection reports; authorizing local
 17 enforcement agencies to extend deadlines for milestone
 18 inspections under certain circumstances; revising
 19 requirements relating to written notice of required
 20 inspections; requiring architects or engineers
 21 performing milestone inspections to submit a specified
 22 progress report to a local enforcement agency within a
 23 specified timeframe under certain circumstances;
 24 specifying that associations must distribute copies of
 25 certain inspection reports within a specified
 26 timeframe and in a specified manner; authorizing
 27 municipal governing bodies to adopt certain ordinances
 28 relating to association repairs; requiring the Florida
 29 Building Commission to adopt rules by a specified

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

580-02150-23

2023154c1

30 date; providing requirements for such rules;
 31 conforming provisions; amending s. 627.351, F.S.;
 32 revising the types of policyholders not required to
 33 purchase flood insurance as a condition for
 34 maintaining certain policies issued by the Citizens
 35 Property Insurance Corporation; amending s. 718.103,
 36 F.S.; defining the term "alternative funding method";
 37 revising the definition of the term "structural
 38 integrity reserve study"; amending s. 718.111, F.S.;
 39 making a technical change; amending s. 718.112, F.S.;
 40 revising condominium association reserve account
 41 requirements; revising requirements relating to
 42 waiving reserve requirements or providing less
 43 reserves than required by law; revising requirements
 44 relating to using reserve funds or interest accrued on
 45 reserve funds for certain purposes; revising
 46 requirements for structural integrity reserve studies;
 47 providing applicability; conforming provisions to
 48 changes made by the act; amending s. 718.1255, F.S.;
 49 revising the definition of the term "dispute";
 50 specifying that certain disputes are not subject to
 51 nonbinding arbitration and must be submitted to
 52 presuit mediation; amending s. 718.113, F.S.; revising
 53 requirements relating to maintenance, repair, and
 54 replacement of common elements and condominium
 55 property; amending s. 718.503, F.S.; revising the
 56 documents developers are required to provide to
 57 prospective buyers or lessees; requiring specified
 58 disclosures relating to milestone inspections and

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

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59 structural integrity reserve studies for certain
 60 contracts entered into after a specified date;
 61 amending s. 719.103, F.S.; revising the definition of
 62 the term "structural integrity reserve study";
 63 amending s. 719.104, F.S.; revising rights relating to
 64 the official records of a cooperative association;
 65 providing maintenance requirements for cooperative
 66 associations; amending s. 719.106, F.S.; revising
 67 cooperative association reserve account requirements;
 68 revising requirements relating to waiving reserve
 69 requirements or providing less reserves than required
 70 by law; revising a prohibition on using reserve funds
 71 or interest accrued on reserve funds for certain
 72 purposes; revising requirements for structural
 73 integrity reserve studies; providing applicability;
 74 conforming provisions to changes made by the act;
 75 amending s. 719.503, F.S.; revising the types of
 76 documents developers are required to provide to
 77 prospective buyers and lessees; requiring specified
 78 disclosures relating to milestone inspections and
 79 structural integrity reserve studies for certain
 80 contracts entered into after a specified date;
 81 amending ss. 558.002, 718.116, and 720.3085, F.S.;
 82 conforming cross-references; reenacting s. 719.1255,
 83 F.S., relating to alternative resolution of disputes,
 84 to incorporate amendments made to s. 718.1255, F.S.,
 85 in a reference thereto; reenacting ss. 718.501(1)(f)
 86 and 719.501(1)(f), F.S., relating to the rulemaking
 87 authority of the Division of Florida Condominiums,

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88 Timeshares, and Mobile Homes of the Department of
 89 Business and Professional Regulation; providing
 90 effective dates.

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

94 Section 1. Paragraph (b) of subsection (1) of section
 95 468.4334, Florida Statutes, is amended to read:

96 468.4334 Professional practice standards; liability.—
 97 (1)

98 (b) If a community association manager or a community
 99 association management firm has a contract with a community
 100 association that ~~has a building on the association's property~~
 101 ~~that~~ is subject to s. 553.899, the community association manager
 102 or the community association management firm must comply with
 103 that section as directed by the board.

104 Section 2. Subsections (1) through (6), paragraph (b) of
 105 subsection (7), and subsections (8), (9), (11), and (12) of
 106 section 553.899, Florida Statutes, are amended to read:

107 553.899 Mandatory structural inspections for condominium
 108 and cooperative buildings.—

109 (1) The Legislature finds that maintaining the structural
 110 integrity of a building throughout the life of the building ~~its~~
 111 ~~service life~~ is of paramount importance in order to ensure that
 112 buildings are structurally sound so as to not pose a threat to
 113 the public health, safety, or welfare. As such, the Legislature
 114 finds that the imposition of a statewide structural inspection
 115 program for aging condominium and cooperative buildings in this
 116 state is necessary to ensure that such buildings are safe for

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continued use.

(2) As used in this section, the terms:

(a) "Milestone inspection" means a structural inspection of a building, including an inspection of load-bearing elements ~~walls~~ and the primary structural members and primary structural systems as those terms are defined in s. 627.706, by an a ~~licensed~~ architect licensed under chapter 481 or engineer licensed under chapter 471 authorized to practice in this state for the purposes of attesting to the life safety and adequacy of the structural components of the building and, to the extent reasonably possible, determining the general structural condition of the building as it affects the safety of such building, including a determination of any necessary maintenance, repair, or replacement of any structural component of the building. The purpose of such inspection is not to determine if the condition of an existing building is in compliance with the Florida Building Code or the firesafety code. The milestone inspection services may be provided by a team of professionals with an architect or engineer acting as a registered design professional in responsible charge with all work and reports signed and sealed by the appropriate qualified team member.

(b) "Substantial structural deterioration" means substantial structural distress or substantial structural weakness that negatively affects a building's general structural condition and integrity. The term does not include surface imperfections such as cracks, distortion, sagging, deflections, misalignment, signs of leakage, or peeling of finishes unless the licensed engineer or architect performing the phase one or

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phase two inspection determines that such surface imperfections are a sign of substantial structural deterioration.

(3) An owner or owners of a building that is three stories or more in height that is subject, in whole or in part, to the condominium or cooperative form of ownership as a residential condominium association under chapter 718 or and a residential cooperative association under chapter 719 must have a milestone inspection performed for each building that is three stories or more in height by December 31 of the year in which the building reaches 30 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. The local enforcement agency may determine that local circumstances, including environmental conditions such as proximity to salt water as defined in s. 379.101, require that if the building is located within 3 miles of a coastline as defined in s. 376.031, the condominium association or cooperative association must have a milestone inspection must be performed by December 31 of the year in which the building reaches 25 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. The milestone inspection report must be arranged by a condominium or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership. The owner or owners of the building, including the condominium association or cooperative association, are each must arrange for the milestone inspection to be performed and is responsible for ensuring compliance with the requirements of this section. The condominium association or cooperative association is responsible for all costs associated

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with the milestone inspection attributable to the portions of a building which the association is responsible to maintain under the governing documents of the association. This subsection does not apply to a single-family, two-family, or three-family dwelling with three or fewer habitable stories above ground.

(4) If a milestone inspection is required under this section and the building's certificate of occupancy was issued on or before July 1, 1992, the building's initial milestone inspection must be performed before December 31, 2024. The local enforcement agency may extend the deadline for a building's initial milestone inspection upon a showing of good cause by the owner or owners of the building that the inspection cannot be timely completed if the owner or owners have entered into a contract with an architect or engineer to perform the milestone inspection and the inspection cannot reasonably be completed before the deadline or other circumstance to justify an extension. If the date of issuance for the certificate of occupancy is not available, the date of issuance of the building's certificate of occupancy shall be the date of occupancy evidenced in any record of the local building official.

(5) Upon determining that a building must have a milestone inspection, the local enforcement agency must provide written notice of such required inspection to the condominium association or cooperative association and to any other owner of the building by certified mail, return receipt requested.

(6) Phase one of the milestone inspection must be completed within 180 days after the owner or owners of the building receive ~~receiving~~ the written notice under subsection (5), ~~the~~

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~~condominium association or cooperative association must complete phase one of the milestone inspection~~. For purposes of this section, completion of phase one of the milestone inspection means the licensed engineer or architect who performed the phase one inspection submitted the inspection report by e-mail, United States Postal Service, or commercial delivery service to the local enforcement agency.

(7) A milestone inspection consists of two phases:

(b) A phase two of the milestone inspection must be performed if any substantial structural deterioration is identified during phase one. A phase two inspection may involve destructive or nondestructive testing at the inspector's direction. The inspection may be as extensive or as limited as necessary to fully assess areas of structural distress in order to confirm that the building is structurally sound and safe for its intended use and to recommend a program for fully assessing and repairing distressed and damaged portions of the building. When determining testing locations, the inspector must give preference to locations that are the least disruptive and most easily repairable while still being representative of the structure. If a phase two inspection is required, within 180 days after submitting a phase one inspection report the architect or engineer performing the phase two inspection must submit a phase two progress report to the local enforcement agency with a timeline for completion of the phase two inspection. An inspector who completes a phase two milestone inspection shall prepare and submit an inspection report pursuant to subsection (8).

(8) Upon completion of a phase one or phase two milestone

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inspection, the architect or engineer who performed the inspection must submit a sealed copy of the inspection report with a separate summary of, at minimum, the material findings and recommendations in the inspection report to the condominium association or cooperative association, to any other owner of the building, and to the building official of the local government which has jurisdiction. The inspection report must, at a minimum, meet all of the following criteria:

(a) Bear the seal and signature, or the electronic signature, of the licensed engineer or architect who performed the inspection.

(b) Indicate the manner and type of inspection forming the basis for the inspection report.

(c) Identify any substantial structural deterioration, within a reasonable professional probability based on the scope of the inspection, describe the extent of such deterioration, and identify any recommended repairs for such deterioration.

(d) State whether unsafe or dangerous conditions, as those terms are defined in the Florida Building Code, were observed.

(e) Recommend any remedial or preventive repair for any items that are damaged but are not substantial structural deterioration.

(f) Identify and describe any items requiring further inspection.

(9) Within 30 days after receiving the applicable inspection report, the condominium or cooperative association must distribute a copy of the inspector-prepared summary of the inspection report to each condominium unit owner or cooperative unit owner, regardless of the findings or recommendations in the

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report, by United States mail or personal delivery at the mailing address, property address, or any other address of the owner provided to fulfill the association's notice requirements under chapter 718 or chapter 719, as applicable, and by electronic transmission to the e-mail address or facsimile number provided to fulfill the association's notice requirements to unit owners who previously consented to receive notice by electronic transmission; must post a copy of the inspector-prepared summary in a conspicuous place on the condominium or cooperative property; and must publish the full report and inspector-prepared summary on the association's website, if the association is required to have a website.

(11) A board of county commissioners or municipal governing body may adopt an ordinance requiring that a condominium or cooperative association and any other owner that is subject to this section schedule or commence repairs for substantial structural deterioration within a specified timeframe after the local enforcement agency receives a phase two inspection report; however, such repairs must be commenced within 365 days after receiving such report. If an owner of the building association fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in a phase two inspection report within the required timeframe, the local enforcement agency must review and determine if the building is unsafe for human occupancy.

(12) By December 31, 2024, the Florida Building Commission shall adopt rules pursuant to ss. 120.536(1) and 120.54 to establish a building safety program for the implementation of

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291 ~~this section within the Florida Building Code: Existing~~
 292 ~~Building. The building inspection program must, at minimum,~~
 293 ~~include inspection criteria, testing protocols, standardized~~
 294 ~~inspection and reporting forms that are adaptable to an~~
 295 ~~electronic format, and record maintenance requirements for the~~
 296 ~~local authority review the milestone inspection requirements~~
 297 ~~under this section and make recommendations, if any, to the~~
 298 ~~Legislature to ensure inspections are sufficient to determine~~
 299 ~~the structural integrity of a building. The commission must~~
 300 ~~provide a written report of any recommendations to the Governor,~~
 301 ~~the President of the Senate, and the Speaker of the House of~~
 302 ~~Representatives by December 31, 2022.~~

303 Section 3. Paragraph (aa) of subsection (6) of section
 304 627.351, Florida Statutes, is amended to read:

305 627.351 Insurance risk apportionment plans.—

306 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

307 (aa) Except as otherwise provided in this paragraph, the
 308 corporation shall require the securing and maintaining of flood
 309 insurance as a condition of coverage of a personal lines
 310 residential risk. The insured or applicant must execute a form
 311 approved by the office affirming that flood insurance is not
 312 provided by the corporation and that if flood insurance is not
 313 secured by the applicant or insured from an insurer other than
 314 the corporation and in addition to coverage by the corporation,
 315 the risk will not be eligible for coverage by the corporation.
 316 The corporation may deny coverage of a personal lines
 317 residential risk to an applicant or insured who refuses to
 318 secure and maintain flood insurance. The requirement to purchase
 319 flood insurance shall be implemented as follows:

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320 1. Except as provided in subparagraphs 2. and 3., all
 321 personal lines residential policyholders must have flood
 322 coverage in place for policies effective on or after:
 323 a. January 1, 2024, for property valued at \$600,000 or
 324 more.
 325 b. January 1, 2025, for property valued at \$500,000 or
 326 more.
 327 c. January 1, 2026, for property valued at \$400,000 or
 328 more.
 329 d. January 1, 2027, for all other personal lines
 330 residential property insured by the corporation.
 331 2. All personal lines residential policyholders whose
 332 property insured by the corporation is located within the
 333 special flood hazard area defined by the Federal Emergency
 334 Management Agency must have flood coverage in place:
 335 a. At the time of initial policy issuance for all new
 336 personal lines residential policies issued by the corporation on
 337 or after April 1, 2023.
 338 b. By the time of the policy renewal for all personal lines
 339 residential policies renewing on or after July 1, 2023.
 340 3. Policyholders ~~whose policies issued by the corporation~~
 341 ~~do not provide coverage for the peril of wind~~ are not required
 342 to purchase flood insurance as a condition for maintaining the
 343 following their policies issued by with the corporation:
 344 a. Policies that do not provide coverage for the peril of
 345 wind.
 346 b. Policies that provide coverage under a condominium unit
 347 owners form if the risk insured by the policy is:
 348 (I) Insured under a master policy that provides flood

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coverage for personal property within the unit; or

(II) Located within an area designated by the Federal Emergency Management Agency;

(A) As a V-zone special flood hazard area, and the risk is on the fifth floor or above;

(B) As an A-zone special flood hazard area, and the risk is on the third floor or above; or

(C) As being outside of a special flood hazard area, and the risk is on the second floor or above.

The flood insurance required under this paragraph must meet, at a minimum, the coverage available from the National Flood Insurance Program or the requirements of subparagraphs s. 627.715(1)(a)1., 2., and 3.

Section 4. Present subsections (1) through (31) of section 718.103, Florida Statutes, are redesignated as subsections (2) through (32), respectively, a new subsection (1) is added to that section, and present subsection (25) of that section is amended, to read:

718.103 Definitions.—As used in this chapter, the term:

(1) "Alternative funding method" means a method approved by the division for funding the capital expenditures and deferred maintenance obligations for a multicondominium association which may reasonably be expected to fully satisfy the association's reserve funding obligations, including, but not limited to, the allocation of funds in the annual operating budget.

(26)+(25) "Structural integrity reserve study" means a study of the reserve funds required for future major repairs and replacement of the condominium property performed as required

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~~under s. 718.112(2)(g) common areas based on a visual inspection of the common areas. A structural integrity reserve study may be performed by any person qualified to perform such study. However, the visual inspection portion of the structural integrity reserve study must be performed by an engineer licensed under chapter 471 or an architect licensed under chapter 481. At a minimum, a structural integrity reserve study must identify the common areas being visually inspected, state the estimated remaining useful life and the estimated replacement cost or deferred maintenance expense of the common areas being visually inspected, and provide a recommended annual reserve amount that achieves the estimated replacement cost or deferred maintenance expense of each common area being visually inspected by the end of the estimated remaining useful life of each common area.~~

Section 5. Paragraph (c) of subsection (12) of section 718.111, Florida Statutes, is amended to read:

718.111 The association.—

(12) OFFICIAL RECORDS.—

(c)1. The official records of the association are open to inspection by any association member and any person authorized by an association member as a ~~or the authorized~~ representative of such member at all reasonable times. The right to inspect the records includes the right to make or obtain copies, at the reasonable expense, if any, of the member and of the person authorized by the association member as a ~~or authorized~~ representative of such member. A renter of a unit has a right to inspect and copy only the declaration of condominium, the association's bylaws and rules, and the inspection reports

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described in ss. 553.899 and 718.301(4)(p). The association may adopt reasonable rules regarding the frequency, time, location, notice, and manner of record inspections and copying but may not require a member to demonstrate any purpose or state any reason for the inspection. The failure of an association to provide the records within 10 working days after receipt of a written request creates a rebuttable presumption that the association willfully failed to comply with this paragraph. A unit owner who is denied access to official records is entitled to the actual damages or minimum damages for the association's willful failure to comply. Minimum damages are \$50 per calendar day for up to 10 days, beginning on the 11th working day after receipt of the written request. The failure to permit inspection entitles any person prevailing in an enforcement action to recover reasonable attorney fees from the person in control of the records who, directly or indirectly, knowingly denied access to the records.

2. Any person who knowingly or intentionally defaces or destroys accounting records that are required by this chapter to be maintained during the period for which such records are required to be maintained, or who knowingly or intentionally fails to create or maintain accounting records that are required to be created or maintained, with the intent of causing harm to the association or one or more of its members, is personally subject to a civil penalty pursuant to s. 718.501(1)(d).

3. The association shall maintain an adequate number of copies of the declaration, articles of incorporation, bylaws, and rules, and all amendments to each of the foregoing, as well as the question and answer sheet as described in s. 718.504 and year-end financial information required under this section, on

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the condominium property to ensure their availability to unit owners and prospective purchasers, and may charge its actual costs for preparing and furnishing these documents to those requesting the documents. An association shall allow a member or his or her authorized representative to use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the official records in lieu of the association's providing the member or his or her authorized representative with a copy of such records. The association may not charge a member or his or her authorized representative for the use of a portable device. Notwithstanding this paragraph, the following records are not accessible to unit owners:

a. Any record protected by the lawyer-client privilege as described in s. 90.502 and any record protected by the work-product privilege, including a record prepared by an association attorney or prepared at the attorney's express direction, which reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the association, and which was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings, or which was prepared in anticipation of such litigation or proceedings until the conclusion of the litigation or proceedings.

b. Information obtained by an association in connection with the approval of the lease, sale, or other transfer of a unit.

c. Personnel records of association or management company employees, including, but not limited to, disciplinary, payroll, health, and insurance records. For purposes of this sub-

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subparagraph, the term "personnel records" does not include written employment agreements with an association employee or management company, or budgetary or financial records that indicate the compensation paid to an association employee.

d. Medical records of unit owners.

e. Social security numbers, driver license numbers, credit card numbers, e-mail addresses, telephone numbers, facsimile numbers, emergency contact information, addresses of a unit owner other than as provided to fulfill the association's notice requirements, and other personal identifying information of any person, excluding the person's name, unit designation, mailing address, property address, and any address, e-mail address, or facsimile number provided to the association to fulfill the association's notice requirements. Notwithstanding the restrictions in this sub-subparagraph, an association may print and distribute to unit owners a directory containing the name, unit address, and all telephone numbers of each unit owner. However, an owner may exclude his or her telephone numbers from the directory by so requesting in writing to the association. An owner may consent in writing to the disclosure of other contact information described in this sub-subparagraph. The association is not liable for the inadvertent disclosure of information that is protected under this sub-subparagraph if the information is included in an official record of the association and is voluntarily provided by an owner and not requested by the association.

f. Electronic security measures that are used by the association to safeguard data, including passwords.

g. The software and operating system used by the

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association which allow the manipulation of data, even if the owner owns a copy of the same software used by the association. The data is part of the official records of the association.

h. All affirmative acknowledgments made pursuant to s. 718.121(4)(c).

Section 6. Paragraphs (f), (g), and (h) of subsection (2) of section 718.112, Florida Statutes, are amended to read:

718.112 Bylaws.—

(2) REQUIRED PROVISIONS.—The bylaws shall provide for the following and, if they do not do so, shall be deemed to include the following:

(f) *Annual budget.*—

1. The proposed annual budget of estimated revenues and expenses must be detailed and must show the amounts budgeted by accounts and expense classifications, including, at a minimum, any applicable expenses listed in s. 718.504(21). The board shall adopt the annual budget at least 14 days before the start of the association's fiscal year. In the event that the board fails to timely adopt the annual budget a second time, it is deemed a minor violation and the prior year's budget shall continue in effect until a new budget is adopted. A multicondominium association must adopt a separate budget of common expenses for each condominium the association operates and must adopt a separate budget of common expenses for the association. In addition, if the association maintains limited common elements with the cost to be shared only by those entitled to use the limited common elements as provided for in s. 718.113(1), the budget or a schedule attached to it must show the amount budgeted for this maintenance. If, after turnover of

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control of the association to the unit owners, any of the expenses listed in s. 718.504(21) are not applicable, they do not need to be listed.

2.a. In addition to annual operating expenses, the budget must include reserve accounts for capital expenditures and deferred maintenance. These accounts must include, but are not limited to, roof replacement, building painting, and pavement resurfacing, regardless of the amount of deferred maintenance expense or replacement cost, and any other item that has a deferred maintenance expense or replacement cost that exceeds \$10,000. The amount to be reserved ~~for an item is determined by the association's most recent structural integrity reserve study that must be completed by December 31, 2024. If the amount to be reserved for an item is not in the association's initial or most recent structural integrity reserve study or the association has not completed a structural integrity reserve study, the amount~~ must be computed using a formula based upon estimated remaining useful life and estimated replacement cost or deferred maintenance expense of the reserve item. In a budget adopted by an association that is required to obtain a structural integrity reserve study, reserves must be maintained for the items identified in paragraph (g) and the reserve amount for such items must be based on the findings and recommendations of the association's most recent structural integrity reserve study. With respect to items for which an estimate of useful life is not readily ascertainable, an association must reserve the amount of deferred maintenance expense, if any, which is recommended by the structural integrity reserve study for such items. The association may adjust replacement reserve

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assessments annually to take into account an inflation adjustment and any changes in estimates or extension of the useful life of a reserve item caused by deferred maintenance. The members of a unit-owner-controlled association may determine, by a majority vote of all the voting interests of the association, voting in person or by proxy at a duly called meeting of the association, to provide no reserves or less reserves than required by this subsection. For a budget adopted on or after Effective December 31, 2024, the members of a unit-owner-controlled association that must obtain a structural integrity reserve study may not determine to provide no reserves or less reserves than required by this subsection for items listed in paragraph (g), except that members of an association operating a multicondominium may determine to provide no reserves or less reserves than required by this subsection if an alternative funding method has been approved by the division.

b. Before turnover of control of an association by a developer to unit owners other than a developer under s. 718.301, the developer-controlled association may not vote to waive the reserves or reduce funding of the reserves. If a meeting of the unit owners has been called to determine whether to waive or reduce the funding of reserves and no such result is achieved or a quorum is not attained, the reserves included in the budget shall go into effect. After the turnover, the developer may vote its voting interest to waive or reduce the funding of reserves.

3. Reserve funds and any interest accruing thereon shall remain in the reserve account or accounts, and may be used only for authorized reserve expenditures unless their use for other

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purposes is approved in advance by a majority vote of all the voting interests of the association, voting in person or by proxy at a duly called meeting of the association. Before turnover of control of an association by a developer to unit owners other than the developer pursuant to s. 718.301, the developer-controlled association may not vote to use reserves for purposes other than those for which they were intended. For a budget adopted on or after Effective December 31, 2024, members of a unit-owner-controlled association that must obtain a structural integrity reserve study may not vote to use reserve funds, or any interest accruing thereon, ~~that are reserved for items listed in paragraph (g)~~ for any other purpose other than the replacement or deferred maintenance costs of the components listed in paragraph (g) their intended purpose.

4. The only voting interests that are eligible to vote on questions that involve waiving or reducing the funding of reserves, or using existing reserve funds for purposes other than purposes for which the reserves were intended, are the voting interests of the units subject to assessment to fund the reserves in question. Proxy questions relating to waiving or reducing the funding of reserves or using existing reserve funds for purposes other than purposes for which the reserves were intended must contain the following statement in capitalized, bold letters in a font size larger than any other used on the face of the proxy ballot: WAIVING OF RESERVES, IN WHOLE OR IN PART, OR ALLOWING ALTERNATIVE USES OF EXISTING RESERVES MAY RESULT IN UNIT OWNER LIABILITY FOR PAYMENT OF UNANTICIPATED SPECIAL ASSESSMENTS REGARDING THOSE ITEMS.

(g) *Structural integrity reserve study.*—

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1. A residential condominium ~~an~~ association must have a structural integrity reserve study completed at least every 10 years after the condominium's creation for each building on the condominium property that is three stories or higher in height which includes, at a minimum, a study of the following items as related to the structural integrity and safety of the building:

- a. Roof.
- b. Load-bearing walls or other primary structural members.
- c. ~~Floor.~~
- d. Foundation.
- ~~d.e.~~ Fireproofing and fire protection systems.
- ~~e.f.~~ Plumbing.
- ~~f.g.~~ Electrical systems.
- ~~g.h.~~ Waterproofing and exterior painting.
- ~~h.i.~~ Windows.

~~i.j.~~ Any other item that has a deferred maintenance expense or replacement cost that exceeds \$10,000 and the failure to replace or maintain such item negatively affects the items listed in sub-subparagraphs a.-h. ~~sub-subparagraphs a.-i.~~, as determined by the ~~licensed engineer or architect performing the~~ visual inspection portion of the structural integrity reserve study.

2. A structural integrity reserve study is based on a visual inspection of the condominium property. A structural integrity reserve study may be performed by any person qualified to perform such study. However, the visual inspection portion of the structural integrity reserve study must be performed or verified by an engineer licensed under chapter 471, an architect licensed under chapter 481, or a person who is certified as a

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639 reserve specialist or professional reserve analyst by the
 640 Community Associations Institute or the Association of
 641 Professional Reserve Analysts. At a minimum, a structural
 642 integrity reserve study must identify each item of the
 643 condominium property being visually inspected, state the
 644 estimated remaining useful life and the estimated replacement
 645 cost or deferred maintenance expense of each item of the
 646 condominium property being visually inspected, and provide a
 647 reserve funding schedule with a recommended annual reserve
 648 amount that achieves the estimated replacement cost or deferred
 649 maintenance expense of each item of condominium property being
 650 visually inspected by the end of the estimated remaining useful
 651 life of the item. The structural integrity reserve study may
 652 recommend that reserves do not need to be maintained for any
 653 item for which an estimate of useful life and an estimate of
 654 replacement cost or deferred maintenance expense cannot be
 655 determined, or the study may recommend a deferred maintenance
 656 expense amount for such item. This paragraph does not apply to
 657 buildings less than three stories in height; single-family, two-
 658 family, or three-family dwellings with three or fewer habitable
 659 stories above ground; any portion or component of a building
 660 that has not been submitted to the condominium form of
 661 ownership; or any portion or component of a building that is
 662 maintained by a party other than the association.

663 3. Before a developer turns over control of an association
 664 to unit owners other than the developer, the developer must have
 665 a structural integrity reserve study completed for each building
 666 on the condominium property that is three stories or higher in
 667 height.

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668 4.3- Associations existing on or before July 1, 2022, which
 669 are controlled by unit owners other than the developer, must
 670 have a structural integrity reserve study completed by December
 671 31, 2024, for each building on the condominium property that is
 672 three stories or higher in height.

673 5.4- If an association fails to complete a structural
 674 integrity reserve study pursuant to this paragraph, such failure
 675 is a breach of an officer's and director's fiduciary
 676 relationship to the unit owners under s. 718.111(1).

677 (h) Mandatory milestone inspections.—If an association is
 678 required to have a milestone inspection performed pursuant to s.
 679 553.899, the association must arrange for the milestone
 680 inspection to be performed and is responsible for ensuring
 681 compliance with the requirements of s. 553.899. The association
 682 is responsible for all costs associated with the milestone
 683 inspection attributable to the portions of the building which
 684 the association is responsible for maintaining under the
 685 governing documents of the association. If the officers or
 686 directors of an association willfully and knowingly fail to have
 687 a milestone inspection performed pursuant to s. 553.899, such
 688 failure is a breach of the officers' and directors' fiduciary
 689 relationship to the unit owners under s. 718.111(1)(a). Within
 690 30 days after receiving ~~Upon completion of~~ a phase one or phase
 691 two milestone inspection ~~and receipt of the inspector-prepared~~
 692 ~~summary of the inspection~~ report from the architect or engineer
 693 who performed the inspection, the association must distribute a
 694 copy of the inspector-prepared summary of the inspection report
 695 to each unit owner, regardless of the findings or
 696 recommendations in the report, by United States mail or personal

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697 delivery at the mailing address, property address, or any other
 698 address of the owner provided to fulfill the association's
 699 notice requirements under this chapter and by electronic
 700 transmission to the e-mail address or facsimile number provided
 701 to fulfill the association's notice requirements to unit owners
 702 who previously consented to receive notice by electronic
 703 transmission; must post a copy of the inspector-prepared summary
 704 in a conspicuous place on the condominium property; and must
 705 publish the full report and inspector-prepared summary on the
 706 association's website, if the association is required to have a
 707 website.

708 Section 7. Effective July 1, 2027, subsection (5) of
 709 section 718.1255, Florida Statutes, is amended, and paragraph
 710 (d) is added to subsection (1) of that section, to read:

711 718.1255 Alternative dispute resolution; mediation;
 712 nonbinding arbitration; applicability.—

713 (1) DEFINITIONS.—As used in this section, the term
 714 "dispute" means any disagreement between two or more parties
 715 that involves:

716 (d) The failure of a governing body, when required by this
 717 chapter or an association document, to:

718 1. Obtain the milestone inspection required under s.
 719 553.899.

720 2. Obtain a structural integrity reserve study required
 721 under s. 718.112(2)(g).

722 3. Fund reserves as required for an item identified in s.
 723 718.112(2)(g).

724 4. Make or provide necessary maintenance or repairs of
 725 condominium property recommended by a milestone inspection or a

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726 structural integrity reserve study.

727
 728 "Dispute" does not include any disagreement that primarily
 729 involves: title to any unit or common element; the
 730 interpretation or enforcement of any warranty; the levy of a fee
 731 or assessment, or the collection of an assessment levied against
 732 a party; the eviction or other removal of a tenant from a unit;
 733 alleged breaches of fiduciary duty by one or more directors; or
 734 claims for damages to a unit based upon the alleged failure of
 735 the association to maintain the common elements or condominium
 736 property.

737 (5) PRESUIT MEDIATION.—In lieu of the initiation of
 738 nonbinding arbitration as provided in subsections (1)-(4), a
 739 party may submit a dispute to presuit mediation in accordance
 740 with s. 720.311; however, election and recall disputes are not
 741 eligible for mediation and such disputes must be arbitrated by
 742 the division or filed in a court of competent jurisdiction.
 743 Disputes identified in paragraph (1)(d) are not subject to
 744 nonbinding arbitration under subsection (4) and must be
 745 submitted to presuit mediation in accordance with s. 720.311.

746 Section 8. Subsection (1) of section 718.113, Florida
 747 Statutes, is amended to read:

748 718.113 Maintenance; limitation upon improvement; display
 749 of flag; hurricane shutters and protection; display of religious
 750 decorations.—

751 (1) Maintenance of the common elements is the
 752 responsibility of the association, except for any maintenance
 753 responsibility for limited common elements assigned to the unit
 754 owner by the declaration. The association shall provide for the

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755 maintenance, repair, and replacement of the condominium property
 756 for which it bears responsibility pursuant to the declaration of
 757 condominium. After turnover of control of the association to the
 758 unit owners, the association must perform any required
 759 maintenance identified by the developer pursuant to s.
 760 718.301(4)(p) until the association obtains new maintenance
 761 protocols from a licensed professional engineer or architect.
 762 The declaration may provide that certain limited common elements
 763 shall be maintained by those entitled to use the limited common
 764 elements or that the association shall provide the maintenance,
 765 either as a common expense or with the cost shared only by those
 766 entitled to use the limited common elements. If the maintenance
 767 is to be by the association at the expense of only those
 768 entitled to use the limited common elements, the declaration
 769 shall describe in detail the method of apportioning such costs
 770 among those entitled to use the limited common elements, and the
 771 association may use the provisions of s. 718.116 to enforce
 772 payment of the shares of such costs by the unit owners entitled
 773 to use the limited common elements.

774 Section 9. Paragraph (b) of subsection (1) of section
 775 718.503, Florida Statutes, is amended, and paragraph (d) is
 776 added to that subsection and paragraph (e) is added to
 777 subsection (2) of that section, to read:

778 718.503 Developer disclosure prior to sale; nondeveloper
 779 unit owner disclosure prior to sale; voidability.—

780 (1) DEVELOPER DISCLOSURE.—

781 (b) *Copies of documents to be furnished to prospective*
 782 *buyer or lessee.*—Until such time as the developer has furnished
 783 the documents listed below to a person who has entered into a

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784 contract to purchase a residential unit or lease it for more
 785 than 5 years, the contract may be voided by that person,
 786 entitling the person to a refund of any deposit together with
 787 interest thereon as provided in s. 718.202. The contract may be
 788 terminated by written notice from the proposed buyer or lessee
 789 delivered to the developer within 15 days after the buyer or
 790 lessee receives all of the documents required by this section.
 791 The developer may not close for 15 days after the execution of
 792 the agreement and delivery of the documents to the buyer as
 793 evidenced by a signed receipt for documents unless the buyer is
 794 informed in the 15-day voidability period and agrees to close
 795 before the expiration of the 15 days. The developer shall retain
 796 in his or her records a separate agreement signed by the buyer
 797 as proof of the buyer's agreement to close before the expiration
 798 of the voidability period. The developer must retain such proof
 799 for a period of 5 years after the date of the closing of the
 800 transaction. The documents to be delivered to the prospective
 801 buyer are the prospectus or disclosure statement with all
 802 exhibits, if the development is subject to s. 718.504, or, if
 803 not, then copies of the following which are applicable:

804 1. The question and answer sheet described in s. 718.504,
 805 and declaration of condominium, or the proposed declaration if
 806 the declaration has not been recorded, which shall include the
 807 certificate of a surveyor approximately representing the
 808 locations required by s. 718.104.

809 2. The documents creating the association.

810 3. The bylaws.

811 4. The ground lease or other underlying lease of the
 812 condominium.

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813 5. The management contract, maintenance contract, and other
 814 contracts for management of the association and operation of the
 815 condominium and facilities used by the unit owners having a
 816 service term in excess of 1 year, and any management contracts
 817 that are renewable.

818 6. The estimated operating budget for the condominium and a
 819 schedule of expenses for each type of unit, including fees
 820 assessed pursuant to s. 718.113(1) for the maintenance of
 821 limited common elements where such costs are shared only by
 822 those entitled to use the limited common elements.

823 7. The lease of recreational and other facilities that will
 824 be used only by unit owners of the subject condominium.

825 8. The lease of recreational and other common facilities
 826 that will be used by unit owners in common with unit owners of
 827 other condominiums.

828 9. The form of unit lease if the offer is of a leasehold.

829 10. Any declaration of servitude of properties serving the
 830 condominium but not owned by unit owners or leased to them or
 831 the association.

832 11. If the development is to be built in phases or if the
 833 association is to manage more than one condominium, a
 834 description of the plan of phase development or the arrangements
 835 for the association to manage two or more condominiums.

836 12. If the condominium is a conversion of existing
 837 improvements, the statements and disclosure required by s.
 838 718.616.

839 13. The form of agreement for sale or lease of units.

840 14. A copy of the floor plan of the unit and the plot plan
 841 showing the location of the residential buildings and the

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842 recreation and other common areas.

843 15. A copy of all covenants and restrictions that will
 844 affect the use of the property and are not contained in the
 845 foregoing.

846 16. If the developer is required by state or local
 847 authorities to obtain acceptance or approval of any dock or
 848 marina facilities intended to serve the condominium, a copy of
 849 any such acceptance or approval acquired by the time of filing
 850 with the division under s. 718.502(1), or a statement that such
 851 acceptance or approval has not been acquired or received.

852 17. Evidence demonstrating that the developer has an
 853 ownership, leasehold, or contractual interest in the land upon
 854 which the condominium is to be developed.

855 18. A copy of the inspector-prepared summary of the
 856 milestone inspection report as described in ss. 553.899 and
 857 718.301(4) (p) or a statement in conspicuous type indicating that
 858 the association has not completed the milestone inspection
 859 described in ss. 553.899 and 718.301(4) (p) or that the
 860 association is not required to perform a milestone inspection,
 861 as applicable.

862 19. A copy of the association's most recent structural
 863 integrity reserve study or a statement in conspicuous type
 864 indicating that the association has not completed a structural
 865 integrity reserve study or that the association is not required
 866 to perform a structural integrity reserve study, as applicable.

867 (d) Milestone inspection or structural integrity reserve
 868 study.-If the association is required to have completed a
 869 milestone inspection as described in ss. 553.899 and
 870 718.301(4) (p) or a structural integrity reserve study, and the

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871 association has failed to complete the milestone inspection or
 872 the structural integrity reserve study, each contract entered
 873 into after December 31, 2024, for the sale of a residential unit
 874 shall contain in conspicuous type a statement indicating that
 875 the association is required to have a milestone inspection or a
 876 structural integrity reserve study and has failed to complete
 877 such inspection or study, as appropriate. If the association is
 878 not required to have a milestone inspection as described in ss.
 879 553.899 and 718.301(4) (p) or a structural integrity reserve
 880 study, each contract entered into after December 31, 2024, for
 881 the sale of a residential unit shall contain in conspicuous type
 882 a statement indicating that the association is not required to
 883 have a milestone inspection or a structural integrity reserve
 884 study, as appropriate. If the association is required to have
 885 completed a milestone inspection as described in ss. 553.899 and
 886 718.301(4) (p) or a structural integrity reserve study, each
 887 contract entered into after December 31, 2024, for the sale of a
 888 residential unit shall contain in conspicuous type:

889 1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES
 890 THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR-
 891 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED
 892 IN SECTIONS 553.899 AND 718.301(4) (p), FLORIDA STATUTES; AND A
 893 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY
 894 RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND
 895 718.112(2) (g), FLORIDA STATUTES, MORE THAN 15 DAYS, EXCLUDING
 896 SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, PRIOR TO EXECUTION OF
 897 THIS CONTRACT; and

898 2. A clause which states: THIS AGREEMENT IS VOIDABLE BY
 899 BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO

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900 CANCEL WITHIN 15 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL
 901 HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE
 902 BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-
 903 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED
 904 IN SECTIONS 553.899 AND 718.301(4) (p), FLORIDA STATUTES; AND A
 905 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY
 906 RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND
 907 718.112(2) (g), FLORIDA STATUTES. ANY PURPORTED WAIVER OF THESE
 908 VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER MAY EXTEND THE
 909 TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 15 DAYS,
 910 EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE
 911 BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY
 912 OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTIONS
 913 553.899 AND 718.301(4) (p), FLORIDA STATUTES; AND A COPY OF THE
 914 ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY
 915 DESCRIBED IN SECTIONS 718.103(26) AND 718.112(2) (g), FLORIDA
 916 STATUTES, IF REQUESTED IN WRITING. BUYER'S RIGHT TO VOID THIS
 917 AGREEMENT SHALL TERMINATE AT CLOSING.

918
 919 A contract that does not conform to the requirements of this
 920 paragraph is voidable at the option of the purchaser prior to
 921 closing.

922 (2) NONDEVELOPER DISCLOSURE.-

923 (e) If the association is required to have completed a
 924 milestone inspection as described in ss. 553.899 and
 925 718.301(4) (p) or a structural integrity reserve study, and the
 926 association has failed to complete the milestone inspection or
 927 the structural integrity reserve study, each contract entered
 928 into after December 31, 2024, for the sale of a residential unit

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shall contain in conspicuous type a statement indicating that the association is required to have a milestone inspection or a structural integrity reserve study and has failed to complete such inspection or study, as appropriate. If the association is not required to have a milestone inspection as described in ss. 553.899 and 718.301(4)(p) or a structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is not required to have a milestone inspection or a structural integrity reserve study, as appropriate. If the association is required to have completed a milestone inspection as described in ss. 553.899 and 718.301(4)(p) or a structural integrity reserve study, each contract entered into after December 31, 2024, for the resale of a residential unit shall contain in conspicuous type:

1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR- PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTIONS 553.899 AND 718.301(4)(p), FLORIDA STATUTES; AND A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND 718.112(2)(g), FLORIDA STATUTES, MORE THAN 3 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, PRIOR TO EXECUTION OF THIS CONTRACT; and

2. A clause which states: THIS AGREEMENT IS VOIDABLE BY BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO CANCEL WITHIN 3 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-

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PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTIONS 553.899 AND 718.301(4)(p), FLORIDA STATUTES; AND A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND 718.112(2)(g), FLORIDA STATUTES. ANY PURPORTED WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 3 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTIONS 553.899 AND 718.301(4)(p), FLORIDA STATUTES; AND A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND 718.112(2)(g) FLORIDA STATUTES, IF REQUESTED IN WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT CLOSING.

A contract that does not conform to the requirements of this paragraph is voidable at the option of the purchaser prior to closing.

Section 10. Subsection (24) of section 719.103, Florida Statutes, is amended to read:

719.103 Definitions.—As used in this chapter:

(24) "Structural integrity reserve study" means a study of the reserve funds required for future major repairs and replacement of the cooperative property performed as required under s. 719.106(1)(k) common areas based on a visual inspection of the common areas. A structural integrity reserve study may be performed by any person qualified to perform such study. However, the visual inspection portion of the structural

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~~integrity reserve study must be performed by an engineer licensed under chapter 471 or an architect licensed under chapter 481. At a minimum, a structural integrity reserve study must identify the common areas being visually inspected, state the estimated remaining useful life and the estimated replacement cost or deferred maintenance expense of the common areas being visually inspected, and provide a recommended annual reserve amount that achieves the estimated replacement cost or deferred maintenance expense of each common area being visually inspected by the end of the estimated remaining useful life of each common area.~~

Section 11. Present subsections (5) through (11) of section 719.104, Florida Statutes, are redesignated as subsections (6) through (12), respectively, a new subsection (5) is added to that section, and paragraph (c) of subsection (2) of that section is amended, to read:

719.104 Cooperatives; access to units; records; financial reports; assessments; purchase of leases.—

(2) OFFICIAL RECORDS.—

(c) The official records of the association are open to inspection by any association member and any person authorized by an association member as a ~~or the authorized~~ representative of such member at all reasonable times. The right to inspect the records includes the right to make or obtain copies, at the reasonable expense, if any, of the association member and of the person authorized by the association member as a representative of such member. A renter of a unit has a right to inspect and copy only the association's bylaws and rules and the inspection reports described in ss. 553.899 and 719.301(4) (p). The

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association may adopt reasonable rules regarding the frequency, time, location, notice, and manner of record inspections and copying, but may not require a member to demonstrate any purpose or state any reason for the inspection. The failure of an association to provide the records within 10 working days after receipt of a written request creates a rebuttable presumption that the association willfully failed to comply with this paragraph. A member who is denied access to official records is entitled to the actual damages or minimum damages for the association's willful failure to comply. The minimum damages are \$50 per calendar day for up to 10 days, beginning on the 11th working day after receipt of the written request. The failure to permit inspection entitles any person prevailing in an enforcement action to recover reasonable attorney fees from the person in control of the records who, directly or indirectly, knowingly denied access to the records. Any person who knowingly or intentionally defaces or destroys accounting records that are required by this chapter to be maintained during the period for which such records are required to be maintained, or who knowingly or intentionally fails to create or maintain accounting records that are required to be created or maintained, with the intent of causing harm to the association or one or more of its members, is personally subject to a civil penalty under s. 719.501(1)(d). The association shall maintain an adequate number of copies of the declaration, articles of incorporation, bylaws, and rules, and all amendments to each of the foregoing, as well as the question and answer sheet as described in s. 719.504 and year-end financial information required by the department, on the cooperative property to

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ensure their availability to members and prospective purchasers, and may charge its actual costs for preparing and furnishing these documents to those requesting the same. An association shall allow a member or his or her authorized representative to use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the official records in lieu of the association providing the member or his or her authorized representative with a copy of such records. The association may not charge a member or his or her authorized representative for the use of a portable device. Notwithstanding this paragraph, the following records shall not be accessible to members:

1. Any record protected by the lawyer-client privilege as described in s. 90.502 and any record protected by the work-product privilege, including any record prepared by an association attorney or prepared at the attorney's express direction which reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the association, and which was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings, or which was prepared in anticipation of such litigation or proceedings until the conclusion of the litigation or proceedings.

2. Information obtained by an association in connection with the approval of the lease, sale, or other transfer of a unit.

3. Personnel records of association or management company employees, including, but not limited to, disciplinary, payroll,

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health, and insurance records. For purposes of this subparagraph, the term "personnel records" does not include written employment agreements with an association employee or management company, or budgetary or financial records that indicate the compensation paid to an association employee.

4. Medical records of unit owners.

5. Social security numbers, driver license numbers, credit card numbers, e-mail addresses, telephone numbers, facsimile numbers, emergency contact information, addresses of a unit owner other than as provided to fulfill the association's notice requirements, and other personal identifying information of any person, excluding the person's name, unit designation, mailing address, property address, and any address, e-mail address, or facsimile number provided to the association to fulfill the association's notice requirements. Notwithstanding the restrictions in this subparagraph, an association may print and distribute to unit owners a directory containing the name, unit address, and all telephone numbers of each unit owner. However, an owner may exclude his or her telephone numbers from the directory by so requesting in writing to the association. An owner may consent in writing to the disclosure of other contact information described in this subparagraph. The association is not liable for the inadvertent disclosure of information that is protected under this subparagraph if the information is included in an official record of the association and is voluntarily provided by an owner and not requested by the association.

6. Electronic security measures that are used by the association to safeguard data, including passwords.

7. The software and operating system used by the

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association which allow the manipulation of data, even if the owner owns a copy of the same software used by the association. The data is part of the official records of the association.

8. All affirmative acknowledgments made pursuant to s. 719.108(3)(b)3.

(5) MAINTENANCE.—Maintenance of the common elements is the responsibility of the association, except for any maintenance responsibility for limited common elements assigned to the unit owner by the declaration. The association shall provide for the maintenance, repair, and replacement of the cooperative property for which it bears responsibility pursuant to the declaration of cooperative. After turnover of control of the association to the unit owners, the association must perform any required maintenance identified by the developer pursuant to s. 719.301(4)(p) until the association obtains new maintenance protocols from a licensed professional engineer or architect. The declaration may provide that certain limited common elements shall be maintained by those entitled to use the limited common elements or that the association shall provide the maintenance, either as a common expense or with the cost shared only by those entitled to use the limited common elements. If the maintenance is to be by the association at the expense of only those entitled to use the limited common elements, the declaration shall describe in detail the method of apportioning such costs among those entitled to use the limited common elements, and the association may use the provisions of s. 719.108 to enforce payment of the shares of such costs by the unit owners entitled to use the limited common elements.

Section 12. Paragraphs (j), (k), and (l) of subsection (1)

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of section 719.106, Florida Statutes, are amended to read:

719.106 Bylaws; cooperative ownership.—

(1) MANDATORY PROVISIONS.—The bylaws or other cooperative documents shall provide for the following, and if they do not, they shall be deemed to include the following:

(j) *Annual budget*.—

1. The proposed annual budget of common expenses must be detailed and must show the amounts budgeted by accounts and expense classifications, including, if applicable, but not limited to, those expenses listed in s. 719.504(20). The board of administration shall adopt the annual budget at least 14 days before the start of the association's fiscal year. In the event that the board fails to timely adopt the annual budget a second time, it is deemed a minor violation and the prior year's budget shall continue in effect until a new budget is adopted.

2. In addition to annual operating expenses, the budget must include reserve accounts for capital expenditures and deferred maintenance. These accounts must include, but not be limited to, roof replacement, building painting, and pavement resurfacing, regardless of the amount of deferred maintenance expense or replacement cost, and for any other items for which the deferred maintenance expense or replacement cost exceeds \$10,000. ~~The amount to be reserved for an item is determined by the association's most recent structural integrity reserve study that must be completed by December 31, 2024. If the amount to be reserved for an item is not in the association's initial or most recent structural integrity reserve study or the association has not completed a structural integrity reserve study, the amount must be computed by means of a formula which is based upon~~

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1161 estimated remaining useful life and estimated replacement cost
 1162 or deferred maintenance expense of the reserve item. In a budget
 1163 adopted by an association that is required to obtain a
 1164 structural integrity reserve study, reserves must be maintained
 1165 for the items identified in paragraph (k) and the reserve amount
 1166 for such items must be based on the findings and recommendations
 1167 of the association's most recent structural integrity reserve
 1168 study. With respect to items for which an estimate of useful
 1169 life is not readily ascertainable, an association must reserve
 1170 the amount of deferred maintenance expense, if any, which is
 1171 recommended by the structural integrity reserve study for such
 1172 items. The association may adjust replacement reserve
 1173 assessments annually to take into account an inflation
 1174 adjustment and any changes in estimates or extension of the
 1175 useful life of a reserve item caused by deferred maintenance.
 1176 The members of a unit-owner-controlled association may
 1177 determine, by a majority vote of all the voting interests of the
 1178 association, voting in person or by proxy at a duly called
 1179 meeting of the association, for a fiscal year to provide no
 1180 reserves or reserves less adequate than required by this
 1181 subsection. Before turnover of control of an association by a
 1182 developer to unit owners other than a developer under s.
 1183 719.301, the developer-controlled association may not vote to
 1184 waive the reserves or reduce funding of the reserves. For a
 1185 budget adopted on or after Effective December 31, 2024, a unit-
 1186 owner-controlled association that must obtain a structural
 1187 integrity reserve study may not determine to provide no reserves
 1188 or reserves less adequate than required by this paragraph for
 1189 items listed in paragraph (k). If a meeting of the unit owners

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1190 has been called to determine to provide no reserves, or reserves
 1191 less adequate than required, and such result is not attained or
 1192 a quorum is not attained, the reserves as included in the budget
 1193 shall go into effect.

1194 3. Reserve funds and any interest accruing thereon shall
 1195 remain in the reserve account or accounts, and shall be used
 1196 only for authorized reserve expenditures unless their use for
 1197 other purposes is approved in advance by a vote of the majority
 1198 of the voting interests, voting in person or by limited proxy at
 1199 a duly called meeting of the association. Before turnover of
 1200 control of an association by a developer to unit owners other
 1201 than the developer under s. 719.301, the developer may not vote
 1202 to use reserves for purposes other than that for which they were
 1203 intended. For a budget adopted on or after Effective December
 1204 31, 2024, members of a unit-owner-controlled association that
 1205 must obtain a structural integrity reserve study may not vote to
 1206 use reserve funds, or any interest accruing thereon, that are
 1207 reserved for items listed in paragraph (k) for purposes other
 1208 than the replacement or deferred maintenance costs of the
 1209 components listed in paragraph (k) their intended purpose.

1210 (k) *Structural integrity reserve study.*—

1211 1. A residential cooperative ~~An~~ association must have a
 1212 structural integrity reserve study completed at least every 10
 1213 years for each building on the cooperative property that is
 1214 three stories or higher in height that includes, at a minimum, a
 1215 study of the following items as related to the structural
 1216 integrity and safety of the building:

- 1217 a. Roof.
- 1218 b. Load-bearing walls or other primary structural members.

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1219 c. ~~Floor~~.

1220 ~~d.~~ Foundation.

1221 ~~d.e.~~ Fireproofing and fire protection systems.

1222 ~~e.f.~~ Plumbing.

1223 ~~f.g.~~ Electrical systems.

1224 ~~g.h.~~ Waterproofing and exterior painting.

1225 ~~h.i.~~ Windows.

1226 ~~i.j.~~ Any other item that has a deferred maintenance expense

1227 or replacement cost that exceeds \$10,000 and the failure to

1228 replace or maintain such item negatively affects the items

1229 listed in sub-subparagraphs a.-h. ~~sub-subparagraphs a.-i.~~, as

1230 determined by the ~~licensed engineer or architect performing the~~

1231 visual inspection portion of the structural integrity reserve

1232 study.

1233 2. A structural integrity reserve study is based on a

1234 visual inspection of the cooperative property. A structural

1235 integrity reserve study may be performed by any person qualified

1236 to perform such study. However, the visual inspection portion of

1237 the structural integrity reserve study must be performed or

1238 verified by an engineer licensed under chapter 471, an architect

1239 licensed under chapter 481, or a person who is certified as a

1240 reserve specialist or professional reserve analyst by the

1241 Community Associations Institute or the Association of

1242 Professional Reserve Analysts. At a minimum, a structural

1243 integrity reserve study must identify each item of the

1244 cooperative property being visually inspected, state the

1245 estimated remaining useful life and the estimated replacement

1246 cost or deferred maintenance expense of each item of the

1247 cooperative property being visually inspected, and provide a

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1248 reserve funding schedule with a recommended annual reserve

1249 amount that achieves the estimated replacement cost or deferred

1250 maintenance expense of each item of cooperative property being

1251 visually inspected by the end of the estimated remaining useful

1252 life of the item. The structural integrity reserve study may

1253 recommend that reserves do not need to be maintained for any

1254 item for which an estimate of useful life and an estimate of

1255 replacement cost or deferred maintenance expense cannot be

1256 determined, or the study may recommend a deferred maintenance

1257 expense amount for such item. This paragraph does not apply to

1258 buildings less than three stories in height; single-family, two-

1259 family, or three-family dwellings with three or fewer habitable

1260 stories above ground; any portion or component of a building

1261 that has not been submitted to the cooperative form of

1262 ownership; or any portion or component of a building that is

1263 maintained by a party other than the association.

1264 3. Before a developer turns over control of an association

1265 to unit owners other than the developer, the developer must have

1266 a structural integrity reserve study completed for each building

1267 on the cooperative property that is three stories or higher in

1268 height.

1269 4. ~~3.~~ Associations existing on or before July 1, 2022, which

1270 are controlled by unit owners other than the developer, must

1271 have a structural integrity reserve study completed by December

1272 31, 2024, for each building on the cooperative property that is

1273 three stories or higher in height.

1274 5. ~~4.~~ If an association fails to complete a structural

1275 integrity reserve study pursuant to this paragraph, such failure

1276 is a breach of an officer's and director's fiduciary

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1277 relationship to the unit owners under s. 719.104(9) ~~s.~~
 1278 ~~719.104(8)~~.

1279 (1) *Mandatory milestone inspections.*—If an association is
 1280 required to have a milestone inspection performed pursuant to s.
 1281 553.899, the association must arrange for the milestone
 1282 inspection to be performed and is responsible for ensuring
 1283 compliance with the requirements of s. 553.899. The association
 1284 is responsible for all costs associated with the milestone
 1285 inspection attributable to the portions of the building which
 1286 the association is responsible to maintain under the governing
 1287 documents of the association. If the officers or directors of an
 1288 association willfully and knowingly fail to have a milestone
 1289 inspection performed pursuant to s. 553.899, such failure is a
 1290 breach of the officers' and directors' fiduciary relationship to
 1291 the unit owners under s. 719.104(9)(a) ~~s. 719.104(8)(a)~~. Within
 1292 30 days after receiving ~~Upon completion of~~ a phase one or phase
 1293 ~~two milestone inspection and receipt of the inspector-prepared~~
 1294 ~~summary of the inspection~~ report from the architect or engineer
 1295 who performed the inspection, the association must distribute a
 1296 copy of the inspector-prepared summary of the inspection report
 1297 to each unit owner, regardless of the findings or
 1298 recommendations in the report, by United States mail or personal
 1299 delivery at the mailing address, property address, or any other
 1300 address of the owner provided to fulfill the association's
 1301 notice requirements under this chapter and by electronic
 1302 transmission to the e-mail address or facsimile number provided
 1303 to fulfill the association's notice requirements to unit owners
 1304 who previously consented to receive notice by electronic
 1305 transmission; must post a copy of the inspector-prepared summary

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1306 in a conspicuous place on the cooperative property; and must
 1307 publish the full report and inspector-prepared summary on the
 1308 association's website, if the association is required to have a
 1309 website.

1310 Section 13. Paragraph (b) of subsection (1) of section
 1311 719.503, Florida Statutes, is amended, paragraph (d) is added to
 1312 that subsection, and paragraph (d) is added to subsection (2) of
 1313 that section, to read:

1314 719.503 Disclosure prior to sale.—

1315 (1) DEVELOPER DISCLOSURE.—

1316 (b) *Copies of documents to be furnished to prospective*
 1317 *buyer or lessee.*—Until such time as the developer has furnished
 1318 the documents listed below to a person who has entered into a
 1319 contract to purchase a unit or lease it for more than 5 years,
 1320 the contract may be voided by that person, entitling the person
 1321 to a refund of any deposit together with interest thereon as
 1322 provided in s. 719.202. The contract may be terminated by
 1323 written notice from the proposed buyer or lessee delivered to
 1324 the developer within 15 days after the buyer or lessee receives
 1325 all of the documents required by this section. The developer may
 1326 not close for 15 days after the execution of the agreement and
 1327 delivery of the documents to the buyer as evidenced by a receipt
 1328 for documents signed by the buyer unless the buyer is informed
 1329 in the 15-day voidability period and agrees to close before the
 1330 expiration of the 15 days. The developer shall retain in his or
 1331 her records a separate signed agreement as proof of the buyer's
 1332 agreement to close before the expiration of the voidability
 1333 period. The developer must retain such proof for a period of 5
 1334 years after the date of the closing transaction. The documents

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to be delivered to the prospective buyer are the prospectus or disclosure statement with all exhibits, if the development is subject to s. 719.504, or, if not, then copies of the following which are applicable:

1. The question and answer sheet described in s. 719.504, and cooperative documents, or the proposed cooperative documents if the documents have not been recorded, which shall include the certificate of a surveyor approximately representing the locations required by s. 719.104.

2. The documents creating the association.

3. The bylaws.

4. The ground lease or other underlying lease of the cooperative.

5. The management contract, maintenance contract, and other contracts for management of the association and operation of the cooperative and facilities used by the unit owners having a service term in excess of 1 year, and any management contracts that are renewable.

6. The estimated operating budget for the cooperative and a schedule of expenses for each type of unit, including fees assessed to a shareholder who has exclusive use of limited common areas, where such costs are shared only by those entitled to use such limited common areas.

7. The lease of recreational and other facilities that will be used only by unit owners of the subject cooperative.

8. The lease of recreational and other common areas that will be used by unit owners in common with unit owners of other cooperatives.

9. The form of unit lease if the offer is of a leasehold.

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10. Any declaration of servitude of properties serving the cooperative but not owned by unit owners or leased to them or the association.

11. If the development is to be built in phases or if the association is to manage more than one cooperative, a description of the plan of phase development or the arrangements for the association to manage two or more cooperatives.

12. If the cooperative is a conversion of existing improvements, the statements and disclosure required by s. 719.616.

13. The form of agreement for sale or lease of units.

14. A copy of the floor plan of the unit and the plot plan showing the location of the residential buildings and the recreation and other common areas.

15. A copy of all covenants and restrictions that will affect the use of the property and are not contained in the foregoing.

16. If the developer is required by state or local authorities to obtain acceptance or approval of any dock or marina facilities intended to serve the cooperative, a copy of any such acceptance or approval acquired by the time of filing with the division pursuant to s. 719.502(1) or a statement that such acceptance or approval has not been acquired or received.

17. Evidence demonstrating that the developer has an ownership, leasehold, or contractual interest in the land upon which the cooperative is to be developed.

18. A copy of the inspector-prepared summary of the milestone inspection report as described in ss. 553.899 and 719.301(4)(p), or a statement in conspicuous type indicating

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1393 that the association has not completed the milestone inspection
 1394 described in ss. 553.899 and 719.301(4) (p) or that the
 1395 association is not required to perform a milestone inspection,
 1396 as ~~if~~ applicable.

1397 19. A copy of the association's most recent structural
 1398 integrity reserve study or a statement in conspicuous type
 1399 indicating that the association has not completed a structural
 1400 integrity reserve study or that the association is not required
 1401 to perform a structural integrity reserve study, as applicable.

1402 (d) Milestone inspection or structural integrity reserve
 1403 study.-If the association is required to have completed a
 1404 milestone inspection as described in ss. 553.899 and
 1405 719.301(4) (p) or a structural integrity reserve study, and the
 1406 association has failed to complete the milestone inspection or
 1407 the structural integrity reserve study, each contract entered
 1408 into after December 31, 2024, for the sale of a residential unit
 1409 shall contain in conspicuous type a statement indicating that
 1410 the association is required to have a milestone inspection or a
 1411 structural integrity reserve study and has failed to complete
 1412 such inspection or study, as appropriate. If the association is
 1413 not required to have a milestone inspection as described in ss.
 1414 553.899 and 719.301(4) (p) or a structural integrity reserve
 1415 study, each contract entered into after December 31, 2024, for
 1416 the sale of a residential unit shall contain in conspicuous type
 1417 a statement indicating that the association is not required to
 1418 have a milestone inspection or a structural integrity reserve
 1419 study, as appropriate. If the association is required to have
 1420 completed a milestone inspection as described in ss. 553.899 and
 1421 719.301(4) (p) or a structural integrity reserve study, each

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1422 contract entered into after December 31, 2024, for the sale of a
 1423 residential unit shall contain in conspicuous type:

1424 1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES
 1425 THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR-
 1426 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED
 1427 IN SECTIONS 553.899 AND 719.301(4) (p), FLORIDA STATUTES; AND A
 1428 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY
 1429 RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND
 1430 719.106(1) (k), FLORIDA STATUTES, MORE THAN 15 DAYS, EXCLUDING
 1431 SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, PRIOR TO EXECUTION OF
 1432 THIS CONTRACT; and

1433 2. A clause which states: THIS AGREEMENT IS VOIDABLE BY
 1434 BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO
 1435 CANCEL WITHIN 15 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL
 1436 HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE
 1437 BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-
 1438 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED
 1439 IN SECTIONS 553.899 AND 719.301(4) (p), FLORIDA STATUTES; AND A
 1440 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY
 1441 RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND
 1442 719.106(1) (k), FLORIDA STATUTES. ANY PURPORTED WAIVER OF THESE
 1443 VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER MAY EXTEND THE
 1444 TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 15 DAYS,
 1445 EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE
 1446 BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY
 1447 OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTIONS
 1448 553.899 AND 719.301(4) (p), FLORIDA STATUTES; AND A COPY OF THE
 1449 ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY
 1450 DESCRIBED IN SECTIONS 719.103(24) AND 719.106(1) (k), FLORIDA

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STATUTES, IF REQUESTED IN WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT CLOSING.

A contract that does not conform to the requirements of this paragraph is voidable at the option of the purchaser prior to closing.

(2) NONDEVELOPER DISCLOSURE.—

(d) If the association is required to have completed a milestone inspection as described in ss. 553.899 and 719.301(4)(p) or a structural integrity reserve study, and the association has failed to complete the milestone inspection or the structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is required to have a milestone inspection or a structural integrity reserve study and has failed to complete such inspection or study, as appropriate. If the association is not required to have a milestone inspection as described in ss. 553.899 and 719.301(4)(p) or a structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is not required to have a milestone inspection or a structural integrity reserve study, as appropriate. If the association is required to have completed a milestone inspection as described in ss. 553.899 and 719.301(4)(p) or a structural integrity reserve study, each contract entered into after December 31, 2024, for the resale of a residential unit shall contain in conspicuous type:

1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES

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THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR-
PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED
IN SECTIONS 553.899 AND 719.301(4)(p), FLORIDA STATUTES; AND A
COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY
RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND
719.106(1)(k), FLORIDA STATUTES, MORE THAN 3 DAYS, EXCLUDING
SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, PRIOR TO EXECUTION OF
THIS CONTRACT; and

2. A clause which states: THIS AGREEMENT IS VOIDABLE BY
BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO
CANCEL WITHIN 3 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL
HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE
BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-
PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED
IN SECTIONS 553.899 AND 719.301(4)(p), FLORIDA STATUTES; AND A
COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY
RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND
719.106(1)(k), FLORIDA STATUTES. ANY PURPORTED WAIVER OF THESE
VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER MAY EXTEND THE
TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 3 DAYS, EXCLUDING
SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE BUYER RECEIVES
A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE
MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTIONS 553.899 AND
719.301(4)(p), FLORIDA STATUTES; AND A COPY OF THE ASSOCIATION'S
MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN
SECTIONS 719.103(24) AND 719.106(1)(k), FLORIDA STATUTES, IF
REQUESTED IN WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL
TERMINATE AT CLOSING.

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1509 A contract that does not conform to the requirements of this
 1510 paragraph is voidable at the option of the purchaser prior to
 1511 closing.

1512 Section 14. Subsection (2) of section 558.002, Florida
 1513 Statutes, is amended to read:

1514 558.002 Definitions.—As used in this chapter, the term:

1515 (2) "Association" has the same meaning as in s. 718.103 ~~s.~~
 1516 ~~718.103(2)~~, s. 719.103(2), s. 720.301(9), or s. 723.075.

1517 Section 15. Paragraph (b) of subsection (1) of section
 1518 718.116, Florida Statutes, is amended to read:

1519 718.116 Assessments; liability; lien and priority;
 1520 interest; collection.—

1521 (1)

1522 (b)1. The liability of a first mortgagee or its successor
 1523 or assignees who acquire title to a unit by foreclosure or by
 1524 deed in lieu of foreclosure for the unpaid assessments that
 1525 became due before the mortgagee's acquisition of title is
 1526 limited to the lesser of:

1527 a. The unit's unpaid common expenses and regular periodic
 1528 assessments which accrued or came due during the 12 months
 1529 immediately preceding the acquisition of title and for which
 1530 payment in full has not been received by the association; or

1531 b. One percent of the original mortgage debt. The
 1532 provisions of this paragraph apply only if the first mortgagee
 1533 joined the association as a defendant in the foreclosure action.
 1534 Joinder of the association is not required if, on the date the
 1535 complaint is filed, the association was dissolved or did not
 1536 maintain an office or agent for service of process at a location
 1537 which was known to or reasonably discoverable by the mortgagee.

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1538 2. An association, or its successor or assignee, that
 1539 acquires title to a unit through the foreclosure of its lien for
 1540 assessments is not liable for any unpaid assessments, late fees,
 1541 interest, or reasonable attorney's fees and costs that came due
 1542 before the association's acquisition of title in favor of any
 1543 other association, as defined in s. 718.103 ~~s. 718.103(2)~~ or s.
 1544 720.301(9), which holds a superior lien interest on the unit.
 1545 This subparagraph is intended to clarify existing law.

1546 Section 16. Paragraph (d) of subsection (2) of section
 1547 720.3085, Florida Statutes, is amended to read:

1548 720.3085 Payment for assessments; lien claims.—

1549 (2)

1550 (d) An association, or its successor or assignee, that
 1551 acquires title to a parcel through the foreclosure of its lien
 1552 for assessments is not liable for any unpaid assessments, late
 1553 fees, interest, or reasonable attorney's fees and costs that
 1554 came due before the association's acquisition of title in favor
 1555 of any other association, as defined in s. 718.103 ~~s. 718.103(2)~~
 1556 or s. 720.301(9), which holds a superior lien interest on the
 1557 parcel. This paragraph is intended to clarify existing law.

1558 Section 17. Effective July 1, 2027, for the purpose of
 1559 incorporating the amendments made by this act to section
 1560 718.1255, Florida Statutes, in a reference thereto, section
 1561 719.1255, Florida Statutes, is reenacted to read:

1562 719.1255 Alternative resolution of disputes.—The Division
 1563 of Florida Condominiums, Timeshares, and Mobile Homes of the
 1564 Department of Business and Professional Regulation shall provide
 1565 for alternative dispute resolution in accordance with s.
 1566 718.1255.

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1567 Section 18. Paragraph (f) of subsection (1) of section
1568 718.501, Florida Statutes, is reenacted to read:

1569 718.501 Authority, responsibility, and duties of Division
1570 of Florida Condominiums, Timeshares, and Mobile Homes.—

1571 (1) The division may enforce and ensure compliance with
1572 this chapter and rules relating to the development,
1573 construction, sale, lease, ownership, operation, and management
1574 of residential condominium units and complaints related to the
1575 procedural completion of milestone inspections under s. 553.899.
1576 In performing its duties, the division has complete jurisdiction
1577 to investigate complaints and enforce compliance with respect to
1578 associations that are still under developer control or the
1579 control of a bulk assignee or bulk buyer pursuant to part VII of
1580 this chapter and complaints against developers, bulk assignees,
1581 or bulk buyers involving improper turnover or failure to
1582 turnover, pursuant to s. 718.301. However, after turnover has
1583 occurred, the division has jurisdiction to investigate
1584 complaints related only to financial issues, elections, and the
1585 maintenance of and unit owner access to association records
1586 under s. 718.111(12), and the procedural completion of
1587 structural integrity reserve studies under s. 718.112(2)(g).

1588 (f) The division may adopt rules to administer and enforce
1589 this chapter.

1590 Section 19. Paragraph (f) of subsection (1) of section
1591 719.501, Florida Statutes, is reenacted to read:

1592 719.501 Powers and duties of Division of Florida
1593 Condominiums, Timeshares, and Mobile Homes.—

1594 (1) The Division of Florida Condominiums, Timeshares, and
1595 Mobile Homes of the Department of Business and Professional

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1596 Regulation, referred to as the “division” in this part, in
1597 addition to other powers and duties prescribed by chapter 718,
1598 has the power to enforce and ensure compliance with this chapter
1599 and adopted rules relating to the development, construction,
1600 sale, lease, ownership, operation, and management of residential
1601 cooperative units; complaints related to the procedural
1602 completion of the structural integrity reserve studies under s.
1603 719.106(1)(k); and complaints related to the procedural
1604 completion of milestone inspections under s. 553.899. In
1605 performing its duties, the division shall have the following
1606 powers and duties:

1607 (f) The division has authority to adopt rules pursuant to
1608 ss. 120.536(1) and 120.54 to implement and enforce the
1609 provisions of this chapter.

1610 Section 20. Except as otherwise expressly provided in this
1611 act, this act shall take effect upon becoming a law.

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The Florida Senate
APPEARANCE RECORD

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154
Bill Number or Topic

Amendment Barcode (if applicable)

3/16/23
Meeting Date

Fiscal Policy
Committee

Name Mark Anderson

Phone 813-205-0658

Address 110 S. Monroe
Street

Email Mark@ConsultAnderson.com

Tallahassee FL 32301
City State Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 154

3-16-23

Meeting Date

Fiscal Policy

Committee

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Bill Number or Topic

Amendment Barcode (if applicable)

Name

Pete Dunbar

Phone

850-999-4100

Address

106 E. College Ave

Street

Email

pdunbar@deanmead.com

Tallahassee

City

32312

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Real Property, Probate
& Trust Law Section of the Florida Bar

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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3/16/23

Meeting Date

Fiscal Policy

Committee

154

Bill Number or Topic

Amendment Barcode (if applicable)

Name

TRAVIS MOORE

Phone

727.421.6902

Address

P.O. Box 2020

Street

St. Petersburg FL

City

State

33731

Zip

Email

travis@moore-relations.com

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:

Community Associations Institute
First Service Residential



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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03/14/23

Meeting Date

Fiscal

Committee

Name

BO Murphy

Phone

850 893 4155

Address

3195 Shennock St.

Email

bmurphy@faia.um

Street

Tallahassee

City

State

Zip

32309

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

FAIA

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

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03/14/23

Meeting Date

Fiscal

Committee

5154

Bill Number or Topic

648940

Amendment Barcode (if applicable)

Name

Christine Ashburn

Phone

850 513 3757

Address

Maryland Circle

Street

Tallahassee, FL

City

State

Zip

Email

Speaking:

☒ For

☐ Against

☐ Information

☐ Information

OR

Waive Speaking:

☒ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Citizens Property Insurance Corp.

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/SB 234

INTRODUCER: Fiscal Policy Committee and Senator Avila

SUBJECT: Statutorily Required Reports

DATE: March 17, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Harmsen</u>	<u>McVaney</u>	<u>GO</u>	Favorable
2.	<u>Harmsen</u>	<u>Yeatman</u>	<u>FP</u>	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 234 requires the Division of Library and Information Services within the Department of State to create and administer an Internet-based system to which state agencies, water management districts, and other state entities must electronically submit their statutorily required reports. The online system will allow members of the public to search for and access statutorily required reports.

Each state entity must also redact its submissions if the submissions include any information that is not subject to public inspection. This bill does not impact a state entity's duties to retain or archive documents in accordance with law.

The bill appropriates \$1 million in nonrecurring funds from the General Revenue Fund to implement and maintain the new research system.

The bill takes effect July 1, 2023.

II. Present Situation:

The Department of State's (DOS) Division of Library and Information Services (Division) manages the Florida State Library and the State Archives and operates the Florida State Publications Depository Program.¹

The Florida State Publications Depository Program, which operates pursuant to s. 257.05, F.S., requires state agencies, departments, and boards to furnish their state publications to the Division for distribution to depository libraries. A state publication is any document created under the authority of, or at the expense of a state official, state department, state board, state court, or state agency, or that is otherwise required by state law to be publicly distributed; documents created for internal use only are not considered a state publication.² For example, the State Library of Florida collects and preserves the following as state publications:³

- Annual reports;
- Periodicals;
- Newsletters;
- Research reports and studies;
- Statistical compilations;
- Bibliographies;
- Handbooks, manuals and guides for the public;
- Maps;
- Posters;
- Audio and video recordings;
- CDs, DVDs and other electronic media;
- Descriptive course catalogs from institutions of higher learning;
- Student art and literary magazines; and
- Law reviews that are published with state funds.

Agencies, departments, and boards must upload an electronic copy of their state publication to the State Publications Upload System, and furnish either 2 hard copies (if the agency printed less than 40 copies) or 35 hard copies (if the agency printed a total of more than 40 copies) to the Division. The Division then disseminates the copies to Florida's depository libraries and saves two copies (electronic or physical) in the State Library of Florida;⁴ if only two copies were

¹ See generally, Florida DOS, Division of Library and Information Services, *About Us*, <https://dos.myflorida.com/library-archives/> (last visited Mar. 6, 2023). See also, OPPAGA, *Department of State Library and Information Services*, <https://oppaga.fl.gov/ProgramSummary/ProgramDetail?programNumber=4099> (last visited Mar. 6, 2023).

² Section 257.015(6), F.S.

³ Florida Department of State, Division of Library and Information Services, *State Publications Collection Policy*, available at <https://dos.myflorida.com/library-archives/research/florida-information/government/state-resources/government-documents/florida-state-publications-depository-program/collection-policy/> (last visited Mar. 6, 2023).

⁴ Florida DOS, Division of Library and Information Services, *Florida State Publications Depository Program FAQ*, <https://dos.myflorida.com/library-archives/research/florida-information/government/state-resources/government-documents/florida-state-publications-depository-program/state-agencies-faqs/> (last visited Mar. 6, 2023).

provided by the agency, then the Division maintains those copies and does not distribute a copy to the depository libraries.⁵

Section 286.001, F.S., separately requires any agency or officer of the executive, legislative, or judicial branch of government, the State Board of Education, the Board of Governors, or the Public Service Commission (agencies) to file any report that they are required or authorized by law to make on a regular or periodic basis with the Division. The agencies must also file an abstract of their report with the statutorily designated recipient—often, the Governor, Speaker of the House of Representatives, and Senate President, or some combination thereof. An agency may submit their full report to the designated recipient in addition to the Division only if its agency head determines that the additional cost is justified, and submits a one-page justification thereof to the chairs of the Governmental Operations Committees of both houses of the Legislature.

The Division's duties pursuant to s. 286.001, F.S., include:

- Compiling and updating bibliographic information of the reports it receives;
- Distributing the bibliography; and
- Fulfilling the requirements of the State Publication Program (as discussed above).

The reports collected by the Division in its most recent quarterly bibliography include several state agencies' annual reports, a Citrus Reference Book from the Department of Citrus, the Florida State Plan on Aging from the Department of Elderly Affairs, the Florida Consumer Confidence Index from the Florida Department of Environmental Protection, and the Texting While Driving Report from the Florida Department of Highway Safety and Motor Vehicles, among many others.⁶ The bibliography details the title of the report, the issuing agency, where it is located (at a depository library or not), its date of publication, a link to an electronic version (if applicable), and a series number and catalog number.

III. Effect of Proposed Changes:

Section 1 amends s. 286.001, F.S., to require the Division to create and maintain a publicly available, Internet-based system to which state entities must submit their statutorily required reports. This Internet-based system will be separate from the State Publications Program, created by s. 257.05, F.S., and will be singularly dedicated to state entities' statutorily required reports, as compared to any document created with state funds.

The Division must ensure that anyone can search for statutorily required reports on the online system using the following search parameters:

- The report's designated recipient (e.g., Governor, Senate President, or Speaker of the House of Representatives);
- The name of the state entity that submitted the report;
- The date of report's submission;

⁵ Division of Library and Information Services, Bureau of Library and Network Services, *Florida Public Documents*, p. i (July-September 2022), available at <http://edocs.dlis.state.fl.us/fldocs/dos/dlis/publicdoc/2022/07-2022.pdf> (last visited Mar. 6, 2023).

⁶ *Florida Public Documents*, *supra* note 5.

- The law pursuant to which the state entity submitted the report;
- The title or topic of the report; and
- Any identifiable keywords.

The system must also allow users to sign up to receive automated notifications of the filing of statutorily required reports based on user-designated criteria.

Current law requires any agency or officer of the executive, legislative, or judicial branch of state government, the State Board of Education, the Board of Governors of the State University System, or the Public Service Commission to submit their statutorily required reports to the Division. The bill adds water management districts that operate under the authority of chapter 373, F.S. to this list and defines these entities, collectively, as “state entities.”

The Division is further tasked with creating a master list of statutorily required reports and their submission dates by November 1, 2023, and updating it annually thereafter. The Division must post this list to its publicly accessible website. In order to give periodic updates of the reports submitted for inclusion in the database, the Division must compile bibliographic information on each statutorily required report that it receives and disseminate it to the Governor, President of the Senate, and the Speaker of the House of Representatives each quarter, beginning April 15, 2024. The Division currently creates quarterly bibliographies for reports it receives pursuant to s. 286.001, F.S.

This section conversely requires that any state entity required or authorized by law to make a regular or periodic report to fulfill its duty to submit such report by electronically filing a copy with the Division. This does not affect reports that are created by a state entity outside of a statutory requirement to do so, or that lack a statutory requirement to submit to a specific entity.

If the statutorily required report contains information that the state entity may redact, the submitting state entity must perform the redactions and provide a copy of the redacted report as its submission to the Division with an accompanying statement that identifies the statutory basis for the redaction. The Division is not responsible for the redaction of exempt, or confidential and exempt information from the reports submitted to the database pursuant to this section.

A state entity that submits a report to the Division’s database must maintain a complete copy of the report pursuant to its applicable records retention schedule, and provide a copy to parties that make an appropriate public records request for such records.

This section also deletes obsolete language that requires state entities to submit a half-page abstract of their report to the designated recipient, or submit a one-page summary detailing why the cost of submitting the full report to the designated recipient is justified; and to transition to the electronic storage and dissemination of reports as soon as practicable.

Finally, this section deletes a provision that states that s. 286.001, F.S., does not waive or modify the depository requirements in s. 257.02(2), F.S., relating to the provision of state publications to the Division.

Section 2 appropriates \$1 million in nonrecurring funds from the General Revenue Fund to the Department of State to offset costs associated with the creation and maintenance of the Internet-based system for reports.

Section 3 provides that the bill will take effect on July 1, 2023.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The mandate restrictions do not apply because the bill does not require counties and municipalities to spend funds, reduce counties' or municipalities' ability to raise revenue, or reduce the percentage of state tax shared with counties and municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Under current law, the Division collects these reports as part of their State Publications Program, but this bill will require that the Division post them to a separate, searchable section or subsection of an Internet-based system. The bill appropriates \$1 million from the General Revenue Fund for use in the creation and maintenance of this system.

In addition to the \$1 million appropriation, the DOS requests an FTE position with an associated expenditure of \$79,875 for salary and benefits.⁷ The DOS states that this position is necessary to meet its new reporting requirements. However, based on the number of current position vacancies in the agency, the DOS may have current positions to use to address the additional reporting workload.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 286.001 of the Florida Statutes.

IX. Additional Information:

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

CS by Fiscal Policy on March 16, 2023:

- Clarifies intent that the Division create a distinct method through which users can search for statutorily required reports;
- Requires the system to provide electronic confirmation to agencies that electronically submit their statutorily required reports to the Division; and
- Requires the system to allow users to sign up for automated notifications of filed reports from the system based on user-designated criteria.

- B. Amendments:

None.

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

⁷ Florida DOS, *SB 234 Agency Analysis* (Mar. 15, 2023) (on file with the Committee on Governmental Oversight).



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2023	.	
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	.	
	.	

The Committee on Fiscal Policy (Avila) recommended the following:

Senate Amendment (with title amendment)

Delete lines 104 - 148
and insert:

(b) Beginning January 1, 2024, compile bibliographic information on each statutorily required report it receives for publication in the system implemented and maintained under subsection (5). The division shall update the bibliographic information on a quarterly basis. The bibliographic information may be included in the bibliographies prepared by the division



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pursuant to s. 257.05(3).

(c) Beginning April 15, 2024, and each calendar quarter thereafter, distribute the most recently completed quarter's bibliography created pursuant to paragraph (b) to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(5) The Legislature finds that statutory reporting requirements for state entities is of great value to the public for accountability and transparency in government. A single, modern, Internet-based repository is necessary to compile reports on government activities as well as to ensure that statutorily required reports are easily accessible and available to the public. The ability to search for a statutorily required report by specific information will save time for the requestor and reduce the workload of state entities that are required to respond to requests for reports. Therefore, the Legislature intends that the division receive statutorily required reports, and by January 1, 2024, the division shall implement and maintain a publicly available, Internet-based system that includes, but is not limited to, the following features and functions:

(a) A section or subsection that is dedicated to the cataloging of statutorily required reports;

(b) The ability for state entities to electronically file statutorily required reports and to receive electronic confirmation of those filings;

(c) The ability to search for and retrieve electronic versions of statutorily required reports by using the report's designated recipient, the state entity that submitted the



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report, the date of the report's submission, the law requiring the state entity to submit the report, the title or topic of the report, and identifiable keywords; and

(d) The ability for users to receive automated notifications of the filing of statutorily required reports based on user-defined criteria ~~Provide for at least quarterly distribution of bibliographic information on reports to:~~

~~1. Agencies and officers within the executive, legislative, and judicial branches of state government, the State Board of Education, the Board of Governors of the State University System, and the Public Service Commission, free of charge; and~~

~~2. Other interested parties upon request properly made and upon payment of the actual cost of duplication pursuant to s. 119.07(1).~~

~~(3) As soon as practicable, the administrative head of each executive, legislative, or judicial agency and each agency of the State Board of Education, the Board of Governors of the State University System, and the Public Service Commission required by law to make reports periodically shall ensure that those reports are created, stored, managed, updated, retrieved, and disseminated through electronic means.~~

~~(4) This section may not be construed to waive or modify the requirement in s. 257.05(2) pertaining to the provision of copies of state publications to the division.~~

Section 2. For the 2023-2024 fiscal year, the sum of \$1 million in nonrecurring funds from the General Revenue Fund is appropriated to the Department of State for the purpose of implementing and maintaining the searchable, publicly available, Internet-based system for statutorily required reports as



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required by this act.

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

And the title is amended as follows:

Delete lines 26 - 32

and insert:

specified system; requiring the division to update the
bibliographic information on a quarterly basis;
requiring that the bibliographic information be
distributed quarterly to the Governor and the
Legislature, beginning on a specified date; providing
legislative findings and intent; requiring the
division to implement and maintain a publicly
available, Internet-based system for such reports by a
specified date; specifying features and functions for
such system;

By Senator Avila

39-00248D-23

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1 A bill to be entitled
 2 An act relating to statutorily required reports;
 3 amending s. 286.001, F.S.; defining the term "state
 4 entity"; revising the procedure for filing statutorily
 5 required or authorized reports; deleting provisions
 6 requiring that abstracts be filed for statutorily
 7 required or authorized reports; requiring state
 8 entities to redact exempt or confidential and exempt
 9 information from reports before filing; providing that
 10 the Division of Library and Information Services of
 11 the Department of State or the department, or any
 12 contractor thereof, is not responsible for redaction
 13 and may not be held liable for the failure of a state
 14 entity to redact exempt or confidential and exempt
 15 information from its reports; requiring state entities
 16 to submit a specified accompanying statement
 17 identifying the applicable provisions for such
 18 redactions; requiring the state entity to retain or
 19 archive reports in accordance with certain schedules;
 20 requiring the division to compile and annually update
 21 a list of all statutorily required reports and their
 22 submission dates; requiring the division to publish
 23 such list on the department's website; requiring the
 24 division to compile, beginning on a specified date,
 25 bibliographic information on received reports in a
 26 specified database; requiring the division to update
 27 the bibliographic information on a quarterly basis;
 28 requiring that the bibliographic information be
 29 distributed quarterly to the Governor and the

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30 Legislature; requiring the division to implement and
 31 maintain a database for such reports by a specified
 32 date; specifying requirements for the database;
 33 deleting a provision requiring state entities to
 34 create, store, manage, update, retrieve, and
 35 disseminate statutorily required or authorized reports
 36 in an electronic format; deleting a provision related
 37 to construction; providing an appropriation; providing
 38 an effective date.

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

41
 42 Section 1. Section 286.001, Florida Statutes, is amended to
 43 read:

44 286.001 Reports statutorily required; filing, maintenance,
 45 retrieval, and provision of copies.—

46 (1) For purposes of this section, the term "state entity"
 47 means any agency or officer of the executive, legislative, or
 48 judicial branch of state government, the State Board of
 49 Education, the Board of Governors of the State University
 50 System, the Public Service Commission, or a water management
 51 district operating under the authority of chapter 373.

52 ~~(2) A state entity Unless otherwise specifically provided~~
 53 ~~by law, any agency or officer of the executive, legislative, or~~
 54 ~~judicial branches of state government, the State Board of~~
 55 ~~Education, the Board of Governors of the State University~~
 56 ~~System, or the Public Service Commission~~ required or authorized
 57 by law to make a regular or periodic report ~~reports regularly or~~
 58 ~~periodically~~ shall fulfill the requirement to submit the report

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by electronically filing ~~such requirement by filing an abstract~~ of the report with the statutorily or administratively designated recipients of the report and an abstract and one copy of the report with the Division of Library and Information Services of the Department of State, ~~unless the head of the reporting entity makes a determination that the additional cost of providing the entire report to the statutorily or administratively designated recipients is justified. A one-page summary justifying the determination shall be submitted to the chairs of the governmental operations committees of both houses of the Legislature. The abstract of the contents of such report shall be no more than one half page in length. The actual report must shall be retained by the reporting agency or officer, and copies of the report must shall be provided to interested parties and the statutorily or administratively designated recipients of the report upon request.~~

(a) A state entity that submits a report pursuant to this section is solely responsible for redacting any portion of the report which is not subject to public inspection. The division or the department, or any contractor thereof, is not responsible for and may not be held liable for the failure of a state entity to redact exempt or confidential and exempt information from its reports.

(b) If a report is redacted, the state entity submitting the report must provide to the division an accompanying statement that identifies the specific statutory basis for the redaction.

(3) The state entity shall retain or archive each report in accordance with the applicable records retention schedule.

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(4)(2) With respect to reports statutorily required of state entities ~~agencies or officers within the executive, legislative, or judicial branches of state government, the State Board of Education, the Board of Governors of the State University System, or the Public Service Commission,~~ it is the duty of the division, in addition to its duties under s. 257.05, to:

(a) By November 1, 2023, with assistance from the state entities, compile a list of statutorily required reports and their submission dates. The division shall update this list by each November 1 thereafter. The division shall publish the list on the Department of State's publicly accessible website. Regularly compile and update bibliographic information on such reports for distribution as provided in paragraph (b). Such bibliographic information may be included in the bibliographies prepared by the division pursuant to s. 257.05(3).

(b) Beginning January 1, 2024, compile bibliographic information on each statutorily required report it receives for publication in the database implemented and maintained under paragraph (d). The division shall update the bibliographic information on a quarterly basis. The bibliographic information may be included in the bibliographies prepared by the division pursuant to s. 257.05(3).

(c) Beginning April 15, 2024, and each calendar quarter thereafter, distribute the most recently completed quarter's bibliography created pursuant to paragraph (b) to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(d) By January 1, 2024, implement and maintain a publicly

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117 available Internet-based database of the statutorily required
 118 reports and bibliographic information that it receives or
 119 creates pursuant to this section. The database must be
 120 searchable, at a minimum, by the report's designated recipient,
 121 the state entity that submitted the report, the date of the
 122 report's submission, the law requiring the state entity to
 123 submit the report, the title or topic of the report, and
 124 identifiable keywords ~~Provide for at least quarterly~~
 125 ~~distribution of bibliographic information on reports to:~~
 126 1. ~~Agencies and officers within the executive, legislative,~~
 127 ~~and judicial branches of state government, the State Board of~~
 128 ~~Education, the Board of Governors of the State University~~
 129 ~~System, and the Public Service Commission, free of charge; and~~
 130 2. ~~Other interested parties upon request properly made and~~
 131 ~~upon payment of the actual cost of duplication pursuant to s.~~
 132 ~~119.07(1).~~
 133 ~~(3) As soon as practicable, the administrative head of each~~
 134 ~~executive, legislative, or judicial agency and each agency of~~
 135 ~~the State Board of Education, the Board of Governors of the~~
 136 ~~State University System, and the Public Service Commission~~
 137 ~~required by law to make reports periodically shall ensure that~~
 138 ~~those reports are created, stored, managed, updated, retrieved,~~
 139 ~~and disseminated through electronic means.~~
 140 ~~(4) This section may not be construed to waive or modify~~
 141 ~~the requirement in s. 257.05(2) pertaining to the provision of~~
 142 ~~copies of state publications to the division.~~
 143 Section 2. For the 2023-2024 fiscal year, the sum of \$1
 144 million in nonrecurring funds from the General Revenue Fund is
 145 appropriated to the Department of State for the purpose of

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146 implementing and maintaining the database of statutorily
 147 required reports and bibliographic information as required by
 148 this act.
 149 Section 3. This act shall take effect July 1, 2023.

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The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/SB 256

INTRODUCER: Fiscal Policy Committee; Governmental Oversight and Accountability Committee; and Senator Ingoglia

SUBJECT: Employee Organizations Representing Public Employees

DATE: March 17, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>McVaney</u>	<u>McVaney</u>	<u>GO</u>	<u>Fav/CS</u>
2.	<u>McVaney</u>	<u>Yeatman</u>	<u>FP</u>	<u>Fav/CS</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 256 enacts several new requirements of the employee organizations that represent public employees in collective bargaining. Specifically, the bill:

- Requires employees who wish to join certain employee organizations to sign a membership authorization form that is prescribed by the Public Employees Relations Commission (PERC), which must contain specific information.
- Requires specific employee organizations to allow a member to revoke his or her membership in the organization at any time, and without any reason.
- Allows the PERC to inspect specific employee organization's membership authorization forms and membership revocation forms.
- Prohibits certain employee organizations from receiving their members' dues and assessments via salary deduction from the members' public employer.
- Expands the information required in an employee organization's annual registration renewal with the PERC. This newly required information includes information that relates to the number and percentage of dues-paying members in each bargaining unit. In addition, the employee organization's current annual financial report must be audited by an independent certified public accountant.
- Authorizes the public employer or an employee who is eligible for representation in the bargaining unit to challenge the application for registration renewal. The PERC must investigate to confirm the information submitted.

- Requires the employee organization to be recertified as the bargaining agent if the number of employees paying dues to the employee organization during the last registration period is less than 60 percent of the number of employees eligible for representation in the bargaining unit.
- Requires the certified bargaining agent to provide certain information to its members, including the annual costs of membership.
- Expands the prohibited activities by certain employee organizations and its representatives.

To implement its new responsibilities under the bill, the PERC is expected to incur roughly \$900,000 of recurring expenditures. Otherwise, the bill is expected to have an indeterminate fiscal impact on local government expenditures.

The bill takes effect July 1, 2023.

II. Present Situation:

Right-to-Work

The State Constitution provides that the “right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization.”¹ Based on this constitutional right, Florida is regarded as a “right-to-work” state.

Collective Bargaining

The State Constitution also guarantees that “the right of employees, by and through a labor organization, to bargain collectively shall not be denied or abridged.”² To implement this constitutional provision, the Legislature enacted ch. 447, F.S., which provides that the purpose of collective bargaining is to promote cooperative relationships between the government and its employees and to protect the public by assuring the orderly and uninterrupted operations and functions of government.³ Public employees have the right to form, join, participate in, and be represented by an employee organization of their own choosing, or to refrain from forming, joining, participating in, or being represented by an employee organization.⁴ Regardless of union membership, each employee is subject to the negotiated collective bargaining agreement that is applicable to the employee’s position. Through collective bargaining, public employees⁵

¹ FLA. CONST. art. 1, s. 6.

² *Id.*

³ Section 447.201, F.S.

⁴ Section 447.301(1) and (2), F.S.

⁵ Section 447.203(3), F.S., defines the term “public employee” to mean any person employed by a public employer except:

collectively negotiate with their public employer⁶ in the determination of the terms and conditions of their employment.⁷ The Public Employees Relations Commission (PERC) is responsible for assisting in resolving disputes between public employees and public employers.⁸

Registration of Employee Organization

An employee organization⁹ that seeks to become a certified bargaining agent for public employees must register with the PERC prior to (a) requesting recognition by a public employer for purposes of collective bargaining and (b) submitting a petition to the PERC to request certification as an exclusive bargaining agent.¹⁰ The application for registration must include:

- The name and address of the organization and of any parent organization or organization with which it is affiliated;
- The names and addresses of the principal officers and all representatives of the organization;
- The amount of the initiation fee and of the monthly dues which members must pay;
- The current annual financial statement of the organization;
- The name of its business agent, if any; the name of its local agent for service of process, if different from the business agent; and the addresses where such person or persons can be reached;
- A pledge, in a form prescribed by the commission, that the employee organization will conform to the laws of the state and that it will accept members without regard to age, race, sex, religion, or national origin;
- A copy of the current constitution and bylaws of the employee organization; and
- A copy of the current constitution and bylaws of the state and national groups with which the employee organization is affiliated or associated. In lieu of this provision, and upon adoption of a rule by the commission, a state or national affiliate or parent organization of any

-
- (a) Persons appointed by the Governor or elected by the people, agency heads, and members of boards and commissions.
 - (b) Persons holding positions by appointment or employment in the organized militia.
 - (c) Individuals acting as negotiating representatives for employer authorities.
 - (d) Persons who are designated by the commission as managerial or confidential employees pursuant to criteria contained herein.
 - (e) Persons holding positions of employment with the Florida Legislature.
 - (f) Persons who have been convicted of a crime and are inmates confined to institutions within the state.
 - (g) Persons appointed to inspection positions in federal/state fruit and vegetable inspection service whose conditions of appointment are affected by the following:
 1. Federal license requirement.
 2. Federal autonomy regarding investigation and disciplining of appointees.
 3. Frequent transfers due to harvesting conditions.
 - (h) Persons employed by the Public Employees Relations Commission.
 - (i) Persons enrolled as undergraduate students in a state university who perform part-time work for the state university.

⁶ The term “public employer” means the state or any county, municipality, or special district or any subdivision or agency thereof that the commission determines has sufficient legal distinctiveness properly to carry out the functions of a public employer. Section 447.203(2), F.S.

⁷ Section 447.301(2), F.S.

⁸ Section 447.201(3), F.S.

⁹ Section 447.203(11), F.S., defines employee organization as any “labor organization, union, association, fraternal order, occupational or professional society, or group, however organized or constituted, which represents, or seeks to represent, any public employee or group of public employees concerning any matters relating to their employment relationship with a public employer.”

¹⁰ Section 447.305(1), F.S.

registering labor organization may annually submit a copy of its current constitution and bylaws.¹¹

A registration granted to an employee organization is valid for 1 year from the date of issuance. A registration must be renewed annually by filing an application for renewal under oath with the PERC. An application for renewal must reflect any changes in the information provided to the PERC in conjunction with the employee organization's preceding application for registration or previous renewal. Each application for renewal of registration must include a current annual financial report with the following information:¹²

- Assets and liabilities at the beginning and end of the fiscal year;
- Receipts of any kind and the sources thereof;
- Salary, allowances, and other direct or indirect disbursements to each officer and to each employee who received during the fiscal year more than \$10,000 in the aggregate from the employee organization and any affiliated employee organization;
- Direct and indirect loans made to any officer, employee, member which aggregated more than \$250 during the fiscal year; and
- Direct and indirect loans to any business enterprise.

A registration fee of \$15 must be submitted for each registration and renewal.¹³

Certification of Employee Organization as bargaining agent

After registering with the PERC, an employee organization may begin the certification process. Any employee organization that is selected by a majority of public employees in a designated unit as their representative for collective bargaining purposes can request recognition by the public employer.

The employer, if satisfied as to the majority status of the employee organization and the appropriateness of the unit, must recognize the employee organization as the collective bargaining representative of employees in the designated unit. Following recognition by the employer, the employee organization must immediately petition the commission for certification.¹⁴ The PERC will review only the appropriateness of the unit proposed by the employee organization. Appropriateness is defined as the history of employee relations within the organization of the public employer concerning organization and negotiation and the interest of the employees and the employer.¹⁵ If the unit is appropriate, the PERC will immediately certify the employee organization as the exclusive representative of all employees in the unit. If the unit is inappropriate, the PERC may dismiss the petition.

If the public employer refuses to recognize the employee organization, the employee organization may file a petition with the PERC for certification as the bargaining agent. The petition has to be accompanied by dated statements signed by at least 30 percent of the employees in the proposed unit. The PERC will investigate the petition to determine its

¹¹ Section 447.305(1)(a-h), F.S.

¹² Section 447.305(2), F.S.

¹³ Section 447.305(3), F.S.

¹⁴ Section 447.307(1)(a), F.S.

¹⁵ Section 447.307(4)(f), F.S.

sufficiency, and provide for an appropriate hearing upon notice, and may order an election by secret ballot. Any registered employee organization that desires to be placed on the ballot in any election may be permitted by the commission to intervene. If an employee organization is selected by the majority of the employees *who vote* in the election, the commission must certify the employee organization as the exclusive collective representative for all employees in the unit.¹⁶

Authority of the Certified Bargaining Agent

The certified bargaining agent and the chief executive of the public employer must bargain collectively and in good faith in the determination of wages, hours, and terms and conditions of employment of the employees.¹⁷ Any collective bargaining agreement reached between the parties must be put in writing and signed by the chief executive officer and the bargaining agent.¹⁸ Such agreement is not binding on the employer until the agreement has been ratified by the employer and the employees in the bargaining unit.¹⁹ Current law prohibits a collective bargaining agreement from providing for a term of existence of more than 3 years and requires the agreement to contain all of the terms and conditions of employment of the employees during such term.²⁰ The bargaining agent also has the authority to process grievances to settle disputes between the employer and the employees in the bargaining unit.²¹

An employee organization which has been certified as the bargaining agent has the right to have its dues and assessments deducted and collected by the employer from the salaries of those employees who authorize the deduction of said dues and assessments.²²

For state agencies, the Department of Financial Services (DFS) must concur with the agencies before deductions are allowed. However, the deductions from salary for the membership dues of a certified bargaining agent does not require the concurrence of the DFS;²³ provided the deductions may be permitted only for an organization that has been certified as the exclusive bargaining agent for a unit in which the employee is included.²⁴

Likewise, cities, counties and special districts are permitted in their sole discretion to make wage deductions as authorized and directed by the employee.²⁵

Records Exempt from Public Records Inspection and Copying Requirements

The petitions and statements signed and dated by employees indicating that the employee wants to be represented by an employee organization for purposes of collective bargaining are confidential and exempt from public inspection and copying requirements. However, the names

¹⁶ Section 447.307(3)(a-d), F.S.

¹⁷ Section 447.309(1), F.S.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ Section 447.309(5), F.S.

²¹ Section 447.401, F.S.

²² Section 447.303, F.S.

²³ Section 110.114(1), F.S.

²⁴ Section 110.114(3), F.S.

²⁵ Section 112.171, F.S.

appearing on the petition may be challenged by any employee, employer, or employer organization with sufficient reason to believe that the names were obtained by collusion, coercion, intimidation, or misrepresentation or are otherwise invalid.²⁶

The payroll deduction records of an employee of a school board are confidential and exempt from public inspection and copying requirements.²⁷

Prohibited Acts by Employee Organizations and Employees

An employee organization, its members, agents, or representatives, or any person's action on its behalf is prohibited from:

- Soliciting public employees during working hours of any employee involved in the solicitation;
- Distributing literature during working hours in areas where the actual work of public employees is performed; and
- Instigating or advocating support, in any positive manner, for an employee organization's activities from high school or grade school students during classroom time.²⁸

Enforcement of these prohibitions is in the circuit court through injunctive relief and contempt proceedings. A public employee who is convicted of such violation may be discharged or disciplined otherwise.²⁹

For state employees, an organization, entity, or person is prohibited from intentionally soliciting a state employee, through any means, for fundraising or business purposes within work areas during work hours.³⁰ This prohibition does not apply to state-approved communications by entities with whom the state has contracted to provide employee benefits or services,³¹ noncoercive voluntary communications between state employees in work areas,³² or activities at authorized public events that occur in nonwork areas of state owned or leased facilities.³³

Revocation of certification

An employee or group of employees who no longer desires to be represented by the certified bargaining agent may file with the PERC a petition to revoke certification. The petition must be accompanied by dated statements signed by at least 30 percent of the employees in the unit, indicating that such employees no longer desire to be represented by the certified bargaining agent. If the PERC finds the petition to be sufficient, it must immediately order an election by secret ballot.³⁴

²⁶ Section 447.307(2), F.S.

²⁷ Section 1012.31(3)(a)4., F.S.

²⁸ Section 447.509(1), F.S.

²⁹ Section 447.509(3), F.S.

³⁰ Section 110.182, F.S.

³¹ Section 110.182(1), F.S.

³² Section 110.182(2), F.S.

³³ Section 110.182(3), F.S.

³⁴ Section 447.308(1), F.S.

If a majority of voting employees vote against the continuation of representation by the certified bargaining agent, the organization's certification is revoked.³⁵ Otherwise, the employee organization is retained as the exclusive bargaining agent for the unit.³⁶

Additional Requirements for Certified Bargaining Agents of Educational Personnel

In 2018, the Legislature enacted an additional requirement for the renewal of registration of an employee organization certified as the bargaining agent for a unit of instructional personnel.³⁷ These employee organizations are required to report:

- The number of employees in the bargaining unit who are eligible for representation by the employee organization.
- The number of employees who are represented by the employee organization, specifying the number of members who pay dues and the number of members who do not pay dues.³⁸

If a bargaining unit's dues-paying membership is less than 50 percent of the employees eligible for representation, the employee organization must petition PERC for recertification as the certified bargaining agent of that bargaining unit. If the petition is not filed within 1 month of the date of renewal registration, the employee organization's certification as the exclusive representative of the unit is revoked.³⁹

For the 2021-22 renewal period, only one bargaining unit reported less than 50 percent dues-paying membership. That employee organization petitioned for recertification and was approved by over 92 percent of the employees voting in the recertification election.⁴⁰

The table below represents the key data reported for the 2021-22 fiscal year for the employee organizations representing instructional personnel bargaining units.⁴¹

Union Name	Number of Employees in the Bargaining Unit	Percentage Dues Paying
Alachua County Education Association	1868	70.45%
Association of Bay County Educators	1474	54.14%
Association of Calhoun Educators	145	51.72%
Baker County Education Association	330	64.24%
Bradford Education Association	242	55.79%

³⁵ Section 447.308(2), F.S.

³⁶ Section 447.308(3), F.S.

³⁷ Section 1012.01(2), F.S., defines instructional personnel as any K-12 staff member whose functions include direct instructional services to students. This includes classroom teachers, student personnel services, librarians and media specialists, educational paraprofessionals, and other instructional staff such as specialists and trainers.

³⁸ Section 1012.2325(4)(c)1., F.S.

³⁹ Section 1012.2315(4)(c)2., F.S.

⁴⁰ *Santa Rosa Professional Educators v. School Board of Santa Rosa County, Florida*, EL2022-018 (Sept. 15, 2022), http://perc.myflorida.com/download.aspx?Prefix=EL&CaseYr=22&CaseNo=018&File=EL22018_Fil32_09152022_135328.pdf.

⁴¹ Email from Jennifer Okwabi, Impasse Resolution Coordinator, Public Employees Relations Commission, to Gabriela Limones-Borja, Legislative Research Assistant, The Florida Senate (Jan. 30, 2023) (on file with Governmental Oversight and Accountability).

Union Name	Number of Employees in the Bargaining Unit	Percentage Dues Paying
Brevard Federation of Teachers	4671	65.40%
Broward Teachers Union, Local 1975 (Rep. Broward County S.B)	13,964	64.25%
Broward Teachers Union, Local 1975 (Rep. Pembroke Pines Charter School)	352	55.40%
Charlotte FEA	1028	73.25%
Citrus County Education Association	1158	50.86%
Clay County Education Association	2816	59.77%
Collier County Education Association	3204	69.94%
Columbia Teachers Association	645	52.09%
DeSoto County Education Association	302	52.65%
Dixie County Education Association	132	50.00%
Duval Teachers United	7393	71.41%
Education Association of St. Lucie	2770	62.17%
Escambia Education Association	2813	51.44%
Flagler County Education Association	802	61.60%
Florida School for the Deaf & Blind Education Association	160	74.38%
Franklin County Teachers Association	69	63.77%
Gadsden County Classroom Teachers Association	293	52.90%
Gilchrist Employees United	167	56.89%
Glades County Teachers Association	107	56.07%
Gulf County Education Association	151	58.28%
Hamilton County Education Association	120	58.33%
Hardee Education Association/United	347	51.59%
Hendry County Education Association	502	58.37%
Hernando County Teachers Association	1598	61.89%
Highlands County Education Association	800	50.50%
Hillsborough Classroom Teachers Association	14,160	63.10%
Holmes County Teachers Association	243	57.20%
Indian River CEA	1100	69.27%
Jackson County Education Association	487	57.70%
Lafayette Education Association	80	56.25%
Lake County Education Association	3134	50.70%
Leon Classroom Teachers Association	2023	51.71%
Levy County Education Association, AFT Local 4077	347	50.72%
Liberty Education Association	101	51.49%
Madison County Education Association	154	61.04%
Manatee Education Association	2924	53.04%
Marion Education Association	2881	53.21%
Martin County Education Association	1224	58.74%

Union Name	Number of Employees in the Bargaining Unit	Percentage Dues Paying
Nassau Teachers Association	802	55.24%
Okaloosa County Education Association	1939	77.26%
Okeechobee County Education Association	447	56.38%
Orange County Classroom Teachers Association	14,322	54.00%
Osceola County Classroom Teachers Association	3984	54.94%
Palm Beach County Classroom Teachers Association	12,655	56.40%
Pinellas County Teachers Association	7,250	53.56%
Polk Education Association	6,978	50.34%
Putnam Federation of Teachers/United	601	61.06%
Santa Rosa Professional Educators	2104	36.07%
Sarasota Classified/Teachers Association, Incorporated	2857	85.68%
Seminole Education Association	4569	50.19%
St. Johns Education Association	3198	53.75%
Sumter County Education Association	403	62.28%
Taylor Education Association	193	53.37%
Teachers Association of Lee County (TALC)	5265	66.57%
Union County Teachers Organization	173	68.21%
United School Employees of Pasco	5079	51.07%
United Teachers of Dade, Local 1974, FEA, AFT, NEA, AFL-CIO	27604	50.84%
United Teachers of Monroe, Local 3709, FEA, AFT, AFL-CIO	611	78.89%
United Teachers of Suwannee	385	57.66%
Volusia United Educators, Inc. Local 1605, FEA, AFT, NEA, AFL-CIO	4323	66.13%
Wakulla Classroom Teachers Association	337	51.34%
Walton County Education Association	767	52.67%
Washington County Education Association	274	50.73%
United Faculty of Florida - FAMU DRS	51	88.24%
United Faculty of Florida - FSU DRS	99	80.81%

Code of Ethics for Public Officers and Employees

Section 112.313, F.S., sets forth the standards of conduct for public officers, agency employees, and local government attorneys.

Section 112.313(2), F.S., provides that:

No public officer, employee of an agency, local government attorney, or candidate for nomination or election shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the public officer, employee, local government attorney, or candidate would be influenced thereby.

Section 112.313(4), F.S, provides that:

No public officer, employee of an agency, or local government attorney or his or her spouse or minor child shall, at any time, accept any compensation, payment, or thing of value when such public officer, employee, or local government attorney knows, or, with the exercise of reasonable care, should know, that it was given to influence a vote or other action in which the officer, employee, or local government attorney was expected to participate in his or her official capacity.

The term “public officer” means any person elected or appointed to hold office in an agency.⁴²

If a filed complaint alleges that a public officer has violated subsections (2) or (4) of section 112.313, F.S., the Commission on Ethics (Commission) has jurisdiction to investigate the complaint.⁴³ If the Commission finds that a violation has occurred, the Commission may recommend appropriate action to the agency or official having power to impose any penalty provided in s. 112.317.⁴⁴ Penalties for public officers include impeachment, removal from office, suspension from office, public censure and reprimand, forfeiture of a portion of salary for a time period, a civil penalty not to exceed \$10,000, and restitution of any pecuniary benefits received because of the violation committed.⁴⁵

Section 838.015, F.S., provides that any person who commits bribery commits a felony of the second degree. “Bribery” means to knowingly and intentionally give, offer, or promise to any public servant, or, if a public servant, to knowingly and intentionally request, solicit, accept, or agree to accept for himself or herself or another, any pecuniary or other benefit not authorized by law with an intent or purpose to influence the performance of any act or omission which the person believes to be, or the public servant represents as being, within the official discretion of a public servant, in violation of a public duty, or in performance of a public duty.⁴⁶

III. Effect of Proposed Changes:

Section 1 amends s. 447.301, F.S., to require employees eligible for union representation to sign a membership authorization form in order to be a member of an employee organization beginning July 1, 2023. The form must be prescribed by the PERC and contain certain information and statements. A member of an employee organization must be allowed to revoke membership at any time upon the employee’s organization’s receipt of the written revocation. The PERC is granted rulemaking authority to implement the requirements of the membership authorization form and the revocation of membership.

The requirement for a signed membership form, and the provisions relating to the revocation of membership do not apply to members of an employee organization certified as a bargaining

⁴² Section 112.313(1), F.S.

⁴³ Section 112.322, F.S.

⁴⁴ Section 112.322((2)(a), F.S.

⁴⁵ Section 112.317(1)(a), F.S.

⁴⁶ Section 838.015(1), F.S.

agent to represent law enforcement officers, correctional officers, correctional probation officers, and firefighters.

This section is effective upon becoming a law.

Section 2 amends s. 447.303, F.S., to prohibit an employee organization from having a public employer deduct dues and assessments from a public employee's salary. However, an employee organization certified as a bargaining agent to represent law enforcement officers, correctional officers, correctional probation officers, and firefighters continues to have the right to have its dues and assessments deducted and collected by the public employer from the salaries of those employees who authorize the deduction and collection of the dues and assessments. This section is effective July 1, 2023.

Section 3 amends s. 447.305, F.S., to expand the information that must be submitted to PERC by an employee organization at the time of registration and renewal of registration. The current annual financial statement of the employee organization must be "audited" by an independent certified public accountant.

Section 3 also requires an employee organization, at the time of its renewal of registration, to submit information regarding its membership and whether employees eligible for representation pay dues to the employee organization. If this information shows that less than 60 percent of the employees eligible for representation paid dues to the employee organization certified as the bargaining agent during its last registration period, the employee organization must petition PERC for recertification as the bargaining agent. This means the employee organization and the employer will share the cost of conducting an election. If the majority of the employees voting in this election choose to be represented by the employee organization, the employee organization retains its certification as the exclusive bargaining agent.

Section 3 allows the public employer or a bargaining unit employee to challenge an employee organization's renewal of registration based on a belief that the application is inaccurate. If PERC finds the application is inaccurate or does not comply with the requirements of s. 447.305, F.S., the employee organization's registration and certification must be revoked.

Section 3 grants PERC authority to initiate an investigation to confirm the validity of the information submitted in the registration or renewal of registration. The PERC may revoke or deny an employee organizations registration or certification if PERC finds that the employee organization failed to cooperate with the investigation intentionally misrepresented the information submitted on the registration or renewal.

Section 3 requires each certified bargaining agent to provide its members an annual audited financial report and must notify its members of all costs of membership.

The following provisions of this section do not apply to employee organizations that have been certified as the bargaining agent to represent law enforcement officers, correctional officers, correctional probation officers, or firefighters:

- Requirement to submit information regarding membership and dues payments;

- Requirement that an employee organization must petition for recertification as the bargaining agent if fewer than 60 percent of its eligible members pay dues;
- Right of public employer or bargaining unit employee to challenge the accuracy of the renewal application; and
- Authority of PERC to revoke or deny a registration or certification based on the employee organization's failure to cooperate in an investigation.

Section 4 amends s. 447.509, F.S., to expand the list of unlawful acts committed by an employee organization, its members, and agents to include:

- Offering anything of value to a public officer which the public officer is prohibited from accepting.
- Offering any compensation, payment, or thing of value to a public officer which the public officer is prohibited from accepting.

A public officer is defined to include "any person elected or appointed to hold office in any agency."

This section is effective upon becoming a law.

Section 5 amends s. 1012.2315, F.S., to repeal the current additional requirement on renewal of registration that applies only to employee organizations representing units of instructional personnel employees. This provision will no longer be necessary with the enactment of the process in s. 447.305 (section 3 of this bill) which applies to all employee organizations that do not represent law enforcement officers, correctional officers, correctional probation officers, or firefighters. This section takes effect October 1, 2023, to coincide with the effective date of the section 3.

Section 6 reenacts s. 110.114, F.S., to incorporate by reference the modifications made to s. 447.303, F.S.

Section 7 reenacts s. 447.507(6)(a), F.S., to incorporate by reference the modifications made to s. 447.303, F.S.

Section 8 provides that the act shall take effect upon becoming a law, except as otherwise expressly provided in this act.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, s. 18(a) of the State Constitution provides, in pertinent part, that "no county or municipality shall be bound by any general law requiring such county or municipality to spend funds or take an action requiring the expenditure of funds unless the legislature has determined that such law fulfills an important state interest and unless:"

- The law requiring such expenditure is approved by two-thirds of the membership in each house of the legislature; or

- The expenditure is required to comply with a law that applies to all persons similarly situated, including state and local governments.

The State Constitution exempts a law from these requirements if the law has an insignificant fiscal impact on cities and counties.

Cities and counties will be required to incur additional workload to comply with the changes in the payroll deduction process. However, the workload should be absorbed within current resources and any additional expenditures should be insignificant. Cities and counties may also incur some costs associated with recertification elections. However, it is unclear how many elections will be required (and requested by the employee organizations), but any additional expenditures associated with these elections is expected to be minimal.

Based on these expected insignificant costs, it appears the bill is exempt from the mandates requirements.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill may have an indeterminate, negative fiscal impact on certain employee organizations related to the recertification and dues collection process.

Employee organizations may experience additional workload and costs associated with the reporting requirements and maintaining the 60 percent dues-paying threshold. On the other hand, to the extent active membership increases for an employee organization the amount of revenue generated should increase proportionately.

An employee organization that does not have 60 percent dues-paying membership will incur additional costs to the extent the employee organization chooses to be recertified as the bargaining agent for the employee unit.

Employee organizations will incur additional expenses associated with the new requirement that an independent certified public accountant audit certain data submitted to the PERC.

C. Government Sector Impact:

The bill will likely have an indeterminate impact on state and local government expenditures.

The bill requires certain employee organizations with less than 60 percent of the eligible employees in the unit paying union dues to recertify with the PERC. The dollar amount of expenditures required by the bill depends on the amount of elections that will need to be held pursuant to the recertification process, and in the case of local governments, the amount of reimbursement required by the PERC. The PERC estimates the following need for additional resources if there is an increase in the number of recertification petitions filed with the PERC, or if more elections must be held during the recertification process.⁴⁷

2 Hearing Officers	Salaries and Benefits	\$302,707
2 Elections Specialists	Salaries and Benefits	\$178,920
2 Administrative Assistants III	Salaries and Benefits	\$126,735
3 OPS full time at \$20.00/hr.	40 hours/week	\$124,800
Expense package Professional	\$11,051 x 6	\$66,306
Expense package support staff	\$9,590 x 3	\$28,770
Anticipated travel cost increase		\$75,000
Total Estimated Staffing Cost		\$903,238

The bill will also likely have an insignificant, negative short-term, but insignificant, positive long-term, fiscal impact on state and local government expenditures. The bill prohibits certain employee organizations from having dues and uniform assessments deducted from the salaries of employees in the unit and collected by the employer. Accordingly, public employers will likely experience a short-term increase in workload associated with eliminating any payroll deductions that will no longer be authorized under the bill. In the long term, however, the reduced amount of authorized payroll deductions will result in a decreased workload for public employers.

The DFS, as the common paymaster for employees of the State of Florida, and the counties, cities, school districts, and special districts with unionized employees will experience an initial short-term increase in workload associated with eliminating any payroll deductions that will no longer be authorized by law. In the long run, the DFS and

⁴⁷ Public Employees Relations Commission, *2023 Agency Analysis Legislative Bill Analysis* (Mar. 3, 2023), available at <http://abar.laspbs.state.fl.us/ABAR/Attachment.aspx?ID=34631> (last visited Mar. 16, 2023).

the other public employers will have reduced workload as the number of payroll deductions permitted will be reduced. State agencies will experience similar workload impacts as the personnel units of each state agency adjusts its records for its employees.

The fiscal impact on public sector employers is indeterminate. To the extent employee organizations must conduct an election to be certified as the bargaining agent for public employees, the public employer (the State of Florida, counties, cities, school boards, and special districts) will incur some costs in holding the election for its employees to decide whether an employee organization will represent the employees in collective bargaining.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 447.301, 447.303, 447.305, 447.509, and 1012.2315 of the Florida Statutes.

This bill reenacts portions of sections 110.114 and 447.507 of the Florida Statutes.

IX. Additional Information:

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

CS/CS by Fiscal Policy on March 16, 2023:

The committee substitute clarified that the independent certified public accountant must verify all the membership data on the application for renewal of registration.

CS by Governmental Oversight and Accountability on March 7, 2023:

The committee substitute does not contain a new requirement placed on employee organizations to pledge that the salary of its officers will not exceed the highest salary of a member of the bargaining unit. The committee substitute does not modify the prohibition on the distribution of literature beyond the current statutory restriction of “during working hours in areas where the actual work . . . is performed.”

- B. **Amendments:**

None.



366640

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2023	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Ingoglia) recommended the following:

Senate Amendment

Delete lines 242 - 247
and insert:

(e) Documentation provided by an independent certified
public accountant retained by the employee organization which
verifies the information provided in paragraphs (a), (b), (c),
and (d).

By the Committee on Governmental Oversight and Accountability;
and Senator Ingoglia

585-02363-23

2023256c1

1 A bill to be entitled
2 An act relating to employee organizations representing
3 public employees; amending s. 447.301, F.S.; requiring
4 a public employee who desires to be a member of an
5 employee organization to sign a membership
6 authorization form beginning on a specified date;
7 requiring that such form include a specified
8 statement; authorizing a public employee to revoke
9 membership in an employee organization at any time of
10 the year; requiring an employee organization to revoke
11 a public employee's membership upon receipt of his or
12 her written request for revocation; prohibiting an
13 employee organization from limiting an employee's
14 right to revoke membership to certain dates;
15 prohibiting a revocation form from requiring a reason
16 for the public employee's decision to revoke his or
17 her membership; requiring employee organizations to
18 retain such authorization forms and requests for
19 revocation for inspection by the Public Employees
20 Relations Commission; providing applicability with
21 respect to certain employee organizations; authorizing
22 the commission to adopt rules; amending s. 447.303,
23 F.S.; prohibiting certain employee organizations from
24 having dues and uniform assessments deducted and
25 collected by the employer from certain salaries;
26 authorizing public employees to pay dues and uniform
27 assessments directly to the employee organization;
28 authorizing certain employee organizations to have
29 dues and uniform assessments deducted and collected by

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585-02363-23

2023256c1

30 the employer from certain salaries; amending s.
31 447.305, F.S.; revising requirements for applications
32 for initial registrations and renewals of registration
33 of employee organizations; providing procedures for
34 incomplete applications; requiring certain employee
35 organizations to petition the commission for
36 recertification as bargaining agents; authorizing a
37 public employer or bargaining unit employee to
38 challenge an employee organization's application for
39 renewal of registration; requiring the commission or
40 one of its designated agents to review the
41 application; requiring the commission to revoke the
42 registration and certification of the employee
43 organization in certain circumstances; authorizing the
44 commission to conduct investigations for specified
45 purposes; authorizing the commission to revoke or deny
46 an employee organization's registration or
47 certification under certain circumstances; specifying
48 that certain decisions issued by the commission are
49 reviewable final agency actions; providing
50 applicability with respect to certain employee
51 organizations; requiring certain employee
52 organizations to provide its members with an annual
53 audited financial report; requiring employee
54 organizations to notify its members annually of all
55 costs of membership; amending s. 447.509, F.S.;
56 revising prohibitions for employee organizations and
57 certain persons and entities relating to employee
58 organizations; amending s. 1012.2315, F.S.; removing

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2023256c1

59 duplicative provisions; reenacting ss. 110.114(3) and
 60 447.507(6) (a), F.S., relating to employee wage
 61 deductions and violation of strike prohibition and
 62 penalties, respectively, to incorporate the amendment
 63 made to s. 447.303, F.S., in references thereto;
 64 providing effective dates.

65
 66 Be It Enacted by the Legislature of the State of Florida:

67
 68 Section 1. Subsection (1) of section 447.301, Florida
 69 Statutes, is amended to read:

70 447.301 Public employees' rights; organization and
 71 representation.—

72 (1) (a) Public employees shall have the right to form, join,
 73 and participate in, or to refrain from forming, joining, or
 74 participating in, any employee organization of their own
 75 choosing.

76 (b)1. Beginning July 1, 2023, a public employee who desires
 77 to be a member of an employee organization must sign and date a
 78 membership authorization form, as prescribed by the commission,
 79 with the bargaining agent.

80 2. The membership authorization form must identify the name
 81 of the bargaining agent, the name of the employee, the class
 82 code and class title of the employee, the name of the public
 83 employer and employing agency, if applicable, and the amount of
 84 the initiation fee and of the monthly dues which the member must
 85 pay.

86 3. The membership authorization form must contain the
 87 following statement in 14-point type:

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2023256c1

88
 89 The State of Florida is a right-to-work state.
 90 Membership or non-membership in a labor union is not
 91 required as a condition of employment, and union
 92 membership and payment of union dues and assessments
 93 are voluntary. Each person has the right to join and
 94 pay dues to a labor union or to refrain from joining
 95 and paying dues to a labor union. No employee may be
 96 discriminated against in any manner for joining and
 97 financially supporting a labor union or for refusing
 98 to join or financially support a labor union.

99
 100 4. A public employee may revoke membership in the employee
 101 organization at any time of the year. Upon receipt of the
 102 employee's written revocation of membership, the employee
 103 organization must revoke a public employee's membership. The
 104 employee organization may not limit an employee's right to
 105 revoke membership to certain dates. If a public employee must
 106 complete a form to revoke membership in the employee
 107 organization, the form may not require a reason for the public
 108 employee's decision to revoke his or her membership.

109 5. An employee organization must retain for inspection by
 110 the commission such membership authorization forms and any
 111 revocations.

112 6. This paragraph does not apply to members of an employee
 113 organization that has been certified as a bargaining agent to
 114 represent law enforcement officers, correctional officers, or
 115 correctional probation officers as those terms are defined in s.
 116 943.10(1), (2), or (3), respectively, or firefighters as defined

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

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117 in s. 633.102.

118 7. The commission may adopt rules to implement this
 119 paragraph.

120 Section 2. Effective July 1, 2023, section 447.303, Florida
 121 Statutes, is amended to read:

122 447.303 Dues; deduction and collection.—

123 (1) Except as authorized in subsection (2), an employee
 124 organization that has been certified as a bargaining agent may
 125 not have its dues and uniform assessments deducted and collected
 126 by the employer from the salaries of those employees in the
 127 unit. A public employee may pay dues and uniform assessments
 128 directly to the employee organization that has been certified as
 129 the bargaining agent.

130 (2) (a) An Any employee organization that which has been
 131 certified as a bargaining agent to represent law enforcement
 132 officers, correctional officers, or correctional probation
 133 officers as those terms are defined in s. 943.10(1), (2), or
 134 (3), respectively, or firefighters as defined in s. 633.102 has
 135 ~~shall have~~ the right to have its dues and uniform assessments
 136 deducted and collected by the employer from the salaries of
 137 those employees who authorize the deduction and collection of
 138 said dues and uniform assessments. However, such authorization
 139 is revocable at the employee's request upon 30 days' written
 140 notice to the employer and employee organization. Said
 141 deductions shall commence upon the bargaining agent's written
 142 request to the employer.

143 (b) Reasonable costs to the employer of said deductions is
 144 ~~shall be~~ a proper subject of collective bargaining.

145 (c) Such right to deduction, unless revoked under pursuant

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146 ~~to~~ s. 447.507, ~~is shall be~~ in force for so long as the employee
 147 organization remains the certified bargaining agent for the
 148 employees in the unit.

149 (3) The public employer is expressly prohibited from any
 150 involvement in the collection of fines, penalties, or special
 151 assessments.

152 Section 3. Effective October 1, 2023, section 447.305,
 153 Florida Statutes, is amended to read:

154 447.305 Registration of employee organization.—

155 (1) Every employee organization seeking to become a
 156 certified bargaining agent for public employees shall register
 157 with the commission pursuant to the procedures set forth in s.
 158 120.60 prior to requesting recognition by a public employer for
 159 purposes of collective bargaining and prior to submitting a
 160 petition to the commission requesting certification as an
 161 exclusive bargaining agent. Further, if such employee
 162 organization is not registered, it may not participate in a
 163 representation hearing, participate in a representation
 164 election, or be certified as an exclusive bargaining agent. The
 165 application for registration required by this section shall be
 166 under oath and in such form as the commission may prescribe and
 167 shall include:

168 (a) The name and address of the organization and of any
 169 parent organization or organization with which it is affiliated.

170 (b) The names and addresses of the principal officers and
 171 all representatives of the organization.

172 (c) The amount of the initiation fee and of the monthly
 173 dues which members must pay.

174 (d) The current annual audited financial statement of the

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organization.

(e) The name of its business agent, if any; if different from the business agent, the name of its local agent for service of process; and the addresses where such person or persons can be reached.

(f) A pledge, in a form prescribed by the commission, that the employee organization will conform to the laws of the state and that it will accept members without regard to age, race, sex, religion, or national origin.

(g) A copy of the current constitution and bylaws of the employee organization.

(h) A copy of the current constitution and bylaws of the state and national groups with which the employee organization is affiliated or associated. In lieu of this provision, and upon adoption of a rule by the commission, a state or national affiliate or parent organization of any registering labor organization may annually submit a copy of its current constitution and bylaws.

(2) A registration granted to an employee organization pursuant to the provisions of this section shall run for 1 year from the date of issuance. A registration shall be renewed annually by filing application for renewal under oath with the commission, which application shall reflect any changes in the information provided to the commission in conjunction with the employee organization's preceding application for registration or previous renewal, whichever is applicable. Each application for renewal of registration shall include a current annual audited financial statement, certified by an independent certified public accountant licensed under chapter 473 and

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~~report,~~ signed by the employee organization's ~~its~~ president and treasurer or corresponding principal officers, containing the following information in such detail as may be necessary accurately to disclose its financial condition and operations for its preceding fiscal year and in such categories as the commission may prescribe:

(a) Assets and liabilities at the beginning and end of the fiscal year;

(b) Receipts of any kind and the sources thereof;

(c) Salary, allowances, and other direct or indirect disbursements, including reimbursed expenses, to each officer and also to each employee who, during such fiscal year, received more than \$10,000 in the aggregate from such employee organization and any other employee organization affiliated with it or with which it is affiliated or which is affiliated with the same national or international employee organization;

(d) Direct and indirect loans made to any officer, employee, or member which aggregated more than \$250 during the fiscal year, together with a statement of the purpose, security, if any, and arrangements for repayment; and

(e) Direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment.

(3) In addition to subsection (2), an employee organization that has been certified as the bargaining agent for public employees must include for each such certified bargaining unit the following information and documentation as of the 30th day immediately preceding the date of renewal in its application for any renewal of registration on or after October 1, 2023:

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233 (a) The number of employees in the bargaining unit who are
 234 eligible for representation by the employee organization.
 235 (b) The number of employees in the bargaining unit who have
 236 submitted signed membership authorization forms without a
 237 subsequent revocation of such membership.
 238 (c) The number of employees in the bargaining unit who paid
 239 dues to the employee organization.
 240 (d) The number of employees in the bargaining unit who did
 241 not pay dues to the employee organization.
 242 (e) Documentation provided by the public employer verifying
 243 the information provided in paragraph (a).
 244 (f) Documentation provided by an independent certified
 245 public accountant retained by the employee organization which
 246 verifies the information provided in paragraphs (b), (c), and
 247 (d).
 248 (4) The employee organization must provide a copy of its
 249 application for renewal of registration relating to a public
 250 employer's employees to the public employer on the same day the
 251 application is submitted to the commission.
 252 (5) An application for renewal of registration is
 253 incomplete and is not eligible for consideration by the
 254 commission if it does not include all of the information and
 255 documentation required in subsection (3). The commission shall
 256 notify the employee organization if the application is
 257 incomplete. An incomplete application must be dismissed if the
 258 required information and documentation are not provided within
 259 10 days after the employee organization receives such notice.
 260 (6) Notwithstanding the provisions of this chapter relating
 261 to collective bargaining, an employee organization that had less

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262 than 60 percent of the employees eligible for representation in
 263 the bargaining unit pay dues during its last registration period
 264 must petition the commission pursuant to s. 447.307(2) and (3)
 265 for recertification as the exclusive representative of all
 266 employees in the bargaining unit within 1 month after the date
 267 on which the employee organization applies for renewal of
 268 registration pursuant to subsection (2). The certification of an
 269 employee organization that does not comply with this section is
 270 revoked.
 271 (7) The public employer or a bargaining unit employee may
 272 challenge an employee organization's application for renewal of
 273 registration if the public employer or bargaining unit employee
 274 believes that the application is inaccurate. The commission or
 275 one of its designated agents shall review the application to
 276 determine its accuracy and compliance with this section. If the
 277 commission finds that the application is inaccurate or does not
 278 comply with this section, the commission shall revoke the
 279 registration and certification of the employee organization.
 280 (8) The commission may conduct an investigation to confirm
 281 the validity of any information submitted pursuant to this
 282 section. The commission may revoke or deny an employee
 283 organization's registration or certification if it finds that
 284 the employee organization:
 285 (a) Failed to cooperate with the investigation conducted
 286 pursuant to this subsection; or
 287 (b) Intentionally misrepresented the information it
 288 submitted pursuant to subsection (3).
 289 A decision issued by the commission pursuant to this subsection
 290

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291 is a final agency action that is reviewable pursuant to s.
 292 447.504.

293 (9) Subsections (3)-(8) do not apply to an employee
 294 organization that has been certified as the bargaining agent to
 295 represent law enforcement officers, correctional officers, or
 296 correctional probation officers as those terms are defined in s.
 297 943.10(1), (2), or (3), respectively, or firefighters as defined
 298 in s. 633.102.

299 (10)(3) A registration fee shall accompany each application
 300 filed with the commission. The amount charged for an application
 301 for registration or renewal of registration shall not exceed
 302 \$15. All such money collected by the commission shall be
 303 deposited in the General Revenue Fund.

304 (11)(4) Every employee organization shall keep accurate
 305 accounts of its income and expenses, which accounts shall be
 306 open for inspection at all reasonable times by any member of the
 307 organization or by the commission. In addition, each employee
 308 organization that has been certified as a bargaining agent must
 309 provide to its members an annual audited financial report that
 310 includes a detailed breakdown of revenues and expenditures, and
 311 an accounting of membership dues and assessments. The employee
 312 organization must notify its members annually of all costs of
 313 membership.

314 Section 4. Paragraphs (d) and (e) are added to subsection
 315 (1) of section 447.509, Florida Statutes, to read:

316 447.509 Other unlawful acts.—

317 (1) Employee organizations, their members, agents, or
 318 representatives, or any persons acting on their behalf are
 319 hereby prohibited from:

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320 (d) Offering anything of value to a public officer as
 321 defined in s. 112.313(1) which the public officer is prohibited
 322 from accepting under s. 112.313(2).

323 (e) Offering any compensation, payment, or thing of value
 324 to a public officer as defined in s. 112.313(1) which the public
 325 officer is prohibited from accepting under s. 112.313(4).

326 Section 5. Effective October 1, 2023, paragraph (c) of
 327 subsection (4) of section 1012.2315, Florida Statutes, is
 328 amended to read:

329 1012.2315 Assignment of teachers.—

330 (4) COLLECTIVE BARGAINING.—

331 ~~(c)1. In addition to the provisions under s. 447.305(2), an~~
 332 ~~employee organization that has been certified as the bargaining~~
 333 ~~agent for a unit of instructional personnel as defined in s.~~
 334 ~~1012.01(2) must include for each such certified bargaining unit~~
 335 ~~the following information in its application for renewal of~~
 336 ~~registration:~~

337 ~~a. The number of employees in the bargaining unit who are~~
 338 ~~eligible for representation by the employee organization.~~

339 ~~b. The number of employees who are represented by the~~
 340 ~~employee organization, specifying the number of members who pay~~
 341 ~~dues and the number of members who do not pay dues.~~

342 ~~2. Notwithstanding the provisions of chapter 447 relating~~
 343 ~~to collective bargaining, an employee organization whose dues~~
 344 ~~paying membership is less than 50 percent of the employees~~
 345 ~~eligible for representation in the unit, as identified in~~
 346 ~~subparagraph 1., must petition the Public Employees Relations~~
 347 ~~Commission pursuant to s. 447.307(2) and (3) for recertification~~
 348 ~~as the exclusive representative of all employees in the unit~~

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~~within 1 month after the date on which the organization applies for renewal of registration pursuant to s. 447.305(2). The certification of an employee organization that does not comply with this paragraph is revoked.~~

Section 6. Effective July 1, 2023, for the purpose of incorporating the amendment made by this act to section 447.303, Florida Statutes, in a reference thereto, subsection (3) of section 110.114, Florida Statutes, is reenacted to read:

110.114 Employee wage deductions.—

(3) Notwithstanding the provisions of subsections (1) and (2), the deduction of an employee's membership dues deductions as defined in s. 447.203(15) for an employee organization as defined in s. 447.203(11) shall be authorized or permitted only for an organization that has been certified as the exclusive bargaining agent pursuant to chapter 447 for a unit of state employees in which the employee is included. Such deductions shall be subject to the provisions of s. 447.303.

Section 7. Effective July 1, 2023, for the purpose of incorporating the amendment made by this act to section 447.303, Florida Statutes, in a reference thereto, paragraph (a) of subsection (6) of section 447.507, Florida Statutes, is reenacted to read:

447.507 Violation of strike prohibition; penalties.—

(6) (a) If the commission determines that an employee organization has violated s. 447.505, it may:

1. Issue cease and desist orders as necessary to ensure compliance with its order.

2. Suspend or revoke the certification of the employee organization as the bargaining agent of such employee unit.

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3. Revoke the right of dues deduction and collection previously granted to said employee organization pursuant to s. 447.303.

4. Fine the organization up to \$20,000 for each calendar day of such violation or determine the approximate cost to the public due to each calendar day of the strike and fine the organization an amount equal to such cost, notwithstanding the fact that the fine may exceed \$20,000 for each such calendar day. The fines so collected shall immediately accrue to the public employer and shall be used by him or her to replace those services denied the public as a result of the strike. In determining the amount of damages, if any, to be awarded to the public employer, the commission shall take into consideration any action or inaction by the public employer or its agents that provoked, or tended to provoke, the strike by the public employees.

Section 8. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

APPEARANCE RECORD

3/16/2023

Meeting Date

SB 256

Bill Number or Topic

Fiscal Policy

Committee

Deliver both copies of this form to
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Amendment Barcode (if applicable)

Name Dr. Ana Ciereszko

Phone 305 321 0016

Address 11011 N. Kendall Drive Ste 107

Email aciereszko@yahoo.com

Street

Miami

City

FL

State

33176

Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.☒ I am a registered lobbyist,
representing:United Faculty of Miami Dade
College☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

3-16-23

Meeting Date

SB 256

Bill Number or Topic

Fiscal Policy

Committee

Deliver both copies of this form to
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Amendment Barcode (if applicable)

Name

Elizabeth Rasmussen

Phone

727-418-9840

Address

6449 Evergreen Park

Email

erass2007@gmail.com

Street

Lakeland

City

FL

State

33813

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

FEA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

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Meeting Date

Fiscal Policy
Committee

256
Bill Number or Topic

Amendment Barcode (if applicable)

Name Theresa King

Phone 850-228-8940

Address P.O. Box 10888
Street

Email tking@fbctc.org

Tallahassee FL 32302
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

FL State Building
& Construction Trades

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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Meeting Date

256

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Chris StranburgPhone 813-767-9667Address 107 E. College Ave
StreetEmail CStranburg@afhq.orgTallahassee
CityFL
State32301
Zip

Speaking:

☒ For☐ Against☐ Information**OR**

Waive Speaking:

☐ In Support☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**I am appearing without
compensation or sponsorship.I am a registered lobbyist,
representing:AFPI am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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Meeting Date
Physical Policy
Committee

256

Bill Number or Topic

Amendment Barcode (if applicable)

Name Marcos Rodriguez Phone 772-924-5493

Address 3485 S.W. Fashoda St Email atvlocal1577@gmail.com
Port St Lucie, FL 34953
City State Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

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Fiscal Policy

Committee

Name **Stephanie Kunkel**

Address **213 S. Adams Street**

Street

Tallahassee

City

FL

State

32301

Zip

The Florida Senate

APPEARANCE RECORD

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SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Phone **850-224-2078**

Email **stephanie.kunkel@floridaea.org**

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida Education Association

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

SB 256

3/16

Meeting Date

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Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name

Jason Pridham

Phone

321-217-1250

Address

4911 Cambridge Blvd

Email

jason.pridham923@gmail.com

Street

Palm Harbor FL 34685

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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3/16/2023

Meeting Date

Fiscal Policy

Committee

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Keith Calloway

Phone

800-311-7770

Address

475 W Town Place Suite 2053

Email

Keith.Calloway@senfl.org

Street

St. Augustine

City

FL

State

32092

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

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SB 256

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Meeting Date

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Committee

Deliver both copies of this form to
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Bill Number or Topic

Amendment Barcode (if applicable)

Name

Erika Pridham

Phone

321-217-3421

Address

4911 Cambridge Blvd

Street

Email

lynnnette0307@gmail.com

Palm Harbor

City

FL

State

34685

Zip

Speaking:

☐ For☒ Against☐ Information

OR

Waive Speaking:

☐ In Support☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.I am a registered lobbyist,
representing:I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

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Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 0256

Bill Number or Topic

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Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Martina Taylor Phone 850-345-9256

Address 1141 Maple Dr Email martinadavis.taylor@gmail.com
Tallahassee FL 32301
Street City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

APPEARANCE RECORD

S.B. 0256

3/16/23

Meeting Date

Fiscal

Committee

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Bill Number or Topic

Amendment Barcode (if applicable)

Name

Darla S. Wolk

Phone

850-694-0838

Address

2046 Gardenbrook Lane

Email

peacenlvr88@hotmail.com

Street

Tallahassee FL 32301

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

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S-001 (08/10/2021)

The Florida Senate
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3/16/23

Meeting Date

Fiscal Policy

Committee

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Grace Hayes

Phone

~~XXXXXXXXXX~~

Address

Street

Orlando

City

FL

State

32829

Zip

Email

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

FEA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

3-16-23

APPEARANCE RECORD

SB 2576

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Helen Hamel

Phone

352-816-0626

Address

Street

Summerfield, FL

City

State

Zip

34491

Email

helen.hamel.87@gmail.com

Speaking:

☐

For



Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

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

S-001 (08/10/2021)

3/16/23

The Florida Senate

APPEARANCE RECORD

SB 256

Meeting Date

Fiscal ~~Acct.~~ Policy

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Scott Mazur

Phone

Address

Email

Street

Tallahassee Fl

32312

City

State

Zip

Speaking:

☐

For



Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

Fiscal Policy

Committee

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Clinton McCracken

Phone

Address

2413 Center Ave

Street

Email

Clinton.mccracken@
Florida.ca.org

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

Fiscal Policy

Committee

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Elizabeth Albert

Phone

Address

Street

Ormond Beach Fl 32174

City

State

Zip

Email

Speaking:

☐

For



Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

APPEARANCE RECORD

3/16/23

0256

Meeting Date

Fiscal Policy

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Antje Meissner

Phone

850 284-0596

Address

Email

Street

City

State

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒I am appearing without
compensation or sponsorship.☐I am a registered lobbyist,
representing:☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

APPEARANCE RECORD3-16-2023

Meeting Date

Fiscal Policy

Committee

SB 256

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Melvin Lee Hicks Jr.Phone 904-535-1390Address 1439 West Church St.

Street

Email atulocal1197 hicks@gmail.comJACKSONVILLE, FLORIDA

City

State

32204

Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**☒ I am appearing without
compensation or sponsorship.☐ I am a registered lobbyist,
representing:☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

APPEARANCE RECORD

JB-256

Bill Number or Topic

3/16/23

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

April Williams

Phone

954.548.7336

Address

9276 NW 49th Pl

Email

apwilliams48@gmail.com

Street

Sunrise

City

FL 33351

State

Zip

Speaking:

☐ For☒ Against☐ Information**OR**

Waive Speaking:

☐ In Support☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**I am appearing without
compensation or sponsorship.I am a registered lobbyist,
representing:I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

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

S-001 (08/10/2021)

3/16/23

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Stephen Simon

Phone

(732) 648-1259

Address

13294 Don Loop

Email

stephensimon@tampabayrr.com

Street

Spring Hill, FL

State

34609

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

3/16/23

The Florida Senate

APPEARANCE RECORD

SB 256

Meeting Date

Fiscal Policy

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Eric Rodriguez

Phone

Address

Email

Street

Live Oak Fl 32060

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

Fiscal Policy

Committee

256

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Nancy Bailey

Phone

Address

Street

St. Johns, FL

City

State

32259

Zip

Email

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

FISCAL POLICY

Committee

SB 0256

Bill Number or Topic

Amendment Barcode (if applicable)

Name

CHARLES J. WALSH

Phone

904 600 8058

Address

4115 EVERETT AVE

Street

Email

chuckwalsh1@gmail.com

MIDDLEBURG

City

FL

State

32068

Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

Fiscal Policy

Committee

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Name Emily Gorentz

Phone 816 390 6215

Address 1463 Fledgling Ct
Street

Email emily.gorentz@gmail.com

Orlando

City

FL

State

32837

Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

Speaking

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

FEA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

3-16-2023

Meeting Date

APPEARANCE RECORD

SB 256

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name

Tina Vieira

Phone

352 585 5118

Address

20084 Suncrest Dr

Email

Tina.Vieira1820@gmail.com

Street

Bradenville FL

34601

City

State

Zip

Speaking:

☐ For



☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



☒ I am appearing without
compensation or sponsorship.



☐ I am a registered lobbyist,
representing:



☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

8:00 AM 3-16-23

Meeting Date

Fiscal Policy

Committee

Name William Scolnik

Phone 754-214-1318

Address 1732 NE 15th Ave

Email ScolnikWilliam@yahoo.com

Street

Fort Lauderdale FL

33305

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 256

3-16-23

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Jorge Acosta

Phone 954-531-2582

Address 4688 S.W. 29th Ter
Street

Email

Dania Beach
City

FL
State

33312
Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 256
Bill Number or Topic

3/16/23
Meeting Date
Fiscal Policy
Committee

Name Curtis Hierro Phone 407 334 4834

Address 8290 Lake Dr Email Curtishierro@gmail.com
Street
Doral FL 33166
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

March 16, 2023

Meeting Date

APPEARANCE RECORD

SB 256

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Patricia Farley

Phone

Address

Email

Street

Indianapolis

City

IN

State

32903

Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

3-16-23

The Florida Senate

APPEARANCE RECORD

SB 256

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Stacy Yankellevitz

Phone

Address

Email

Street

Lake Mary FL 32746

City

State

Zip

Speaking:

☐ For



Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

Fiscal Policy

Committee

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Name

JUDY NGUYEN

Phone

386-717-8067

Address

Street

Deltona

City

FL

State

32738

Zip

Email

judynguyen@gmail.com

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

412-2000

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

March 16, 2023

Meeting Date

Fiscal Policy

Committee

Mary Rivera

Name

Phone

(352) 789-2996

14715 NE 112th Ct.

Address

Street

Email

sing4glory2@gmail.com

Fort McCoy, FL

City

State

32134

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16

Meeting Date

Fiscal Policy

Committee

256

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Dr Rich Templin

Phone

850.224.6926

Address

135 S Monroe St

Street

Tallahassee

City

FL

State

32301

Zip

Email

templin@flaplcio.org

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida
AFL-CIO

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

APPEARANCE RECORD

SB 256

3/16/2023

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Fiscal Policy Committee

Committee

Amendment Barcode (if applicable)

Name

Tim Adams

Phone

407 760 9526

Address

30526 Saint Andrews Blvd

Email

timfrom631@gmail.com

Street

Sorrento

City

FL

State

32776

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:☐I am appearing without
compensation or sponsorship.☐I am a registered lobbyist,
representing:☒I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

WFLC

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

APPEARANCE RECORD

3-15-23

Meeting Date

SB 256

Bill Number or Topic

Fiscal policy
Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Elizabeth May

Phone

Address

Street

Email

New Smyrna Beach FL

City

State

32168

Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

APPEARANCE RECORD

03/16/2023

Meeting Date

256

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name

Dwight Mattingly

Phone

561-523-0525

Address

8907 SE Pine Cone Lane

Email

atu1577@bellsouth.net

Street

Hobe Sound FL

City

State

33455

Zip

Speaking:

☐ For

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.I am a registered lobbyist,
representing:I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/16/23

Meeting Date

Fiscal Policy

Committee

256

Bill Number or Topic

Amendment Barcode (if applicable)

Deliver both copies of this form to
Senate professional staff conducting the meeting

Name Cassandra Beltran

Phone _____

Address _____

Email _____

Street

Panama City, FL 32408

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

03-16-2023

Meeting Date

Fiscal Policy

Committee

SB256

Bill Number or Topic

Amendment Barcode (if applicable)

Name Ramona Hooks

Phone _____

Address _____ Email _____

Street

Panama City FL 32409

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

SB 256

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name ROOSEVELT JOHNSON JR

Phone 786-389-2994

Address 3171 NW 48TH
Street

Email ROEJOHNSONJR@GMAIL.COM

MIAMI
City

FL
State

33142
Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

SB 256

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

MAVERICK MCKINNEY

Phone

229-338-0056

Address

5020 MARYLENE RD.

Street

Email

MAVERICK.MCKINNEY@
fcloud.com

TALLAHASSEE

City

FL

State

32303

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-16-23

Meeting Date

256

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name

Lisa Bush

Phone

561-445-1493

Address

Street

Miami

FL

City

State

Zip

Email

Speaking:

☐ For



Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3-16-23

Meeting Date

256

Bill Number or Topic

Fiscal Policy (Addition)

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Abdelilah Skhir (Skir)

Phone

786-363-1660

Address

4343 W Flagler St #400

Email

askhir@acluf1.org

Street

Miami

City

FL

State

33134

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

ACLU of Florida

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-16-23

Meeting Date

Fiscal Policy

Committee

256

Bill Number or Topic

Amendment Barcode (if applicable)

Name Dr. Casey Mohrien

Phone 607-240-7343

Address

Street

Miami

FL

City

State

Zip

Email

Speaking:

☐ For



Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23
Meeting Date

SB 256
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name James Hard-DeMouice *marice* Phone 850-363-2925

Address 3554 Austin Davis Ave Email greenobee0@gmail.com
Street
Tallahassee FL 32308
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

- ☒ I am appearing without compensation or sponsorship.
- ☐ I am a registered lobbyist, representing:
- ☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

3/16/2023

Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 256

Bill Number or Topic

Fiscal

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Charles Colon

Phone

Address

6101 Sage Dr

Email

Street

Orlando

FL

32807

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

APPEARANCE RECORD

3/16/23

Meeting Date

SB 256

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name JEFF BEEKMANPhone 405.650.9276Address 6352 MALLARD TRACE DR
StreetEmail BEEKMANJEFF@GMAIL.COMTALLAHASSEE FL 32312
City State ZipSpeaking: ☐ For ☒ Against ☐ Information**OR**Waive Speaking: ☐ In Support ☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**☐ I am appearing without
compensation or sponsorship.☐ I am a registered lobbyist,
representing:☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/14/23

Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB256

Bill Number or Topic

Committee

Name

Byron K. Williams

Phone

786-527-9133

Address

340 BEDER ST.

Email

williams-byron@att.net

Street

OPA-LOCKA

City

FL

State

33017

Zip

Amendment Barcode (if applicable)

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

3/16/23

Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 256

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Chaira Cardona

Phone

(305) 761-0806

Address

3599 N.W. 79th Ave.

Email

ChairaCardona83@gmail.com

Street

Doral

City

FL

State

33122

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

16 MAR 2023

The Florida Senate

APPEARANCE RECORD

SB 256

Meeting Date

FISCAL

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name

WILL HANLEY

Phone

850 912 9143

Address

1911 WAITALAW

Email

Street

City

JALM

State

FL

Zip

32301

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

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S-001 (08/10/2021)

3/16/2023

Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

256

Bill Number or Topic

Committee

Name

ARLISA WHITBY

Phone

Amendment Barcode (if applicable)
3/496-6806

Address

211 50 N.W. 14th PL

Email

Street

Miami

FL

33169

City

State

Zip

Speaking:

☐ For



Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

APPEARANCE RECORD

Meeting Date

3-16-23
Fiscal

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

256

Amendment Barcode (if applicable)

Name

Alyssa Roelans

Phone

786 350 8540

Address

Street

Miami FL

City

State

Zip

Email

Speaking:

☐ For☒ Against☐ Information

OR

Waive Speaking:

☐ In Support☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.Service
Employee
UnionI am a registered lobbyist,
representing:I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

SB 256

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Arlene Griffin

Phone

786-393-0116

Address

2011 NW 53 Street

Email

Miami

City

FL

State

33142

Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/14/23
Meeting Date

CS/SB 256
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Se Adoreia Brown

Phone

305 725 7505

Address

16935 SW 34th Ct.
Street

Email

Seadoreia@gmail.com

Miramar FL 33027
City State Zip

gmail.com

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.flcourts.gov/2020-2022JointRules.pdf)

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

S-001 (08/10/2021)

APPEARANCE RECORD

Meeting Date

3/16/23
Fiscal PolicyDeliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

256

Committee

Amendment Barcode (if applicable)

Name

Deena Howell

Howell

Phone

(904) 746-7692

Address

234 Biscayne Rd

Email

dhowelle@gmail.com

Street

City

Brenton

State

FL

Zip

33508

Speaking:

☐ For☒ Against☐ Information**OR**

Waive Speaking:

☐ In Support☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**☒I am appearing without
compensation or sponsorship.☐I am a registered lobbyist,
representing:☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

APPEARANCE RECORD

3.16.2023

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Darzell Warren

Phone

Address

Street

Pensacola FL 32526

City

State

Zip

Email

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐I am appearing without
compensation or sponsorship.☐I am a registered lobbyist,
representing:☒I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/27

Meeting Date

Fiscal Policy

Committee

256

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Michael Sampson II SAMPSON

Phone

(904) 885-9923

Address

5208 N Pearl

Email

msampson@flsenate.gov

Street

Jacksonville

FL

32208

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

3/16/23

Meeting Date

Fiscal Policy

Committee

Name Logan Padgett

Phone (850)386-3131

Address 100 N Duval Street

Email lpadgett@jamesmadison.org

Street

Tallahassee

FL

32347

City

State

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without compensation or sponsorship.



I am a registered lobbyist, representing:



I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

SB256

Bill Number or Topic

Amendment Barcode (if applicable)

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

Fiscal Policy

Committee

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Name Jean Federico

Phone

Address

Street

Sebring FL

City

State

33872

Zip

Email

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

256

Bill Number or Topic

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Samuel Reddick

Phone

Address

3287 Harry St

Email

Street

Apopka

FL

32712

City

State

Zip

Speaking:

☐ For



Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB256

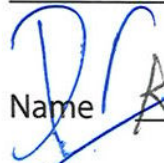
Bill Number or Topic

3/16/23

Meeting Date

Fiscal Policy

Committee

 Kathryn Jones

Name

Phone

617-459-3348

Address

2665 Noble Drive

Email

kathryn.majorie.jones@gmail.com

Street

Tallahassee, FL 32308

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

APPEARANCE RECORD

256

2666

3/16/23

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name

Theresa King

Phone

850-228-8946

Address

4025 TANNER Rd

Email

fbt.tking@gmail.com

Street

DOVER

FL

33527

City

State

Zip

Speaking:

☐ For

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.I am a registered lobbyist,
representing:But Representing
myself today on this billI am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/2023

Meeting Date

Fiscal Policy

Committee

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Sandra Thuringer

Phone

Address

Street

Winter Garden, FL 34787

City

State

Zip

Email

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/2023
Meeting Date

Fiscal Policy
Committee

SB256
Bill Number or Topic

Amendment Barcode (if applicable)

Name Patrick Strong

Phone 850 585 5890

Address _____
Street

Email phsgtp@aol.com

Bokeer FL 32531
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

03/16/23

Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

0256

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Ken Williams

Phone

813 493 7685

Address

7411 Meadow Drive

Email

Street

Tampa FL 33634

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Meeting Date

3/16/2023
Fiscal Policy

Committee

Name

Kecia Chambers-Glover

Phone

Address

Street

Oakland PK

City

FL

State

33309

Zip

Email

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Meeting Date

3/16/23

Bill Number or Topic

SB 256

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Fiscal Policy

Amendment Barcode (if applicable)

Name

JEFF SHARILEY

Phone

850 224 1660

Address

106 E. College Ave # 1110

Email

jeffshariley@gmail.com

Street

Tallah

FL

32381

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

FLORIDA NURSES ASSOCIATION / OPEIU Local 730

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

3-14-23

APPEARANCE RECORD

SB § 256

Meeting Date

Fiscal

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Mis'Shaylangua Smith

Phone

(850) 321-2654

Address

33 A Buckskin Circle

Email

MSLAKEI@yahoo.com

Street

Midway, FL 32343

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.I am a registered lobbyist,
representing:I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

03-16-2023

Meeting Date

Fiscal Policy

Committee

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Name Daniel Freeman

Phone

Address

Email

Street

Oak Hill

City

FL

State

32759

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

APPEARANCE RECORD

3/16/2023

Meeting Date

256

Bill Number or Topic

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Caitlin Sutherin

Phone

Address 459 Ward Dr.

Street

Email

Oak Hill

City

FL

State

32759

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.☐ I am a registered lobbyist,
representing:☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/2023
Meeting Date

Fiscal Policy
Committee

236
Bill Number or Topic

Amendment Barcode (if applicable)

Name Sam Kirk Phone 386 847 4691

Address _____
Street

NSB FL 32168
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-16-23

Meeting Date

256

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name

Bill Herrle

Phone

850 728 7356

Address

110 E Jefferson St.

Email

bill.herrle@nfib.org

Street

Tallahassee Fl. 32311

City

State

Zip

Speaking:

☒ For

☐ Against

☐ Information

OR

Waive Speaking:

☒ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

NFIB

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 256

Bill Number or Topic

3/16/23

Meeting Date

FISCAL POLICY

Committee

Name

HANNAH SCHWADRON

Phone

510 390 4698

Email

Hannah.Schwadron@
Gmail.com

Address

Street

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/23

The Florida Senate

APPEARANCE RECORD

256

Meeting Date

Fiscal Policy

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Arnold Anloague

Phone

904-718-2149

Address

561 Talbot Ave

Email

Street

Jacksonville FL

32205

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

Fiscal Policy

Committee

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Victoria Kidwell

Phone

Address

Street

Email

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-16-23

Meeting Date

Fiscal Policy

Committee

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Name

ERIN SWENSON

Phone

904-305-4848

Address

8522 Charlesgate Cir E

Email

erinjsvenson@
yahoo.com

Street

Jacksonville FL 32244

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

APPEARANCE RECORD

SB 256

Bill Number or Topic

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Phone

Address

Street

Email

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information**OR**Waive Speaking: ☐ In Support ☒ Against**PLEASE CHECK ONE OF THE FOLLOWING:**☐ I am appearing without
compensation or sponsorship.☐ I am a registered lobbyist,
representing:☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

March 16, 2023

Meeting Date
Committee on Fiscal Policy

Committee
Jeffrey Siervogel

Name

Address 1529 East Indianhead Dr.

Street

Tallahassee

FL

32301

City

State

Zip

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

850 339 8354

Phone

mchocchip@comcast.net

Email

Reset Form

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance so
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

March 16, 2023

Meeting Date
Committee on Fiscal Policy

Committee
Anne Barrett

Name

Address 1529 E. Indianhead Dr.

Street

Tallahassee

City

FL

State

32301

Zip

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

850 339 8354

Phone

mchocchip@comcast.net

Email

Reset Form

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

Fiscal Policy

Committee

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Name Nicholas Cromer

Phone _____

Address 238 St. John's Circle

Email _____

Street

Fern Park

City

FL

State

32730

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-16-23
Meeting Date
Fiscal Policy
Committee

SB 256
Bill Number or Topic
Amendment Barcode (if applicable)

Name Jennifer B Mullen Phone _____

Address _____ Email _____

Ocala FL 34476
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/22

Meeting Date

The Florida Senate

APPEARANCE RECORD

SB 254

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Name

Joanne Houghton

Phone

352-226-7373

Amendment Barcode (if applicable)

Address

711 NE 45th St

Email

dinojo2516@gmail.com

Street

Ocala

City

FL

State

34479

Zip

Speaking:

☐ For

☐ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

03/15/23

Meeting Date

0256

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name

JOSE LARTE RUIZ TORRES

Phone

863-231-4787

Address

6723 TRENT CREEK DR

Email

JORTORRES472@GMAIL.

Street

Rushton

City

FL

State

33573

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

APPEARANCE RECORD

3/16/23

Meeting Date

0256

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Linda EdsonPhone 850-510-2729Address 1841 Myrick Rd.

Street

Email edsonl@netally.comTallahassee FL 32303

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against**PLEASE CHECK ONE OF THE FOLLOWING:**☐I am appearing without
compensation or sponsorship.☐I am a registered lobbyist,
representing:☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/23

The Florida Senate

APPEARANCE RECORD

256

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Kyle Milwee

Phone

Address

Street

Brantford

City

FL

State

32008

Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23
Meeting Date

GOA
Committee

SB 256
Bill Number or Topic

Amendment Barcode (if applicable)

Name MATTHEW SMITH

Phone 404.309.1868

Address 9772 SW 99th PL
Street

Email mathusmith@hotmail.com

GAINESVILLE FL 32608
City State Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

Fiscal Policy

Committee

256

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Tara Nelson

Phone

Address

1172 Tracy Dr.

Street

Port Orange

City

FL

State

32129

Zip

Email

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:I am appearing without
compensation or sponsorship.☐I am a registered lobbyist,
representing:☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

APPEARANCE RECORD

3/16/23

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

256

Bill Number or Topic

Amendment Barcode (if applicable)

Name Matt Nelson

Phone _____

Address 1172 Tracy Dr

Street

Email _____

Port Orange FL

City

State

32129

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

3/16/2023

APPEARANCE RECORD

SB 256

Meeting Date

Deliver both copies of this form to
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Bill Number or Topic

Fiscal Policy
Committee

Amendment Barcode (if applicable)

Name Teneka Autman-Downing

Phone 863-661-7223

Address 4495 Mandolin Blvd

Email tenekaautman@yahoo.com

Street

Winter Haven FL

33884

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

FEA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

3/16/23
Meeting Date

FISCAL POLICY
Committee

CS/SB-256
Bill Number or Topic

Amendment Barcode (if applicable)

Name J. B. CLARK Phone 850-556-8143

Address 2071 CYNTHIA DRIVE Email JBCCLARK5@GMAIL.COM
Street

TALLAHASSEE FL 32303
City State Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

FLORIDA ELECTRICAL WORKERS ASSN.

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/16/2023

Meeting Date

Fiscal Planning

Committee

SB 256

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Brian Dempsey

Phone _____

Address 3360 SE 62nd Str.

Email _____

Street

Ocala

City

FL

State

34480

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

3-16-2023

APPEARANCE RECORD

SB 256

Meeting Date

Deliver both copies of this form to
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Bill Number or Topic

Fiscal Policy
Committee

Amendment Barcode (if applicable)

Name Carla Blalock

Phone

Address

Email

Street

Live Oak

FL

32060

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

3/16/23
Meeting Date
Fiscal Policy
Committee

The Florida Senate
APPEARANCE RECORD

SB 256
Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Name Jeffrey PENA Phone 954 854 4594
Address 10798 Green Trail Dr. 2 Email proadwayto61@gmail.com
Dayton FL 33436
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

D256

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Cheryl Frazier

Phone 850-321-0279

Address 5059 Lunker Lane

Email cherylfrazier@yahoo.com

Street

Tallahassee, FL 32303

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

APPEARANCE RECORD

3-16-23

Meeting Date

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Senate professional staff conducting the meeting

256

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name

Barbara Devane

Phone

850-251-4280

Address

625 E. Brevard St

Email

barbadevane1@
yahoo.com

Street

Tallahassee

City

FL

State

32308

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:☐I am appearing without
compensation or sponsorship.☒I am a registered lobbyist,
representing:

FL NOW

☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

3/16/23
Meeting Date
Fiscal
Committee

Name Shan Goff Phone 850-544-6138

Address 215 S. Monroe St. Email shan@excelined.org
Street
Tall FL 32301
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Foundation for Florida's Future

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 250

Bill Number or Topic

Amendment Barcode (if applicable)

8/14/23

Meeting Date

Fiscal Policy

Committee

Name Carolyn Johnson

Phone 521-1200

Address 134 S Bronough St

Street

Email cjohnson@flchamber.com

Tallahassee

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

FL Chamber of
Commerce

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

APPEARANCE RECORD

3/10/2023

Meeting Date

256

Bill Number or Topic

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Karen Woodall

Phone

Address

579 E. Call St.

Email

fcfepr@yahoo.com

Street

Tallahassee, FL

32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐I am appearing without
compensation or sponsorship.☒I am a registered lobbyist,
representing:FL Center for
Fiscal + Economic Policy☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

SB 256

Meeting Date

Fixal Policy
Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name Sue Crosby

Phone

Address

Street

Oviedo

City

FL

State

32765

Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

16 March 2023

Meeting Date

The Florida Senate
APPEARANCE RECORD

256

Bill Number or Topic

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Gregory McCalm

Phone _____

Address 12202 N 53rd St

Email gmccalm@tampabay.rr.com

Street

Temple Terrace FL 33617

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3.16.23

Meeting Date

Fiscal Policy

Committee

CS/SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Name Yolanda Russell

Phone 407-619-3641

Address 5803 CITRUS VILLAGE BLVD #323

Email yolanderussell@earthlink.net

Street

WINTER GARDEN FL 34787

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

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S-001 (08/10/2021)

03-16-2023

APPEARANCE RECORD

256

Meeting Date

Deliver both copies of this form to
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Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Carol Croon

Phone (850) 866-2562

Address 6411 Lance St.
Street

Email MamCroon@bellsouth.net

Panama City, FL
City State

32404
Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

03-16-2023

APPEARANCE RECORD

256

Meeting Date

Deliver both copies of this form to
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Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

FREDERICK CROON

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City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐I am appearing without
compensation or sponsorship.☐I am a registered lobbyist,
representing:☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

CWA 3114 FL

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S-001 (08/10/2021)

3/16

Meeting Date

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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SB

~~HB~~ ~~SB~~ 256
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

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850

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carla7peterson@gmail.com

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Tallahassee FL

City

State

Zip

Speaking:

☐ For

☐ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3-15-23

Meeting Date

Fiscal Policy

Committee

CS/SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Name VIVIAN Lyte-Johnson

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Street

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City

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State

34761

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

Fiscal Policy

Committee

4122

SB 256

Bill Number or Topic

Amendment Barcode (if applicable)

Name Yenisbel Vilorio

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City

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Zip

Email yenisbel@stateinnovation.org

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:

State Innovation
Exchange Action

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/SB 236

INTRODUCER: Fiscal Policy, Banking and Insurance Committee and Senator Hutson

SUBJECT: Civil Remedies

DATE: March 20, 2023

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Thomas	Knudson	BI	Fav/CS
2. Bond	Cibula	JU	Fav/1 amendment
3. Thomas/Bond	Yeatman	FP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 236 makes the following changes to Florida's civil justice system:

- Provides that a contingency fee multiplier for an attorney fee award is appropriate only in a rare and exceptional circumstance, adopting the federal standard.
- Repeals Florida's one-way attorney fee provisions for insurance cases, while maintaining the ability to award attorney fees to an owner, contractor, subcontractor, laborer or materialman that prevails in a claim against a construction surety bond.
- Creates a limited ability to recover attorney's fees from an insurance company after a total coverage denial through a declaratory judgment action.
- Reduces the statute of limitations for general negligence cases from 4 years to 2 years, while providing protections to servicemembers during terms of active duty which materially affect the servicemember's ability to appear.
- Modifies Florida's "bad faith" framework to:
 - Provide an insurer has no liability for a bad faith claim if the insurer tenders the lesser of the policy limits or the amount demanded by the claimant within 90 days after receipt of the claim and sufficient evidence to support the claim.
 - Provide that negligence alone is not enough to demonstrate bad faith.
 - Require insureds, claimants, and their representatives to act in good faith with respect to furnishing information, making demands, setting deadlines, and attempting to settle the insurance claim.
 - Allow an insurer, if there are multiple claimants in a single action, to limit the insurer's bad faith liability by paying the total amount of the policy limits at the outset to the court

- through an interpleader action or, through binding arbitration, making the entire policy limits available for payment to the competing third-party claimants.
- Applies the offer of judgment statute to any civil action involving an insurance contract.
 - Specifies that certain evidence is admissible to calculate medical damages in personal injury or wrongful death actions. These changes modify the collateral source rule in a way that allows the parties to present to the finder of fact evidence of actual medical costs or evidence that better approximates medical costs that may be incurred by a claimant.
 - Requires the trier of fact in a negligent security action against the owner, lessor, operator, or manager of commercial or real property brought by a person lawfully on the property who was injured by the criminal act of a third party, to consider the fault of all persons who contributed to the injury.
 - Provides that the owner or operator of a multifamily residential property is presumed to not be negligent in connection to a criminal act occurring on the property if the property has certain safety and security features and, starting in 2025, obtains and substantially complies with a Crime Prevention Through Environmental Design Assessment.
 - Except for causes of action for personal injury or wrongful death arising out of medical negligence, changes Florida's comparative negligence system from a "pure" comparative negligence system to a "modified" comparative negligence system, whereby a plaintiff who is found to be more than 50 percent at fault for his or her own harm may not recover damages from any defendant.
 - Provides that the amendment to the statute of limitations for negligence actions applies prospectively to causes of action accruing after the effective date of the bill, that the remainder of the bill applies to causes of action filed after the effective date, and that the bill shall not be construed to impair any right under an existing insurance contract.

The bill takes effect upon becoming a law.

II. Present Situation:

Torts: Negligence, Elements, and Standards

A tort is a civil legal action to recover damages for a loss, injury, or death due to the conduct of another. Some have characterized a tort as a civil wrong, other than a claim for breach of contract, in which a remedy is provided through damages.¹ When a plaintiff files a tort claim, he or she alleges that the defendant's "negligence" caused the injury. Negligence means "doing something that a reasonably careful person would not do" in a similar situation or "failing to do something that a reasonably careful person would do" in a similar situation.² When a plaintiff seeks to recover damages for a personal injury and alleges that the injury was caused by the defendant's negligence, the plaintiff bears the legal burden of proving that the defendant's alleged action was a breach of the duty that the defendant owed to the plaintiff.³

¹ BLACK'S LAW DICTIONARY (11th ed. 2019).

² Fla. Std. Jury Instr. Civil 401.4, *Negligence*.

³ Florida is a comparative negligence jurisdiction as provided in s. 768.81(2), F.S. In lay terms, if a plaintiff and defendant are both at fault, a plaintiff may still recover damages, but those damages are reduced proportionately by the degree that the plaintiff's negligence caused the injury.

Negligence Pleadings

To establish a claim for relief and initiate a negligence lawsuit, a plaintiff must file a “complaint.” The complaint must state a cause of action and contain: a short and plain statement establishing the court’s jurisdiction, a short and plain statement of the facts showing why the plaintiff is entitled to relief, and a demand for judgment for relief that the plaintiff deems himself or herself entitled. The defendant responds with an “answer,” and provides in short and plain terms the defenses to each claim asserted, admitting or denying the averments in response.⁴ Under the Florida Rules of Civil Procedure, allegations of fraud, mistake, and a denial of performance or occurrence must be pled with “particularity.”⁵

Four Elements of a Negligence Claim

To establish liability, the plaintiff must prove four elements:

- Duty – That the defendant owed a duty, or obligation, of care to the plaintiff;
- Breach – That the defendant breached that duty by not conforming to the standard required;
- Causation – That the breach of the duty was the legal cause of the plaintiff’s injury; and
- Damages – That the plaintiff suffered actual harm or loss.⁶

Burden or Standard of Proof

A “burden of proof” is the obligation a party bears to prove a material fact. The “standard of proof” is the level or degree to which an issue must be proved.⁷ The plaintiff carries the burden of proving, by a specific legal standard, that the defendant breached the duty that was owed to the plaintiff that resulted in the injury. In civil cases, two standards of proof generally apply:

- The “greater weight of the evidence” standard, which applies most often in civil cases, or
- The “clear and convincing evidence” standard, which is a higher standard of proof.⁸

However, both of these standards are lower than the “reasonable doubt” standard which is used in criminal prosecutions.⁹ Whether the greater weight standard or clear and convincing standard applies is determined by case law or the statutes that govern the underlying substantive issues.¹⁰

Greater Weight of the Evidence

The greater weight of the evidence standard of proof means “the more persuasive and convincing force and effect of the entire evidence in the case.”¹¹ Some people explain the “greater weight of the evidence” concept to mean that, if each party’s evidence is placed on a balance scale, the side that dips down, even by the smallest amount, has met the burden of proof by the greater weight of the evidence.

⁴ Fla. R. Civ. P. 1.110.

⁵ Fla. R. Civ. P. 1.120(b) and (c).

⁶ 6 *Florida Practice Series* s. 1.1; see *Barnett v. Dept. of Fin. Serv.*, 303 So.3d 508, 513 (Fla. 2020).

⁷ 5 Fla. Prac. Civil Practice s. 16.1, (2020 ed.) .

⁸ *Id.*

⁹ Thomas D. Sawaya, *Florida Personal Injury Law and Practice with Wrongful Death Actions*, s. 24:4 (2020).

¹⁰ 5 Fla. Prac. Civil Practice s. 16.1 (2020 ed.).

¹¹ Fla. Std. Jury Instr. 401.3, *Greater Weight of the Evidence*.

Clear and Convincing

The clear and convincing standard, a higher standard of proof than the greater weight of the evidence standard, requires that the evidence be credible and the facts which the witness testifies to must be remembered distinctly. The witness's "testimony must be precise and explicit and the witnesses must be lacking in confusion as to the facts in issue." The evidence must be so strong that it guides the trier of fact to a firm conviction, to which there is no hesitation, that the allegations are true.¹²

Standards of Care and Degrees of Negligence

Courts have developed general definitions for the degrees of negligence.

Slight Negligence

Slight negligence is generally defined to mean the failure to exercise a great amount of care typical of an extraordinarily prudent person.¹³

Ordinary Negligence

Ordinary negligence, which is also referred to as simple negligence, is the standard of care applied to the vast majority of negligence cases. It is characterized as the conduct that a reasonable and prudent person would know could possibly cause injury to a person or property.¹⁴

Gross Negligence

Gross negligence means the failure of a person to exercise slight care. Florida courts have defined gross negligence as the type of conduct that a "reasonably prudent person knows will probably and most likely result in injury to another" person.¹⁵

In order for a plaintiff to succeed on a claim involving gross negligence, he or she must prove:

- Circumstances, which, when taken together, create a clear and present danger;
- Awareness that the danger exists; and
- A conscious voluntary act or omission to act that will likely result in an injury.^{16, 17}

Statute of Limitations

A statute of limitations establishes a time limit for a plaintiff to file an action, or the case will be barred. "Statutes of limitations are designed to protect defendants from unusually long delays in the filing of lawsuits and to prevent prejudice to defendants from the unexpected enforcement of stale claims."¹⁸ Similarly, statutes of limitations "are designed to promote justice by preventing surprises through the revival of claims that have been allowed to slumber until evidence has been

¹² *Slomowitz v. Walker*, 429 So.2d 797, 800 (Fla. 4th DCA 1983) as discussed in the Sawaya treatise, *supra* at s. 24:4.

¹³ Sawaya, *supra* at s. 2:12.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ Culpable negligence is a fourth degree of negligence but is not discussed in this analysis.

¹⁸ *Caduceus Properties, LLC, v. Graney*, 137 So.3d 987, 992 (Fla. 2014) (citing *Totura & Co. v. Williams*, 754 So.2d 671, 681 (Fla. 2000)).

lost, memories have faded, and witnesses have disappeared.”¹⁹ A statute of limitations begins to run when the cause of action accrues. A cause of action accrues when the last element constituting the cause of action occurs.²⁰ In a personal injury action based on the negligent act of another, the last element occurs when the plaintiff is injured.²¹ In Florida, an action for a negligence claim must be brought within 4 years after the cause of action accrues.²²

Florida's 4-year general statute of limitations for negligence action is unique. Only one state has a longer statute of limitations at 5 years, and Florida is the only state at 4 years. Many states are at 3 years, but the majority of states are at 2 years or less.²³

Statutory and Common Law Bad Faith Actions

Insurance, Generally

Insurance is a contract between an insurance company (“insurer”) and the insurance policy’s beneficiary (“the insured”), in which, for specified consideration called a “premium,” the insurer agrees to pay the insured or third-party claimants for covered losses.²⁴ An insurer generally owes two significant contractual duties to its insured in exchange for premium payments: the duty to indemnify and the duty to defend.²⁵

- The “duty to indemnify” refers to the insurer’s obligation to issue payment to the insured on a valid claim.²⁶ For example, an insured may purchase a policy requiring the insurer to repair or replace the insured’s vehicle in the event of a car accident. If a covered accident then occurs, causing the insured’s vehicle to be destroyed, the duty to indemnify requires the insurer to replace the insured’s vehicle.
- The “duty to defend” refers to the insurer’s duty to defend the insured in court against a third party with respect to a covered claim.²⁷ For example, an insured may purchase a liability policy in the event the insured causes a car accident and injures a third party. If a covered accident then occurs, causing injury to a third-party claimant who sues the insured, the duty to indemnify requires the insurer to defend the insured against the claimant’s lawsuit.

Insurer’s Common Law and Statutory Duties

Historically, damages in actions for breaches of insurance contracts were limited to those contemplated by the parties when they entered into the contract.²⁸ As liability policies began to replace indemnity policies as the standard insurance policy form, courts recognized that insurers owed a duty to act in good faith towards their insureds.²⁹ Florida courts for many years have recognized an additional duty that does not arise directly from the insurance contract, the

¹⁹ *Order of Railroad Telegraphers v. Railway Express Agency*, 321 U.S. 342, 348-9 (1944).

²⁰ Section 95.031(1)(a), F.S.

²¹ 35 Fla. Jur 2d *Limitations and Laches* s. 65 (2020).

²² Section 95.11(3)(a), F.S.

²³ National Conference of State Legislatures, *Negligence Statutes of Limitations*, February 24, 2023 (on file with the Senate Committee on Judiciary).

²⁴ 16 Williston on Contracts s. 49:103 (4th ed.).

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

common law duty of good faith on the part of an insurer to the insured in negotiating settlements with third-party claimants.³⁰ The common law rule is that a third-party beneficiary who is not a formal party to a contract may sue for damages sustained as the result of the acts of one of the parties to the contract.³¹ This is known as a third-party claim of bad faith. At common law, the insured cannot raise a bad faith claim against the insurer outside of the third-party claim context.³²

Florida's bad faith law and jurisprudence were designed to hold insurers accountable for failing to fulfill their contractual obligation to indemnify the insured or beneficiary on a valid claim.³³ Florida recognizes two distinct bad faith causes of action that may be initiated against an insurer. The first recognized bad faith cause of action provides a third-party common law cause of action when an insurer fails in good faith to settle a third party's claim against the insurer within policy limits and exposes the insured to liability in excess of his or her insurance coverage.³⁴ Florida courts do not recognize a *common law* first-party bad faith cause of action by the insured against its own insurer.³⁵ However, a first-party bad faith cause of action has been created by the Legislature.

In 1982, the Legislature enacted s. 624.155, F.S. The statute recognizes a claim for bad faith against an insurer not only in the instance of settlement negotiations with a third party but also for an insured seeking payment from his or her own insurance company. Thus the section creates a first-party bad faith cause of action in Florida. Most property insurance claims are first-party claims³⁶, and bad faith actions on such claims may proceed only pursuant to s. 624.155, F.S. Here, bad faith is defined as the commission of any of the following acts by the insurer that damages any person:

- Violating certain provisions of the Florida Insurance Code such as specified provisions of the Unfair Insurance Trade Practices Act under s. 626.9541, F.S.;
- Not attempting in good faith to settle claims when, under all the circumstances, it could and should have done so, had it acted fairly and honestly toward its insured with due regard for her or his interests;
- Making claims payments to insureds or beneficiaries not accompanied by a statement setting forth the coverage under which payments are being made; or
- Except as to liability coverages, failing to promptly settle claims, when the obligation to settle the claim has become reasonably clear, under one portion of the insurance policy coverage in order to influence settlements under other portions of the insurance policy coverage.³⁷

³⁰ See *Auto. Mut. Indem. Co. v. Shaw*, 184 So. 852 (Fla. 1938).

³¹ See *Thompson v. Commercial Union Insurance Company*, 250 So.2d 259 (Fla. 1971).

³² *State Farm Mut. Auto. Ins. Co. v. Laforet*, 658 So.2d 55, 58-59 (Fla. 1995).

³³ *Harvey v. GEICO General Insurance Company*, 259 So.3d 1, 6, (Fla. 2018) (quoting *Berges v. Infinity Insurance Company*, 896 So.2d 665, 682 (Fla. 2004)).

³⁴ *Opperman v. Nationwide Mutual Fire Insurance Company*, 515 So.2d 263, 265 (Fla. 5th DCA 1987).

³⁵ See *Laforet*, 658 So.2d at 58-59.

³⁶ Homeowners insurance provides liability coverage, thus third-party litigation may occur under a property insurance policy.

³⁷ Section 624.155(1)(a) and (b), F.S.

Florida courts have interpreted an insurer's obligation to "act fairly" towards its insured, holding that when the insured's liability is clear and an excess judgment³⁸ is likely due to the resulting damage, the insurer has an affirmative duty to initiate settlement negotiations with third-party claimants.³⁹ If settlement fails, the insurer has the burden of showing that there was no realistic possibility of settling the claim within the policy limits.⁴⁰ However, failure to settle a claim, without more, does not necessarily mean that an insurer has acted in bad faith, as liability may be unclear or the damages may be minimal. Further, courts have generally indicated that merely negligently failing to settle a claim does not rise to the level of bad faith, though a jury may consider negligence in the larger context of whether bad faith occurred.⁴¹

Damages available under an insurance contract are only those up to the policy limits, while damages available in a bad faith claim may be much higher, and may include:

- Damages the plaintiff incurred due to the insurer's bad faith conduct;⁴²
- Compensation for emotional distress, in certain circumstances;⁴³ and
- Punitive damages where the insurer's bad faith conduct occurred with such frequency as to constitute a general business practice and such conduct was:
 - Willful, wanton, and malicious;
 - In reckless disregard for the rights of any insured; or
 - In reckless disregard for the rights of a beneficiary under a life insurance contract.⁴⁴

Presuit Notice to Initiate Bad Faith Litigation under s. 624.155, F.S.

As a condition precedent to bringing a bad faith cause of action under s. 624.155, F.S., the insured must have provided the insurer and the Department of Financial Services at least 60 days written notice of the alleged violation.⁴⁵ The 60-day window contemplated under s. 624.155, F.S., provides insurers with a final opportunity to comply with their claim-handling obligations when a good faith decision by the insurer would indicate that contractual benefits are owed.⁴⁶ The civil remedy notice must specify the following information:

- The statutory provision, including the specific language of the statute, which the authorized insurer allegedly violated;
- The facts and circumstance giving rise to the violation;
- The name of any individual involved in the violation;
- A reference to specific policy language that is relevant to the violation, if any. If the person bringing the civil action is a third-party claimant, the person is not required to reference the specific policy language if the authorized insurer has not provided a copy of the policy to the third party claimant pursuant to written request; and

³⁸ An "excess judgment" is a judgment in an amount over and above the insurance policy's coverage limits, which amount is paid out of the insured's own pocket.

³⁹ *Powell v. Prudential Prop. and Cas. Ins. Co.*, 584 So.2d 12, 14 (Fla. 3d DCA 1991).

⁴⁰ *Id.* at 14.

⁴¹ See *DeLaune v. Liberty Mut. Ins. Co.*, 314 So.2d 601, 603 (Fla. 4th DCA 1975).

⁴² Section 624.155(4), F.S.

⁴³ *Times Ins. Co., Inc. v. Burger*, 712 So.2d 389 (Fla. 1998).

⁴⁴ Section 624.155(5), F.S.

⁴⁵ Section 624.155(3), F.S.

⁴⁶ See *Talat Enterprises, Inc., v. Aetna Cas. and Sur. Co.*, 753 So.2d 1278, 1284 (Fla. 2000).

- A statement that the notice is given in order to perfect the right to pursue the civil remedy authorized under s. 624.155, F.S.⁴⁷

This notice requirement does not apply to bad faith actions that proceed under the common law.

Response by the Insurer in Bad Faith Litigation

If the insurer fails to respond to a civil remedy notice under s. 624.155, F.S., within the 60-day window, there is a presumption of bad faith sufficient to shift the burden to the insurer to show why it did not respond.⁴⁸ No action shall lie if the insurer responds within 60 days of receipt of the civil remedy notice by either paying damages or correcting the circumstances giving rise to the claim.⁴⁹

Uncertainty about What Constitutes Bad Faith

In Florida, the question of whether the insurer has committed “bad faith” is generally a question for the jury, but Florida law does not define what conduct constitutes bad faith. In *Berges v. Infinity Ins. Co.*, the Florida Supreme Court noted that “the question of whether an insurer has acted in bad faith in handling claims against the insured is determined under the ‘totality of the circumstances’ standard Each case is determined on its own facts and ordinarily the question of failure to act in good faith with due regard for the interests of the insured is for the jury.”⁵⁰

Three dissenting justices in the *Berges* case indicated that the problem with presuming that bad faith is a jury question is that a jury may be prejudiced in favor of a sympathetic injured person, regardless of whether the insurer actually committed bad faith, as follows:

What the jury knows in these cases is that there is a tragically and grievously injured victim, that the insured had very low limits of insurance, and that if the jury finds against the insurer, then all of the victim’s damages will be paid by the insurer. It is these very facts which are not allowed to be known by a jury in liability cases because of the known prejudicial influence these facts . . . have on jury verdicts.⁵¹

Following the *Berges* decision, courts have noted that “[u]ntil there is a substantial change in the statutory scheme or the rationale explained in the majority opinion in *Berges*, however, juries will continue to render verdicts regarding an insurer’s alleged bad faith when the pertinent facts are in dispute.”⁵² In any event, the *Berges* decision made it more difficult for an insurer to resolve a third-party bad faith lawsuit through a motion for summary judgment, as such motions are decided by the court based on questions of law, and whether an insurer acted in bad faith is now, under *Berges*, almost always a question of fact.

⁴⁷ Section 624.155(3)(b)1.-5., F.S.

⁴⁸ *Fridman v. Safeco Ins. Co. of Illinois*, 185 So.3d 1214, 1220, (Fla. 2016); *Imhof v. Nationwide Mut. Ins. Co.*, 643 So.2d 617, 619 (Fla 1994).

⁴⁹ *Id.*

⁵⁰ *Berges*, 896 So.2d at 680.

⁵¹ *Id.* at 686, n. 12 (Wells, J., dissenting).

⁵² *United Auto. Ins. Co. v. Estate of Levine ex rel. Howard*, 87 So.3d 782, 788 (Fla. 3d DCA 2011).

Statutory Bad Faith Actions against Property Insurers

Section 624.1551, F.S., provides that bad faith litigation for failure to settle a property insurance claim may not be filed until after the insured has established through adverse adjudication by a court that the insurer breached the insurance contract and a final judgment or decree has been rendered against the insurer. The acceptance of an offer of judgment or the payment of an appraisal award does not constitute an adverse adjudication. The difference between an insurer's appraiser's final estimate and the appraisal award may be evidence of bad faith but is not considered an adverse adjudication and does not on its own give rise to a cause of action for bad faith. The provision applies to civil remedy actions based upon a property insurer:

- Not attempting in good faith to settle claims when, under all the circumstances, it could and should have done so, had it acted fairly and honestly toward its insured and with due regard for his or her interests;
- Making claims payments to insureds or beneficiaries not accompanied by a statement setting forth the coverage under which payments are being made; or
- Except as to liability coverages, failing to promptly settle claims, when the obligation to settle a claim has become reasonably clear, under one portion of the insurance policy coverage in order to influence settlements under other portions of the insurance policy.

Transparency in Damages

Calculating Medical Damages

In a typical negligence action, the jury is responsible for determining the amount of damages to the plaintiff. In such action, the plaintiff may seek to inform the jury of the plaintiff's medical bills as evidence of the plaintiff's medical damages. However, Florida law generally prohibits defendants from introducing evidence of amounts accepted by a plaintiff's medical providers as evidence of the plaintiff's medical costs.⁵³ Whether a plaintiff's medical bills, instead of amounts accepted as payment in full, are reasonable evidence of a plaintiff's medical damages has become a matter of dispute because medical bills are often multiples of amounts typically accepted as payment in full.⁵⁴

Further complicating matters is the fact that medical providers often have significantly different rates for an identical procedure based on their contracts with an insurer, an accepted standard Medicare or Medicaid rate, or a negotiated discounted amount. Nonetheless, plaintiffs have an incentive to present large medical bills for past medical costs to a jury. Awards for past medical expenses influence awards for future medical costs and non-economic damages, including damages for pain and suffering.⁵⁵

⁵³ *Dial v. Calusa Palms Master Assn., Inc.*, 337 So.3d 1229, 1231-32 (Fla. 2022) (Polston, J. concurring).

⁵⁴ George A. Nation, III, *Hospital Chargemaster Insanity: Heeling the Healers*, 43 PEPP L. REV. 745 (2016) (stating that “[h]ospital list prices, contained in something called a chargemaster are insanely high, often running ten times the amount that hospitals routinely accept as full payment from insurers”).

⁵⁵ See *Durse v. Henn*, 68 So.3d 271, 275 (Fla. 4th DCA 2011). In *Durse*, the plaintiff argued that the admission of the full amount of his medical bills, not the amount accepted as payment in full, was necessary to establish the “value of future medical expenses and non-economic damages.” *Id.* Larger awards for past medical expenses would seem to promote larger awards for other types of damages.

Collateral Source Rule

Under Florida law, a “collateral source” is any payment made to a claimant or on a claimant’s behalf by or pursuant to:

- The United States Social Security Act, except Title XVIII and Title XIX; any federal, state, or local income disability act; or any other public programs providing medical expenses, disability payments, or other similar benefits, except those prohibited by federal law and those expressly excluded by law as collateral sources.
- Any health, sickness, or income disability insurance; automobile accident insurance that provides health benefits or income disability coverage; and any other similar insurance benefits, except life insurance benefits available to the claimant, whether purchased by her or him or provided by others.
- Any contract or agreement of any group, organization, partnership, or corporation to provide, pay for, or reimburse the costs of hospital, medical, dental, or other health care services.
- Any contractual or voluntary wage continuation plan provided by employers or by any other system intended to provide wages during a period of disability.⁵⁶

At common law, the collateral source rule did two things:

- First, the rule ensured that a plaintiff could recover the full amount of damages suffered in a personal injury tort case. Under the rule, a court was prohibited from reducing the damages a plaintiff received by the benefits of collateral sources. As such, a plaintiff could recover the full value of the medical services billed, regardless of the amount that was actually paid for the services.
- Second, the rule prohibited a defendant from introducing evidence of collateral sources at trial for fear that introduction of such evidence would confuse and mislead the jury.⁵⁷

Legislative Modification of the Collateral Source Rule

In 1986, the Legislature enacted the Tort Reform and Insurance Act (“Act”) which modified the first prong of the collateral source rule.⁵⁸ The Act created s. 768.76, F.S., requiring a court to reduce the amount of damages awarded to a plaintiff from all collateral sources, except where a subrogation or reimbursement right exists.⁵⁹ For example, if a jury awards damages for past medical costs that were paid in full by the plaintiff’s health insurer, a court must reduce that award after the trial.

Goble v. Froman, a 2005 Florida Supreme Court case,⁶⁰ demonstrates how courts apply the Act in a case involving past paid medical damages. In *Goble*, the plaintiff’s medical providers billed him \$574,554 for treatment. However, because his insurer had a preexisting fee schedule with the medical providers, the providers accepted \$145,970, writing off more than \$400,000. The plaintiff argued on appeal that the jury award of \$574,554 should stand.

⁵⁶ Section 768.76(2)(a), F.S.

⁵⁷ *Gormley v. GTE Prods. Corp.*, 587 So.2d 455, 458 (Fla. 1991).

⁵⁸ Chapter 86-160, s. 55, L.O.F.

⁵⁹ Section 768.76(1), F.S.

⁶⁰ *Goble v. Frohman*, 901 So.2d 830, 834 (Fla. 2005).

The Second District Court of Appeal (DCA) disagreed, holding that the payments were collateral sources made on the claimant's behalf subject to setoff under s. 768.76, F.S.⁶¹ On appeal, the Florida Supreme Court agreed, finding that permitting a setoff for contractual discounts was consistent with the Legislature's intent to reduce litigation costs when insurers are required to pay damages in excess of what an injured party actually incurred. Thus, the Act prevented the plaintiff from receiving a windfall of over \$400,000 in "phantom damages."⁶²

Even though the Act modified the first prong of the collateral source rule with respect to what damages a plaintiff could ultimately recover, the Act did not modify the second evidentiary prong of the rule. Accordingly, a plaintiff may still introduce into evidence the full amount of his or her medical bills; but a defendant may be prohibited from introducing the amounts paid and accepted in full satisfaction of those bills.⁶³ As such, it is possible that the jury will not be informed of the actual amounts that were paid and accepted for a plaintiff's medical care.⁶⁴

Letters of Protection

A "letter of protection" is a written agreement between a plaintiff and a medical provider wherein the provider agrees to defer collection on the medical bill until the plaintiff recovers in a lawsuit; upon recovery from a lawsuit, the provider is then paid from the proceeds of the lawsuit.⁶⁵ As such, a letter of protection may give the plaintiff's medical provider a financial interest in the outcome of the litigation.⁶⁶ If there is no favorable recovery, the client may remain liable to pay the medical bills.⁶⁷

Letters of protection have sometimes been criticized as reflecting inflated, inaccurate amounts for medical damages that are not reflective of the usual and customary billing practices in the medical community.⁶⁸ Since a letter of protection is an agreement in which the provider agrees not to collect payment for services until litigation has ended, there may not yet be a "paid value" available to present to the jury for consideration.

⁶¹ *Goble v. Frohman*, 848 So.2d 406, 409 (Fla. 2d DCA 2003).

⁶² *See Goble*, 901 So.2d at 834.

⁶³ Lance B. Stephan, *Sticker Shock: Florida Juries Still Awarding Phantom Damages*, 33 Trial Advoc. Q. 23 (Fall 2014).

⁶⁴ Instead of providing evidence of the amounts paid and accepted for the plaintiff's care, the defense must generally introduce evidence of the reasonable value of the medical care. See Instruction 501.2b., Fla. Std. Jury Instr. (Civ.).

⁶⁵ *Cf. Broward Outpatient Med. Ctr., LLC v. Fenstersheib Law Group, P.A.*, 307 So.3d 779, 780 (Fla. 4th DCA 2020) (quoting language from a letter of protection as follows: "[T]he attorney for the above [Plaintiff] (patient), does hereby agree to . . . withhold such sums from any settlement or judgment as may be necessary to adequately protect the above listed health care providers and to promptly pay such sums to them upon receipt of payment of any settlement or judgment without demand.").

⁶⁶ *See Carnival Corp. v. Jimenez*, 112 So.3d 513, 520 (Fla. 2d DCA 2013) ("Undeniably, the existence of the letter of protection gave Dr. Smith a financial interest in the outcome of Ms. Jimenez's personal injury action").

⁶⁷ *See Smith v. Geico Cas. Co.*, 127 So.3d 808, 812 n.2 (Fla. 2d DCA 2013) (quoting Caroline C. Pace, *Tort Recovery for Medicare Beneficiaries: Procedures, Pitfalls and Potential Values*, 49 Hous. Law 24, 27 (2012)).

⁶⁸ *Cf. Worley v. Central Fla. Young Men's Christian Ass'n, Inc.*, 228 So.3d 18, 24 (Fla. 2017) ("[A] Sea Spine employee testified during depositions that at the time of Worley's treatment, its entire practice was based on patients treated pursuant to LOPs"); *id.* at 27 (Polston, J., dissenting) ("YMCA contends, and has throughout the litigation, that these providers' bills are grossly inflated and do not reflect usual and customary billing practices within the medical community. Worley concedes that YMCA has sufficient evidence to argue that the medical bills [from the treating physicians in this case] are unreasonable").

Admissibility of Evidence Showing an Attorney Referred a Client for Medical Treatment

Florida's Evidence Code recognizes that certain communications are "privileged," and therefore may be confidential and not discoverable in a legal proceeding.⁶⁹ One such privilege is the lawyer-client privilege, which provides that a communication between lawyer and client is "confidential" if it is not intended to be disclosed to other persons except those to whom disclosure is in furtherance of the rendition of legal services to the client, and those reasonably necessary for the transmission of the communication.⁷⁰ The lawyer-client privilege does not apply to protect the communication when any of the following apply:

- The services of the lawyer were sought or obtained to enable anyone to commit or plan to commit a crime or fraud.
- A communication is relevant to an issue between parties who claim through the same deceased client.
- A communication is relevant to an issue of breach of duty by the lawyer to the client or by the client to the lawyer, arising from the lawyer-client relationship.
- A communication is relevant to an issue concerning the intention or competence of a client executing an attested document to which the lawyer is an attesting witness, or concerning the execution or attestation of the document.
- A communication is relevant to a matter of common interest between two or more clients if the communication was made by any of them to a lawyer retained or consulted in common when offered in a civil action between the clients or their successors in interest.⁷¹

In 2017, the Florida Supreme Court decided *Worley v. Central Florida YMCA*,⁷² where the issue was whether a communication between an attorney and a client in which the attorney referred the client to a particular medical treatment provider was admissible in court. In that case, the plaintiff suffered an injury when she fell in the defendant's parking lot. She subsequently went to the emergency room, where she was advised to see a knee pain specialist. The plaintiff ultimately retained an attorney, and only after she retained this attorney did she seek medical care from a particular orthopedic institute and other specified providers. Afterwards, the attorney filed suit on the plaintiff's behalf against the defendant, seeking to recover damages, including the costs of her medical care from those medical providers.⁷³

During the litigation discovery process, the attorneys for the defendant sought to discover the nature of the relationship between the plaintiff's law firm and the medical providers who treated the plaintiff's injuries. Specifically, at the first deposition, defense counsel asked the plaintiff whether she had been referred to her medical provider by her attorneys. Her attorneys objected to this line of questioning, arguing that such communications were protected by the lawyer-client privilege.

⁶⁹ See, e.g., s. 90.5015, F.S. (journalist's privilege); s. 90.502, F.S. (lawyer-client privilege); s. 90.503, F.S. (psychotherapist-patient privilege); s. 90.504, F.S. (husband-wife privilege); s. 90.505, F.S. (privilege with respect to communications to clergy).

⁷⁰ Section 90.502(1)(c), F.S.

⁷¹ Section 90.502(4), F.S.

⁷² 228 So.3d 18 (Fla. 2017).

⁷³ *Id.* at 20.

The Florida Supreme Court, by a 4-3 margin, agreed with the plaintiff, holding that “the question of whether a plaintiff’s attorney referred him or her to a doctor for treatment is protected by the attorney-client privilege.”⁷⁴ The Court concluded as follows:

Even in cases where a plaintiff’s medical bills appear to be inflated for the purposes of litigation, we do not believe that engaging in costly and time-consuming discovery to uncover a “cozy agreement” between the law firm and a treating physician is the appropriate response Moreover, we worry that discovery orders such as the one in this case will inflate the costs of litigation to the point that some plaintiffs will be denied access to the courts, as attorneys will no longer be willing to advance these types of costs. Finally, attempting to discover this information requires the disclosure of materials that would otherwise be protected under the attorney-client privilege.⁷⁵

In contrast, the dissent in *Worley* argued that a lawyer’s referral of a client to a medical provider is for medical care, not for legal services and therefore, is not an attorney-client privileged communication.⁷⁶ In support of its position, the dissent cited several other court opinions finding that a referral or history of a referral relationship is relevant to financial bias. One of the cited cases also explained that a referral was relevant to “whether the expert has recommended an allegedly unnecessary and costly procedure with greater frequency in litigation cases, and whether the expert, as a treating physician, allegedly overcharged for the medical services at issue in the lawsuit.”⁷⁷ In further support for its position, the dissent argued that if the financial relationship between an insurer and its expert is discoverable, which it is, the same relationship between a plaintiff’s law firm and its experts should also be discoverable.⁷⁸

Premises Liability

Premises liability refers to the duty of an individual or entity that owns or controls real property to reasonably operate and maintain such property for the safety of those who enter or remain on the property. Unlike ordinary negligence, which is based upon active negligence, a premises liability claim is based upon passive negligence; that is, a premises liability claim stems from the tortfeasor’s failure to act to prevent harm to the injured party and not from any affirmative actions of the tortfeasor.⁷⁹

Common premises liability claims include slip and fall accidents, dog bites, trip or misstep accidents, and swimming pool accidents. As to an invitee, a landowner or possessor is liable if he/she/it:

- Negligently failed to maintain the premises in a reasonably safe condition;
- Negligently failed to correct a dangerous condition about which the defendant either knew or should have known, by the use of reasonable care; or

⁷⁴ *Id.* at 25.

⁷⁵ *Id.* at 26.

⁷⁶ *Id.* at 26-27.

⁷⁷ *Id.* (quoting *Katzman v. Rediron Fabrication, Inc.*, 76 So.3d 1060, 1064 (Fla. 4th DCA 2011)).

⁷⁸ *Id.* at 29-30.

⁷⁹ *Nicholson v. Stonybrook Apts., LLC*, 154 So.3d 490 (Fla. 4th DCA 2015).

- Negligently failed to warn the claimant of a dangerous condition about which the defendant had, or should have had, knowledge greater than that of claimant, and if so, such negligence was a legal cause of loss, injury, or damage.⁸⁰

A premises liability claim may also involve negligent security allegations, in which a person injured by a third party's criminal acts (that is, a third party's intentional tort) on another's property attempts to hold the property owner liable for failing to provide adequate security measures on the property. To prevail on a negligent security claim, the plaintiff must prove that the:

- Plaintiff was lawfully present on the defendant's property;⁸¹
- Defendant had a duty to provide adequate security on the property but breached such duty;⁸²
- Plaintiff was injured because of a third party's criminal act, which act was reasonably foreseeable to the defendant and would not have occurred but for the defendant's breach;⁸³ and
- Plaintiff incurred actual damages.⁸⁴

In Florida, comparative negligence does not apply to an action based upon an intentional tort.⁸⁵ Thus, when apportioning fault in a negligent security claim, a jury is unable to apportion fault to a criminal actor whose intentional conduct injured the plaintiff. This means the owner or operator of the premises where the criminal conduct occurred is financially responsible for all the damages caused by the criminal conduct of a third party.

⁸⁰ Fla. Std. Jury Instr. 401.20 *Issues on Plaintiff's Claim — Premises Liability*.

⁸¹ The only duty a property owner owes to an undiscovered trespasser is to refrain from causing intentional harm, while the only duty he or she owes to a known trespasser is to refrain from committing gross negligence or intentional harm and to warn of known dangers that are not readily observable. *Nicholson*, 154 So.3d at 492.

⁸² Generally, a property owner has no duty to protect another person from criminal acts committed by third parties on his or her property, but such a duty may arise where a special relationship exists between the property owner and the victim or between the property owner and the third party such that the property owner has a duty to control the third party's conduct. Special relationships recognized by Florida courts include landlord-tenant, hotel-guest, employer-employee, proprietor-patron, and school-student; all involve a person who has entered upon the property of another and in so doing lost a measure of control in providing for his or her own protection. *See, Stevens v. Jefferson*, 436 So.2d 33 (Fla. 1983); *K.M. ex rel. D.M. v. Publix Super Markets, Inc.*, 895 So.2d 1114 (Fla. 4th DCA 2005); *Gross v. Fam. Servs. Agency, Inc.*, 716 So.2d 337 (Fla. 4th DCA 1998); *Salerno v. Hart Fin. Corp.*, 521 So.2d 234 (Fla. 4th DCA 1988); Restatement 2d Torts s. 315; Frederic S. Zinober, *Litigating the Negligent Security Case: Who's In Control Here?*, 44 Stetson L. Rev. 289 (2015).

⁸³ Generally, a negligent person is not liable for the damages suffered by another when some separate force or action is an intervening cause of the harm, but where the intervening cause is foreseeable, the original negligent actor may still be held liable. Thus, a negligent security claim's success often hinges on the foreseeability of the crime committed, as property owners are not expected to prevent all possible crimes which may occur on their property. Whether or not a crime was foreseeable is a question of fact, but evidence of foreseeability may include the crime rate in the premises' immediate area, whether similar crimes have previously been committed on the premises, and the nature of the property itself (in other words, is the property of a type that is likely to attract crime). *Stevens*, 436 So.2d at 34-35; *Gibson v. Avis Rent-A-Car System, Inc.*, 386 So.2d 520 (Fla. 1980); *Williams v. Office of Sec. & Intelligence, Inc.*, 509 So.2d 1282 (Fla. 3d DCA 1987).

⁸⁴ *Globe Sec. Systems Co. v. Mayor's Jewelers, Inc.*, 458 So.2d 828 (Fla. 3d DCA 1984).

⁸⁵ Section 768.81(4), F.S.; *Merrill Crossings Assocs. v. McDonald*, 705 So.2d 560 (Fla. 1997).

Comparative Negligence

Joint and Several Liability

Traditionally, when multiple defendants contributed to a plaintiff's injury, the doctrine of "joint and several liability" required any one of the defendants to pay the full amount of the plaintiff's damages.⁸⁶ This was true even where the defendants did not act in concert but instead each committed a separate and independent act, and then the acts combined to cause an injury to the plaintiff. For example, if defendants A, B, and C, while driving their vehicles, each contributed to an accident that caused a plaintiff damages of \$100,000, with A being 40% at fault, B being 59% at fault, and C being 1% at fault, the plaintiff could recover the full \$100,000 from the plaintiff's choice of any of the three defendants.

Contributory Negligence

Under the common law, a plaintiff who was found to be in any way at fault for his or her own injury was completely barred from recovering any damages from the defendant.⁸⁷ This doctrine, known as "contributory negligence," prohibited any recovery by the plaintiff, even if the plaintiff had only barely contributed to his or her own injuries. The doctrine rested on a "policy of making the personal interests of each party depend upon his own care and prudence."⁸⁸ However, over time, most United States jurisdictions began to believe the doctrine of contributory negligence was too harsh of a rule and began to change their approaches.

Joint and Several Liability, Contributory Negligence, and Comparative Negligence in Florida

In 1886, the Florida Supreme Court adopted the contributory negligence approach;⁸⁹ and in 1914, the Court acknowledged its acceptance of the doctrine of joint and several liability.⁹⁰ In 1973, the Florida Supreme Court changed Florida to a "pure comparative negligence" jurisdiction, deciding that the traditional contributory negligence approach was "almost universally regarded as unjust and inequitable."⁹¹ As a result, under the pure comparative negligence approach, juries would now decide the percentage of fault contributed by each party in an accident, and then the damages would be apportioned accordingly.⁹²

In 1986, the Legislature passed the Tort Reform and Insurance Act ("Act"), which essentially codified *Hoffman* and further committed Florida to the comparative negligence approach.⁹³ Within the same Act, the Legislature also substantially limited the application of the doctrine of

⁸⁶ See *Louisville & Nashville R.R. Co. v. Allen*, 65 So. 8, 12 (Fla. 1914) ("Where . . . separate and independent acts of negligence of several combine to produce directly a single injury, each is responsible for the entire result . . .").

⁸⁷ See *Hoffman v. Jones*, 280 So.2d 431 (Fla. 1973).

⁸⁸ Kevin J. Grehan, *Comparative Negligence*, 81 COLUM. L. REV. 1688, note 3 (quoting W. Prosser, *The Law of Torts* ss. 1, 42 (4th ed. 1971)).

⁸⁹ *Louisville & Nashville R.R. Co. v. Yniestra*, 21 Fla. 700 (1886) (citing *Butterfield v. Forrester*, 103 Eng. Rep. 926 (K.B. 1809)).

⁹⁰ *Louisville & Nashville R.R. Co. v. Allen*, 65 So. at 12.

⁹¹ *Hoffman v. Jones*, 280 So.2d at 436.

⁹² See *id.* at 438 ("If plaintiff and defendant are both at fault, the former may recover, but the amount of his recovery may be only such proportion of the entire damages plaintiff sustained as the defendant's negligence bears to the combined negligence of both the plaintiff and the defendant").

⁹³ Chapter 86-160, s. 60, L.O.F. (codified at s. 768.81(2), F.S.).

joint and several liability in negligence actions.⁹⁴ Joint and several liability was repealed for the purposes of most negligence actions in 2006.⁹⁵

As a result of the Act in its current form, Florida is a “pure comparative negligence jurisdiction” without the doctrine of joint and several liability.⁹⁶ In other words, a jury in a typical Florida negligence action decides each party’s percentage of fault; and the court, in its final judgment, apportions damages based on the jury’s fault determination.⁹⁷

Comparative Negligence Approaches by United States Jurisdictions

Today, three different approaches for how a court should apportion damages in a negligence action when two or more defendants contribute to an injury generally exist, as follows:⁹⁸

- *Contributory negligence approach*, followed by four states⁹⁹ and the District of Columbia. Under this traditional common law approach, if the plaintiff contributed to the accident in any way, the plaintiff recovers nothing. For example:
 - If the plaintiff is 1 percent at fault for an accident causing the plaintiff \$100,000 in damages and the defendant is 99 percent at fault in such accident, the plaintiff recovers nothing.
 - If the plaintiff is zero percent and the defendant is 100 percent at fault in such accident, the plaintiff recovers 100 percent of his or her damages—that is, \$100,000.
- *Pure comparative negligence approach*, followed by Florida and 11 other states.¹⁰⁰ Under this approach, the jury determines each party’s percentage of fault and the court apportions damages accordingly. For example:
 - If the plaintiff is 40 percent at fault for an accident causing the plaintiff \$100,000 in damages and the defendant is 60 percent at fault in such accident, the plaintiff recovers 60 percent of his or her damages—that is, \$60,000.
 - If the plaintiff is 70 percent at fault for an accident causing the plaintiff \$100,000 in damages and the defendant is 30 percent at fault in such accident, the plaintiff recovers 30 percent of his or her damages—that is, \$30,000.
- *Modified comparative negligence approach*, followed by 34 states. Under this approach, the jury determines each party’s percentage of fault, but the plaintiff recovers nothing if he or she was to blame for at least a certain percentage of the fault, with three sub-approaches:
 - In 10 states, the plaintiff recovers nothing if he or she was 50 percent or more at fault.¹⁰¹ For example:

⁹⁴ Chapter 86-160, s. 60, L.O.F. (codified at s. 768.81(3), F.S.).

⁹⁵ Chapter 2006-6, s. 1, L.O.F. (codified at s. 768.81(3), F.S.).

⁹⁶ Section 768.81(3), F.S. (“In a negligence action, the court shall enter judgment against each party liable on the basis of such party’s percentage of fault and not on the basis of the doctrine of joint and several liability.”).

⁹⁷ See Fla. Sup. Ct. Std. Jury Instr. 501.4 (Comparative Negligence, Non-Party Fault and Multiple Defendants), <https://www.floridabar.org/rules/florida-standard-jury-instructions/civil-jury-instructions/civil-instructions/#500> (last accessed February 27, 2023).

⁹⁸ LawInfo, *Comparative and Contributory Negligence Laws by State*, <https://www.lawinfo.com/resources/personal-injury/comparative-and-contributory-negligence-laws-by-state.html> (last accessed February 27, 2023).

⁹⁹ Alabama, Maryland, North Carolina, and Virginia. See *id.*

¹⁰⁰ Alaska, Arizona, California, Kentucky, Louisiana, Mississippi, Missouri, New Mexico, New York, Rhode Island, and Washington state. See *id.*

¹⁰¹ Arkansas, Colorado, Delaware, Georgia, Idaho, Maine, Nebraska, North Dakota, Tennessee, and Utah.

- If the plaintiff is 50 percent at fault for an accident causing the plaintiff \$100,000 in damages, the plaintiff recovers nothing.
- If the plaintiff is 49 percent and the defendant is 51 percent at fault for such accident, the plaintiff recovers 51 percent of his or her damages—that is, \$51,000.
- In 23 states, the plaintiff recovers nothing if he or she was more than 50 percent at fault.¹⁰² For example:
 - If the plaintiff is 51 percent and the defendant is 49 percent at fault for an accident causing the plaintiff \$100,000 in damages, the plaintiff recovers nothing.
 - If the plaintiff and the defendant are each 50 percent at fault for such accident, the plaintiff recovers 50 percent of his or her damages—that is, \$50,000.
- In one state, the plaintiff recovers only if his or her conduct was “slightly” negligent and the defendant’s conduct was “grossly negligent.”¹⁰³

Awarding Attorney Fees in Litigation

In most United States jurisdictions, each party to civil litigation pays its own attorney, regardless of the outcome of the litigation, and a court may only award attorney fees to the prevailing side if authorized by statute or agreement of the parties to the litigation.¹⁰⁴ This is often referred to as the “American Rule” for attorney fees, and contravenes the “English Rule” under which English courts generally awarded attorney fees to the prevailing party in litigation.¹⁰⁵

Florida has enacted a number of statutes that authorize courts to award attorney fees in civil litigation. As the Florida Supreme Court has noted, these statutory provisions generally fall into two categories.¹⁰⁶ In the first category, statutes direct a court to assess attorney fees against only one side in certain types of actions. An example is found in s. 627.428, F.S., which directs the court to assess reasonable attorney fees against the insurer and in favor of the insured or a beneficiary who prevails in litigation. The second category follows the English Rule and authorizes the prevailing party, whether it is the plaintiff or the defendant, to recover its attorney fees from the opposing party.

Lodestar Approach

In 1985, the Florida Supreme Court held that courts should calculate the amount of statutorily-authorized attorney fees under the “lodestar approach.”¹⁰⁷ Under this approach, the first step is for the court to determine the number of hours reasonably expended by an attorney on the case. The second step requires the court to determine a reasonable hourly rate. The number of hours reasonably expended (determined in the first step), multiplied by the reasonable hourly rate (determined in the second step), produces the “lodestar amount,” which is considered an objective basis for what the attorney fee amount should be.

¹⁰² Connecticut, Hawaii, Illinois, Indiana, Iowa, Kansas, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Jersey, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Texas, Vermont, West Virginia, Wisconsin, and Wyoming.

¹⁰³ South Dakota.

¹⁰⁴ *Florida Patient’s Compensation Fund v. Rowe*, 472 So.2d 1145, 1147-1148 (Fla. 1985).

¹⁰⁵ *Id.*

¹⁰⁶ *Id.*

¹⁰⁷ *Fla. Patient’s Comp. Fund v. Rowe*, 472 So.2d 1145 (Fla. 1985).

Addition of a Contingency Fee Multiplier

In certain cases, the court may greatly increase the lodestar amount by applying a contingency fee multiplier, which essentially takes the lodestar amount and multiplies that amount by a factor of 1.5, 2.0, 2.5, or some other number.¹⁰⁸ The concept of the contingency fee multiplier arose from judicial interpretations of statutory authorization of attorney fees in particular cases,¹⁰⁹ but the Legislature has also expressly provided for use of a contingency fee multiplier in certain cases.¹¹⁰ In a 1990 case, the Florida Supreme Court discussed three different types of cases and whether a contingency fee multiplier should be applied in each case, as follows:

- *Public policy enforcement cases.* These cases may involve discrimination, environmental issues, and consumer protection issues. In these cases, a contingency fee multiplier is usually inappropriate.
- *Family law, eminent domain, estate, and trust cases.* In these cases, a contingency fee multiplier is usually inappropriate.
- *Tort and contract claims, including insurance cases.* In these cases, a contingency fee multiplier may be applied if the plaintiff can demonstrate the following factors show a need for the multiplier:
 - Whether the relevant market requires a contingency fee multiplier to obtain counsel;
 - Whether the attorney can mitigate the risk of nonpayment; and
 - Whether any other factors established in *Rowe*¹¹¹ support the use of the multiplier.¹¹²

Further, in the same decision, the Court noted that the size of the contingency fee multiplier varies from 1.0 to 2.5 based on the likelihood of success at the outset of the case, as follows:

- 1.0 to 1.5, if the trial court determines that success was more likely than not at the outset;
- 1.5 to 2.0, if the trial court determines that the likelihood of success was approximately even at the outset; and
- 2.0 to 2.5, if the trial court determines that success was unlikely at the outset.¹¹³

¹⁰⁸ The Court may also adjust the amount based on the results obtained by the attorney. *Standard Guar. Ins. Co. v. Quanstrom*, 555 So.2d 828, 830-31 (Fla. 1990). Contingency risk multipliers are also referred to as contingency fee multipliers.

¹⁰⁹ The rationale for applying a contingency risk multiplier to increase an attorney fee award is that plaintiffs and plaintiffs' attorneys generally do not recover any money unless they prevail. The attorney fee multiplier induces attorneys to take a risk on cases they might not otherwise take, allowing would-be plaintiffs to find attorneys willing to represent them.

¹¹⁰ See s. 790.33(3)(f)1., F.S. (explicitly authorizing a contingency fee multiplier in certain cases relating to the preemption of firearm and ammunition regulation).

¹¹¹ The *Rowe* factors were based upon Disciplinary Rule 2-106(b) of the Florida Bar (which is now Rule of Professional Conduct 4-1.5), and were as follows:

- Time and labor required, novelty and difficulty of the question involved, and the skill and requisite to perform the legal service properly.
- Likelihood, if apparent to the client, that the acceptance of employment would preclude other employment by the lawyer.
- Fee customarily charged in the locality for similar legal services.
- Amount involved and results obtained.
- Time limitations imposed by the client and circumstances.
- Nature and length of the professional relationship with the client.
- Experience, reputation, and ability of the lawyer(s) providing services.
- Whether the fee is a fixed or contingency fee.

Rowe, 472 So.2d at 1150–1151.

¹¹² *Quanstrom*, 555 So.2d at 833-835.

¹¹³ *Id.* at 834.

Federal Court Treatment of the Contingency Fee Multiplier

Part of the Florida Supreme Court's rationale for adopting the contingency fee multiplier framework in 1985 was that, at the time, it was being applied in federal courts.¹¹⁴ However, in 1992, the U.S. Supreme Court decided *Burlington v. Dague*, in which it rejected the use of a contingency fee multiplier under certain federal fee-shifting statutes. *Dague* essentially signaled that the Supreme Court was closing the door on the contingency fee multiplier's use in most, if not all, federal cases.¹¹⁵

In 2010, in the case of *Perdue v. Kenny A. ex. rel. Winn*, a case involving a class action lawsuit filed on behalf of 3,000 children in the Georgia foster care system, the U.S. Supreme Court again addressed the contingency risk multiplier issue.¹¹⁶ The plaintiffs argued in the underlying case that the foster care system in two counties was constitutionally deficient. The case went to mediation, and the parties entered a consent decree resolving all issues. Subsequently, the plaintiffs' attorneys sought attorney fees under 42 U.S.C. s. 1988.¹¹⁷

The federal district court calculated the fees using the lodestar approach, arriving at a \$6 million figure, and then applied a 1.75 contingency fee multiplier, for a total attorney fee of \$10.5 million. The district court justified the contingency fee multiplier by finding that the attorneys had:

- Advanced \$1.7 million with no ongoing reimbursement.
- Worked on a contingency basis, and therefore were not guaranteed payment.
- Displayed a high degree of skill, commitment, dedication, and professionalism.
- Achieved extraordinary results.¹¹⁸

On review, the U.S. Supreme Court reversed the district court's calculation of attorney fees, remanding the case because the district court did not provide adequate justification for the 75 percent increase. The Court reiterated that “there is a strong presumption that the lodestar figure is reasonable,” but that such presumption “may be overcome in those *rare circumstances* in which the lodestar does not adequately consider a factor that may properly be considered in determining a reasonable fee.”¹¹⁹ The Court also determined that a contingency fee multiplier may be applicable in “exceptional” circumstances.¹²⁰

Thus, the *Perdue* Court determined that the application of contingency fee multipliers may sometimes be appropriate, while also issuing several warnings about contingency fee multipliers, as follows:

¹¹⁴ See *Rowe*, 472 So.2d at 1146 (“[W]e . . . adopt the federal lodestar approach for computing reasonable attorney fees”).

¹¹⁵ See *City of Burlington v. Dague*, 112 S.Ct. 2638, 2642-2643 (1992) (“Thus, enhancement for the contingency risk posed by each case would encourage meritorious claims to be brought, but only at the social cost of indiscriminately encouraging nonmeritorious claims to be brought as well... [W]e hold that enhancement for contingency is not permitted under the fee-shifting statutes at issue”).

¹¹⁶ *Perdue v. Kenny A. ex rel. Winn*, 130 S.Ct. 1662 (2010).

¹¹⁷ 42 U.S.C. s. 1988(b) allows the court to award attorney fees to the prevailing party in certain civil rights actions.

¹¹⁸ *Perdue*, 130 S.Ct. at 1670.

¹¹⁹ *Id.* at 1673 (emphasis added).

¹²⁰ *Id.*

- When a trial court fails to give detailed explanations for why it applies a contingency fee multiplier, “widely disparate awards may be made, and awards may be influenced . . . by a judge's subjective opinion regarding particular attorneys or the importance of the case.”¹²¹
- “[U]njustified enhancements that serve only to enrich attorneys are not consistent” with the aims of a statute that seek to compensate plaintiffs.¹²²
- In many cases, attorney fees “are not paid by the individuals responsible for the constitutional or statutory violations on which the judgment is based Instead, the fees are paid . . . by state and local taxpayers,” resulting in a diversion of funds from other government programs.¹²³

Florida Supreme Court Treatment of the Contingency Fee Multiplier

In 2017, the Florida Supreme Court rejected the U.S. Supreme Court's *Dague* decision, instead holding that the contingency fee multiplier in Florida courts is not subject to the “rare and exceptional circumstances” requirement.¹²⁴ The Court acknowledged that, based upon its decision to maintain the applicability of the contingency fee multiplier without the restrictions implemented by the *Dague* decision, Florida “separat[ed] from federal precedent in this area.”¹²⁵

Recent Florida Legislation

During Special Session D in May of 2022, the Legislature passed CS/SB 2-D, which was signed into law by the Governor. Amending s. 627.70152, F.S., the bill created a strong presumption that, in lawsuits arising under a residential or commercial property insurance policy, a lodestar fee is sufficient and reasonable; and that such presumption could only be rebutted in a rare and exceptional circumstance.¹²⁶

Attorney Fees Arising from Insurance Litigation

Section. 627.428, F.S., allows an insured to recover attorney fees if he or she prevails in a lawsuit against the insurer to enforce an insurance policy – which has been referred to as the “one-way attorney fee” in insurance litigation.¹²⁷ Some version of this statute has been the law in Florida since at least 1893.¹²⁸ The statute provides, in part:

Upon the rendition of a judgment or decree by any of the courts of this state against an insurer and in favor of any named or omnibus insured or the named beneficiary under

¹²¹ See *id.* at 1676.

¹²² See *id.*

¹²³ See *id.* at 1677.

¹²⁴ See *Joyce v. Federated Nat'l Ins. Co.*, 228 So.3d 1122 (Fla. 2017) (“[W]ith all due deference to the United States Supreme Court, we do not accept the *Dague* majority's rationale for rejecting contingency fee multipliers”).

¹²⁵ *Id.* at 1130.

¹²⁶ Chapter 2022-268, s. 16, L.O.F.

¹²⁷ Other states with similar “one-way” attorney fee provisions for insureds are Arkansas (Ark. Code s. 23-79-208), Delaware (18 Del. Code s. 4102), Hawaii (Hi. Rev. Stat. s. 431:10-242), Idaho (Id. Code 41-1839), Kansas (Kan. Stat. s. 40-256), Nebraska (Neb. Rev. Stat. Ann. S. 44-359), New Hampshire (N.H. Rev. Stat. s. 491-22-b), New Jersey – by court rule (N.J. Court R. 4:42-9(a)(6)), New Mexico (N.M. Stat. s. 39.2-1), North Carolina - for litigation not over \$25,000 (N.C. Gen. Stat. s. 6-21.1), and Texas (Tex. Ins. Code s. 542.060).

¹²⁸ See *Tillis v. Liverpool & London & Globe Insurance Company*, 35 So. 171 (Fla. 1903) (rejecting an insurance company argument that the 1893 law providing that an insured may recover attorney fees in actions against an insurance company to enforce a policy violates due process and equal protection).

a policy or contract executed by the insurer, the trial court or, in the event of an appeal in which the insured or beneficiary prevails, the appellate court shall adjudge or decree against the insurer and in favor of the insured or beneficiary a reasonable sum as fees or compensation for the insured's or beneficiary's attorney prosecuting the suit in which the recovery is had.¹²⁹

Section 626.9373, F.S., applies the same standard to suits against surplus lines insurers. In December 2022, during Special Session A, the legislature passed SB 2-A, which was signed into law by the Governor. The passage of SB 2-A eliminated one-way attorney fees for property insurance cases, and in turn, removed the provision added during the May 2022 Special Session D relating to lodestar fees in such property insurance cases.¹³⁰

Attorney Fees Arising from Offers of Judgment

Section 768.79, F.S., provides for attorney fees where a party's offer to settle a case has been rejected. The statute states, in part:

(1) In any civil action for damages filed in the courts of this state, if a defendant files an offer of judgment which is not accepted by the plaintiff within 30 days, the defendant shall be entitled to recover reasonable costs and attorney's fees incurred by her or him ... if the judgment is one of no liability or the judgment obtained by the plaintiff is at least 25 percent less than such offer.... If a plaintiff files a demand for judgment which is not accepted by the defendant within 30 days and the plaintiff recovers a judgment in an amount at least 25 percent greater than the offer, she or he shall be entitled to recover reasonable costs and attorney's fees....

An offer must:

- Be in writing and state that it is being made pursuant to this section;
- Name the party making it and the party to whom it is being made;
- State with particularity the amount offered to settle a claim for punitive damages, if any; and
- State its total amount.¹³¹

The court may disallow an award of costs and attorney fees to the prevailing party if it is determined the prevailing party did not make the offer in good faith.¹³² When determining the reasonableness of an award of attorney fees, the court must consider the following factors along with other relevant criteria:

- The then apparent merit or lack of merit in the claim;
- The number and nature of offers made by the parties;
- The closeness of questions of fact and law at issue;
- Whether the person making the offer had unreasonably refused to furnish information necessary to evaluate the reasonableness of such offer;
- Whether the suit was in the nature of a test case presenting questions of far-reaching importance affecting nonparties; and

¹²⁹ Section 627.428(1), F.S. This is similar to the language in s. 626.9373, F.S., which applies to surplus lines insurers. Florida courts interpret the statutes to have the same meaning.

¹³⁰ Chapter 2022-271, s. 17, L.O.F.

¹³¹ Section 768.79(2), F.S.

¹³² Section 768.79(8)(a), F.S.

- The amount of the additional delay cost and expense that the person making the offer reasonably would be expected to incur if the litigation should be prolonged.¹³³

Declaratory Judgments

A declaratory judgment is a court proceeding to declare rights, status, and other equitable or legal relations whether or not further relief is or could be claimed.¹³⁴ The purpose of the declaratory judgments law is to afford parties relief from insecurity and uncertainty with respect to rights, status, and other equitable or legal relations. The goals of the statute are to relieve litigants of the common-law rule that a declaration of rights cannot be adjudicated unless a right has been violated and to render practical help in ending controversies that have not reached the stage where other legal relief is immediately available.¹³⁵

Servicemembers Civil Relief Act

In 1940, Congress passed the Soldiers' and Sailors' Civil Relief Act (SSCRA) to provide protection to those called to military service in the armed forces. The SSCRA was updated after the Gulf War in 1991 but remained largely unchanged as of 2003. In December 2003, President Bush signed into law the Servicemembers Civil Relief Act (SCRA). The SCRA was written to clarify the language of the SSCRA and to update the SSCRA to reflect new developments in American life since 1940. This law is a complete revision and provides a number of significant protections to servicemembers. It also provides protection to Reservists and members of the National Guard (when activated under Title 10 orders). The most common forms of protection and relief are: mortgage relief, termination of leases, protection from eviction, a six percent cap on interest rates, stay of proceedings, and reopening default judgments.¹³⁶

Construction Surety Bonds

A surety bond is an insurance contract whereby the surety guarantees to pay a possible future legal debt or obligation of a principal, but only should the principal fail to pay the debt. Surety bonds are common in construction contracts, and are governed by statute.¹³⁷ A person protected by a surety bond has a right to be reimbursed for attorney fees if the person prevails in a lawsuit to collect on the surety bond.¹³⁸

Crime Prevention Through Environmental Design - in general

Crime Prevention Through Environmental Design (CPTED) is an approach that focuses on improving the design of the built environment to help reduce opportunities for disputes and violence and promote positive behavior. The term is referenced in s. 163.503, F.S., as a part of the Neighborhood Improvement Districts law at ss. 163.501-.526, F.S. There, it is defined as: "the planned use of environmental design concepts such as natural access control, natural

¹³³ Section 768.79(8)(b), F.S.

¹³⁴ Section 86.011, F.S.

¹³⁵ 19 Fla. Jur 2d Declaratory Judgments § 2

¹³⁶ United States Department of Defense *Military Compensation*, <https://militarypay.defense.gov/Benefits/Servicemembers-Civil-Relief-Act/> (last accessed March 17, 2023).

¹³⁷ Section 627.756, F.S.

¹³⁸ Sections 627.756(1) and 627.428, F.S.

surveillance, and territorial reinforcement in a neighborhood or community setting which is designed to reduce criminal opportunity and foster positive social interaction among the legitimate users of that setting."¹³⁹

The Florida Crime Prevention Training Institute (FCPTI)

The Florida Crime Prevention Training Institute (FCPTI) was established in 1982 in the Office of the Attorney General. The Bureau of Criminal Justice Programs was established within the Division of Victim Services in 1991 and provides statewide public education and training programs for law enforcement personnel, school resource officers, victim advocates and other interested persons on crime prevention initiatives, school-based officer programs, victim advocacy and related criminal justice areas.¹⁴⁰ To obtain the Florida Crime Prevention Through Environmental Design Practitioner designation from the FCPTA, an individual must attend two training sessions and pass a written examination.¹⁴¹

III. Effect of Proposed Changes:

Contingency Fee Multiplier

Section 1 amends s. 57.104, F.S., to create a presumption that the lodestar fee is sufficient and reasonable in a case in which attorney fees are determined by or awarded by the court. A claimant may overcome this presumption only in a rare and exceptional circumstance, and only if he or she can demonstrate that he or she could not have otherwise reasonably retained competent counsel. Essentially, the bill brings Florida contingency fee multiplier law in line with the current federal standard.

Denial of Coverage - Attorney Fees

Section 2 creates s. 86.121, F.S., to provide a limited ability to recover attorney fees from an insurance company after a total coverage denial. Such fees may only be awarded in a declaratory judgment action. Either party in the case may request that the court use the summary procedure statute. The court must award attorney fees to an insured who prevails in the declaratory judgment action with a finding that the total coverage denial was incorrect and thus the claim is a covered event. Only a named insured, omnibus insured, or named beneficiary may file a case, the right to attorney fees under this section may not be assigned. Fees are limited to those incurred in the declaratory judgment action.

Statute of Limitations

Section 3 amends s. 95.11, F.S., to reduce the statute of limitations for general negligence actions from 4 years to 2 years. This generally means that a plaintiff who fails to file a lawsuit within 2 years, rather than within 4 years, after the occurrence of negligence will be barred from filing the suit. The bill also references and incorporates the Servicemembers Civil Relief Act into

¹³⁹ Section 163.503(6), F.S.

¹⁴⁰ Florida Crime Prevention Training Institute, *About Us*, <http://www.fcpti.com/fcpti.nsf/pages/AboutUs> (last accessed March 16, 2023).

¹⁴¹ *Id.*

the general statute of limitations law, providing for protections to servicemembers during terms of active duty which materially affect the servicemember's ability to appear.

Statutory and Common Law Bad Faith Actions

Section 4 amends s. 624.155, F.S., to provide that an insurer may not be found to have acted in bad faith involving a liability insurance claim, whether pursuant to the statute or common law, if the insurer tenders the lesser of the policy limits or the amount demanded by the claimant within 90 days after receiving actual notice of a claim accompanied by sufficient evidence to support the amount of the claim.

Failure of the insurer to tender such payment does not constitute bad faith and is inadmissible as evidence in any action seeking to establish bad faith on the part of the insurer. Where the insurer fails to tender the lesser of the amount demanded or the policy limits, any applicable statute of limitations is extended by 90 days.

The bill makes the following provisions applicable to all bad faith claims:

- Mere negligence alone is insufficient to constitute bad faith.
- The insured, the third-party claimant, and any representative of the insured or the claimant have a duty to act in good faith in furnishing information about the claim, making demands of the insurer, setting deadlines, and attempting to settle the claim.¹⁴²
- The trier of fact may consider whether the insured, the third-party claimant, or his or her representative did not act in good faith and, if so, reasonably reduce the damages awarded against the insurer.

Further, the bill specifies that, if two or more third-party claimants make competing claims arising out of a single occurrence, which in total exceed the insured's available policy limits, the insurer does not commit bad faith by failing to pay all or any portion of the available limits to one or more of the third-party claimants if, within 90 days after receiving notice of the competing claims, the insurer either:

- Files an interpleader action¹⁴³ under the Florida Rules of Civil Procedure;¹⁴⁴ or
- Pursuant to binding arbitration that has been agreed to by the insurer and the third-party claimants, makes the entire amount of the policy limits available for payment to the competing third-party claimants before a qualified arbitrator selected by the insurer at the insurer's expense.¹⁴⁵

¹⁴² Under the bill, this duty does not create a separate cause of action.

¹⁴³ An interpleader action is an action initiated by the holder of property to determine the rights of two or more claimants to the property. This avoids the problem of the property holder being sued by the claimants separately. Legal Information Institute, *Interpleader*, <https://www.law.cornell.edu/wex/interpleader#:~:text=A%20way%20for%20a%20holder,who%20actually%20owns%20the%20property> (last accessed February 27, 2023).

¹⁴⁴ If the trier of fact finds that the claims of the competing third-party claimants exceed the policy limits, the bill specifies that the third-party claimants are entitled to a prorated share of the policy limits as determined by the trier of fact. This does not alter or limit the insurer's duty to defend the insured.

¹⁴⁵ The bill specifies that the third-party claimants are entitled to a prorated share of the policy limits as determined by the arbitrator, who must consider the comparative fault, if any, of each third-party claimant, and the total likely outcome at trial based upon the total of the economic and non-economic damages submitted to the arbitrator for consideration. Further, a

Attorney Fees Arising from Offers of Judgment

Section 5 creates s. 624.1552, F.S., to provide that the offer of judgment statute at s. 768.79, F.S., applies to any civil action involving an insurance contract.

Transparency in Damages

Section 6 creates s. 768.0427, F.S., to establish a uniform process for the admissibility of evidence and the calculation of medical damages in personal injury or wrongful death actions. As such, the bill modifies the collateral source rule to limit the introduction of evidence for medical damages.

Definitions

The bill defines the following terms:

- “Factoring company” means a person who purchases a health care provider’s accounts receivable at a discount below the invoice value of such accounts.
- “Health care coverage” means any third-party health care or disability services financing arrangement including, but not limited to, arrangements with entities certified or authorized under federal law or under the Florida Insurance Code; state or federal health care benefit programs; workers’ compensation; and personal injury protection.
- “Health care provider” means any of the following professionals and entities, and professionals and entities similarly licensed in another jurisdiction:
 - A provider as defined in s. 408.803; and a licensed provider under chapter 394 or chapter 397, and its clinical and nonclinical staff providing inpatient or outpatient services.
 - A certified clinical laboratory.
 - A federally qualified health center as defined under federal law.
 - A health care practitioner.
 - A licensed health care professional.
 - A home health aide.
 - A licensed continuing care facility.
 - A pharmacy.
- “Letter of protection” means any arrangement where a health care provider renders medical treatment in exchange for a promise of payment for the claimant’s medical expenses from any judgment or settlement of a personal injury or wrongful death action.

Limitations on Admissible Evidence

The bill limits what evidence is allowed to be presented to the fact finder to prove the amount of damages for past or future medical care.

Past Paid Medical Bills

The bill restricts evidence of services that have already been satisfied to the amount actually paid for the services, regardless of the source of such payment. As such, if an insurer paid the full

third-party claimant whose claim is resolved by the arbitrator must execute and deliver a general release to the insured party whose claim is resolved by the proceeding.

medical bill for past services, the amount paid by the insurer is the only amount admissible. The initial billed amount may not be presented as evidence.

Past Unpaid Medical Bills

The bill specifies that admissible evidence includes, but is not limited to, the foregoing types of evidence used to prove the amount to satisfy already incurred, but yet unpaid, medical bills:

- Claimant has insurance other than Medicare or Medicaid: If the claimant has health care other than Medicare or Medicaid coverage, evidence of the amount the coverage is obligated to pay the provider for satisfaction of the medical services rendered plus the claimant's portion of medical expenses under the contract are admissible.
- Claimant has insurance but obtains treatment under a letter of protection: If the claimant has health care coverage but forgoes the coverage and obtains medical treatment under a letter of protection (or otherwise does not submit charges to his or her insurer), evidence of the amount the health care coverage would pay under the contract plus the claimant's portion of medical expenses, had he or she obtained treatment pursuant to the health care coverage, is admissible.
- Claimant has Medicare or Medicaid or does not have insurance: If the claimant has Medicare or Medicaid or does not have health care coverage, evidence of 120 percent of the Medicare reimbursement rate in effect at the time of the trial is admissible. If there is no applicable Medicare rate for the services in question, the admissible amount is 170 percent of the applicable state Medicaid rate.
- Claimant receives services under a letter of protection, and the bill is then transferred to a third party: If the claimant receives services pursuant to a letter of protection and the provider subsequently transfers the right to receive payment of the bill to a third party, evidence of the amount the third party agreed to pay the provider for the right to receive payment is admissible.
- In all circumstances: Evidence of reasonable amounts billed to the claimant for medically necessary treatment or medically necessary services provided to the claimant.

Future Medical Bills

The bill specifies that admissible evidence includes, but is not limited to, the following types of evidence used to prove damages for future medical treatments:

- Claimant has insurance other than Medicare or Medicaid or is eligible for insurance: If the claimant has health care coverage other than Medicare or Medicaid or is eligible for health care coverage, evidence of the amount for which the future charges could be satisfied by the coverage plus the petitioner's portion of medical expenses under the contract.
- Claimant has Medicare or Medicaid or does not have insurance: If the claimant has Medicare or Medicaid or does not have health care coverage, evidence of 120 percent of the Medicare reimbursement rate in effect at the time of the trial for such future services. If there is no applicable Medicare rate for the future services in question, 170 percent of the applicable state Medicaid rate amount.
- In all circumstances: Any evidence of reasonable future amounts to be billed to the claimant for medically necessary treatment or medically necessary services.

Disclosure of Contracts

The bill maintains protection from disclosure for individual contracts between providers and authorized commercial insurers or authorized health maintenance organizations. Therefore, such contracts are not subject to discovery or disclosure and are not admissible into evidence.

Required Disclosures When a Letter of Protection is Used

The bill provides a procedure for the use of a letter of protection. If the petitioner obtains medical care under a letter of protection, the bill requires the claimant to disclose the following for the determination of damages:

- A copy of the letter of protection.
- All billings for the rendered medical expenses, which must be itemized and coded according to:
 - For health care providers billing at the provider level, the American Medical Association's Current Procedural Terminology (CPT), or the Healthcare Common Procedure Coding System (HCPCS), in effect on the date the services were rendered.
 - For health care providers billing at the facility level for expenses incurred in a clinical or outpatient setting, including when billing through an Ambulatory Payment Classification (APC) or Enhanced Ambulatory Patient Grouping (EAPG), the International Classification of Diseases (ICD) diagnosis code and, if applicable, the American Medical Association's Current Procedural Terminology (CPT), in effect on the date the services were rendered.
 - For health care providers billing at the facility level for expenses incurred in an inpatient setting, including when billing through a Diagnosis Related Group (DRG), the International Classification of Diseases (ICD) diagnosis and procedure codes in effect on the date in which the claimant is discharged.
- If the provider sells the accounts receivable to a third party or factoring company, the name of the third party and the dollar amount for which the third party purchased the accounts.
- Whether the claimant had health care coverage at the time of treatment, and the identity of such coverage.
- Whether the claimant was referred for treatment under a letter of protection and, if so, the identity of the person who made the referral. If the referral was made by the claimant's attorney, disclosure of the referral is permitted, and evidence of the referral is admissible in the litigation, notwithstanding the lawyer-client privilege in s. 90.502, F.S. In such instance, the financial relationship between a law firm and a medical provider, including the number of referrals, frequency, and financial benefit obtained, is relevant to the issue of any bias of a testifying medical expert.

Amount of Damages

The bill prohibits damages from including any amounts above the amount actually paid for the satisfaction for services rendered. Further, the bill prohibits an award of damages from exceeding:

- The amount actually paid by or on behalf of the claimant to the provider;
- The amount necessary to satisfy charges for medical services that are owed or not yet satisfied at the time of trial; and
- The amount necessary to provide for any reasonable and necessary future medical treatment.

Premises Liability

Section 7 creates s. 768.0701, F.S., to provide that, in a negligent security action against the owner, lessor, operator, or manager of commercial or real property brought by a person lawfully on the property who was injured by a third party's criminal act, the trier of fact must consider the fault of all persons who contributed to the injury.

Multifamily Residential Property Safety and Security

Section 8 creates s. 768.0706, F.S. regarding safety and security of a multifamily residential property. The bill defines a "multifamily residential property" as a residential building, or group of residential buildings, such as apartments, townhouses, or condominiums, consisting of at least five dwelling units on a single parcel. If the property owner or operator of a multifamily residential property implements specific measures, the owner or operator will be entitled to a presumption that the property owner or operator was not civilly liable in connection with criminal acts committed by a third party who is not an employee or agent of the owner or operator.

The required safety measures are:

- A security camera system at points of entry and exit which records, and maintains as retrievable for at least 30 days, video footage to assist in offender identification and apprehension.
- A lighted parking lot illuminated at an intensity of at least an average of 1.8 foot-candles per square foot at 18 inches above the surface from dusk until dawn or controlled by photocell or any similar electronic device that provides light from dusk until dawn.
- Lighting in walkways, laundry rooms, common areas, and porches. Such lighting must be illuminated from dusk until dawn or controlled by photocell or any similar electronic device that provides light from dusk until dawn.
- A 1-inch deadbolt or larger in each dwelling unit door.
- A locking device on each window, each exterior sliding door, and any other doors not used for community purposes.
- Locked gates with key or fob access along pool fence areas.
- A peephole or door viewer on each dwelling unit door that does not include a window or that does not have a window next to the door

In addition, after January 1, 2025, the property owner or operator will additionally have to meet these criteria to qualify for the presumption:

- Have a crime prevention through environmental design assessment that is not more than 3 years old.
- Be in substantial compliance with the assessment.
- Provide training to employees on crime deterrence and safety. New hires must attend the training no later than 60 days after employment.

To qualify under the bill as a crime prevention through environmental design assessment, an assessment must be performed by a law enforcement agency or a designated Florida Crime Prevention Through Environmental Design Practitioner. Similarly, the required employee

training must be renewed every three years and must be provided by a law enforcement agency or a Florida Crime Prevention Through Environmental Design Practitioner. The bill directs the Department of Legal Affairs to develop a proposed curriculum.

The burden of proof is on the property owner or principal operator to demonstrate that the foregoing security measures were substantially implemented.

Comparative Negligence

Section 9 amends s. 768.81, F.S., to, except for causes of action for personal injury or wrongful death arising out of medical malpractice, modify Florida's damages apportionment standard from a pure comparative negligence approach to a modified comparative negligence approach. Under the bill, any party to a negligence action found to be more than 50 percent at fault for his or her own harm may not recover any damages.

One-Way Attorney Fees

Sections 10 and 11 repeal ss. 626.9373 and 627.428, F.S., thereby eliminating Florida's one-way attorney fee provisions for insurance cases.

Section 12 amends s. 627.756, F.S., to allow an award of attorney fees to an owner, contractor, subcontractor, laborer or materialman that prevails in a claim against a construction surety bond. This maintains current law despite the repeal of the broad attorney fee provision at s. 627.428, F.S.

Miscellaneous Sections of the Bill

Sections 13 – 26 amend/repeal various sections of Florida Statutes in order to conform them to changes made elsewhere by the bill.

Section 27 directs the Division of Law Revision to replace the phrase “the effective date of this act” with the date the bill becomes law.

Section 28 provides that the change made by the bill reducing the statute of limitations for general negligence cases from 4 years to 2 years applies to causes of action accruing after the effective date of the bill.

Section 29 provides that the bill shall not be construed to impair any right under an insurance contract in effect on or before the effective date of this bill; to the extent that the bill does affect a right under an insurance contract, the bill applies only to an insurance contract issued or renewed after the effective date of the bill.

Section 30 provides that, except as otherwise expressly stated in the bill, the bill applies to all causes of action filed after the effective date of the bill.

Section 31 provides that the bill takes effect upon becoming a law.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

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

None.

B. Private Sector Impact:

The bill appears to have an unknown significant fiscal impact on the private sector. To the extent that the bill reduces litigation and awards for damages, it may create conditions for lower insurance costs. Lower insurance costs, may create incentives for persons to obtain greater amounts of insurance coverage.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 57.104, 95.11, 624.155, 627.756, 768.81, 475.01, 475.611, 517.191, 624.123, 624.488, 627.062, 627.401, 627.441, 627.727, 627.736, 628.6016, and 632.638.

This bill creates the following sections of the Florida Statutes: 86.121, 624.1552, 768.0427, 768.0701, and 768.0706.

This bill repeals the following sections of the Florida Statutes: 626.9373, 627.428, 631.70, and 631.926.

IX. Additional Information:

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

CS by Banking and Insurance Committee on March 7, 2023:

The committee substitute makes the following changes:

- Revises the effective date provisions to provide that the:
 - Amendment made by the bill reducing the statute of limitations for general negligence cases from 4 years to 2 years applies prospectively to causes of action accruing after the effective date of the bill;
 - Remainder of the bill applies to causes of action filed after the effective date; and
 - Bill shall not be construed to impair any right under an existing insurance contract provisions regarding the delivery of a policy.

CS/CS by Fiscal Policy on March 16, 2023:

The committee substitute makes the following changes:

- Adds a provision for payment of attorney fees to an insured who prevails in a declaratory judgment action after total denial of coverage.
- Adds a reference to the federal Servicemember Civil Relief Act.
- On bad faith, shortens the single party safe harbor to 90 days after notice of claim; and adds that any applicable bad faith limitations period is extended for an additional 90 days.
- On medical damages, additionally allows evidence of reasonable billed charges of past medical bills, and adds more authorities that can be referenced when calculating future damages.
- Creates a new statute on multifamily residential property safety, whereby the owner of a multifamily residential property is presumed to not be negligent if the owner installs and maintains certain security measures.
- Provides for attorney fees for an insured who prevails against a construction surety bond.

B. Amendments:

None.

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



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2023	.	
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The Committee on Fiscal Policy (Hutson) recommended the following:

Senate Substitute for Amendment (209768) (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Section 57.104, Florida Statutes, is amended to read:

57.104 Computation of attorney ~~attorneys'~~ fees.—

(1) In any action in which attorney ~~attorneys'~~ fees are to be determined or awarded by the court, the court shall consider,



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among other things, time and labor of any legal assistants who contributed nonclerical, meaningful legal support to the matter involved and who are working under the supervision of an attorney. For purposes of this section "legal assistant" means a person, who under the supervision and direction of a licensed attorney engages in legal research, and case development or planning in relation to modifications or initial proceedings, services, processes, or applications; or who prepares or interprets legal documents or selects, compiles, and uses technical information from references such as digests, encyclopedias, or practice manuals and analyzes and follows procedural problems that involve independent decisions.

(2) In any action in which attorney fees are determined or awarded by the court, there is a strong presumption that a lodestar fee is sufficient and reasonable. This presumption may be overcome only in a rare and exceptional circumstance with evidence that competent counsel could not otherwise be retained.

Section 2. Section 86.121, Florida Statutes, is created to read:

86.121 Attorney fees; actions for declaratory relief to determine insurance coverage after total coverage denial of claim.—

(1) In an action brought for declaratory relief in state or federal court to determine insurance coverage after the insurer has made a total coverage denial of a claim:

(a) Either party is entitled to the summary procedure provided in s. 51.011, and the court shall advance the cause on the calendar.

(b) The court shall award reasonable attorney fees to the



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named insured, omnibus insured, or named beneficiary under a policy issued by the insurer upon rendition of a declaratory judgment in favor of the named insured, omnibus insured, or named beneficiary. This right may not be transferred to, assigned to, or acquired in any other manner by anyone other than a named or omnibus insured or a named beneficiary. A defense offered by an insurer pursuant to a reservation of rights does not constitute a coverage denial of a claim. Such fees are limited to those incurred in the action brought under this chapter for declaratory relief to determine coverage of insurance issued under the Florida Insurance Code.

(2) This section does not apply to any action arising under a residential or commercial property insurance policy.

Section 3. Subsections (3), (4), and (10) of section 95.11, Florida Statutes, are amended, and subsection (12) is added to that section, to read:

95.11 Limitations other than for the recovery of real property.—Actions other than for recovery of real property shall be commenced as follows:

(3) WITHIN FOUR YEARS.—

~~(a) An action founded on negligence.~~

(a)~~(b)~~ An action relating to the determination of paternity, with the time running from the date the child reaches the age of majority.

(b)~~(e)~~ An action founded on the design, planning, or construction of an improvement to real property, with the time running from the date of actual possession by the owner, the date of the issuance of a certificate of occupancy, the date of abandonment of construction if not completed, or the date of



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69 completion of the contract or termination of the contract
70 between the professional engineer, registered architect, or
71 licensed contractor and his or her employer, whichever date is
72 latest; except that, when the action involves a latent defect,
73 the time runs from the time the defect is discovered or should
74 have been discovered with the exercise of due diligence. In any
75 event, the action must be commenced within 10 years after the
76 date of actual possession by the owner, the date of the issuance
77 of a certificate of occupancy, the date of abandonment of
78 construction if not completed, or the date of completion of the
79 contract or termination of the contract between the professional
80 engineer, registered architect, or licensed contractor and his
81 or her employer, whichever date is latest. However,
82 counterclaims, cross-claims, and third-party claims that arise
83 out of the conduct, transaction, or occurrence set out or
84 attempted to be set out in a pleading may be commenced up to 1
85 year after the pleading to which such claims relate is served,
86 even if such claims would otherwise be time barred. With respect
87 to actions founded on the design, planning, or construction of
88 an improvement to real property, if such construction is
89 performed pursuant to a duly issued building permit and if a
90 local enforcement agency, state enforcement agency, or special
91 inspector, as those terms are defined in s. 553.71, has issued a
92 final certificate of occupancy or certificate of completion,
93 then as to the construction which is within the scope of such
94 building permit and certificate, the correction of defects to
95 completed work or repair of completed work, whether performed
96 under warranty or otherwise, does not extend the period of time
97 within which an action must be commenced. Completion of the



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contract means the later of the date of final performance of all the contracted services or the date that final payment for such services becomes due without regard to the date final payment is made.

(c)~~(d)~~ An action to recover public money or property held by a public officer or employee, or former public officer or employee, and obtained during, or as a result of, his or her public office or employment.

(d)~~(e)~~ An action for injury to a person founded on the design, manufacture, distribution, or sale of personal property that is not permanently incorporated in an improvement to real property, including fixtures.

(e)~~(f)~~ An action founded on a statutory liability.

(f)~~(g)~~ An action for trespass on real property.

(g)~~(h)~~ An action for taking, detaining, or injuring personal property.

(h)~~(i)~~ An action to recover specific personal property.

(i)~~(j)~~ A legal or equitable action founded on fraud.

(j)~~(k)~~ A legal or equitable action on a contract, obligation, or liability not founded on a written instrument, including an action for the sale and delivery of goods, wares, and merchandise, and on store accounts.

(k)~~(l)~~ An action to rescind a contract.

(l)~~(m)~~ An action for money paid to any governmental authority by mistake or inadvertence.

(m)~~(n)~~ An action for a statutory penalty or forfeiture.

(n)~~(o)~~ An action for assault, battery, false arrest, malicious prosecution, malicious interference, false imprisonment, or any other intentional tort, except as provided



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in subsections (4), (5), and (7).

(o)~~(p)~~ Any action not specifically provided for in these statutes.

(p)~~(q)~~ An action alleging a violation, other than a willful violation, of s. 448.110.

(4) WITHIN TWO YEARS.—

(a) An action founded on negligence.

(b)~~(a)~~ An action for professional malpractice, other than medical malpractice, whether founded on contract or tort; provided that the period of limitations shall run from the time the cause of action is discovered or should have been discovered with the exercise of due diligence. However, the limitation of actions herein for professional malpractice shall be limited to persons in privity with the professional.

(c)~~(b)~~ An action for medical malpractice shall be commenced within 2 years from the time the incident giving rise to the action occurred or within 2 years from the time the incident is discovered, or should have been discovered with the exercise of due diligence; however, in no event shall the action be commenced later than 4 years from the date of the incident or occurrence out of which the cause of action accrued, except that this 4-year period shall not bar an action brought on behalf of a minor on or before the child's eighth birthday. An "action for medical malpractice" is defined as a claim in tort or in contract for damages because of the death, injury, or monetary loss to any person arising out of any medical, dental, or surgical diagnosis, treatment, or care by any provider of health care. The limitation of actions within this subsection shall be limited to the health care provider and persons in privity with



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the provider of health care. In those actions covered by this paragraph in which it can be shown that fraud, concealment, or intentional misrepresentation of fact prevented the discovery of the injury the period of limitations is extended forward 2 years from the time that the injury is discovered or should have been discovered with the exercise of due diligence, but in no event to exceed 7 years from the date the incident giving rise to the injury occurred, except that this 7-year period shall not bar an action brought on behalf of a minor on or before the child's eighth birthday. This paragraph shall not apply to actions for which ss. 766.301-766.316 provide the exclusive remedy.

(d)~~(e)~~ An action to recover wages or overtime or damages or penalties concerning payment of wages and overtime.

(e)~~(d)~~ An action for wrongful death.

(f)~~(e)~~ An action founded upon a violation of any provision of chapter 517, with the period running from the time the facts giving rise to the cause of action were discovered or should have been discovered with the exercise of due diligence, but not more than 5 years from the date such violation occurred.

(g)~~(f)~~ An action for personal injury caused by contact with or exposure to phenoxy herbicides while serving either as a civilian or as a member of the Armed Forces of the United States during the period January 1, 1962, through May 7, 1975; the period of limitations shall run from the time the cause of action is discovered or should have been discovered with the exercise of due diligence.

(h)~~(g)~~ An action for libel or slander.

(10) FOR INTENTIONAL TORTS RESULTING IN DEATH FROM ACTS DESCRIBED IN S. 782.04 OR S. 782.07.—Notwithstanding paragraph



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(4) (e) ~~(4) (d)~~, an action for wrongful death seeking damages authorized under s. 768.21 brought against a natural person for an intentional tort resulting in death from acts described in s. 782.04 or s. 782.07 may be commenced at any time. This subsection shall not be construed to require an arrest, the filing of formal criminal charges, or a conviction for a violation of s. 782.04 or s. 782.07 as a condition for filing a civil action.

(12) FOR ACTIONS INVOLVING SERVICEMEMBERS.—Any action involving a servicemember as defined in s. 250.01, in which the servicemember is a party, is subject to s. 250.5201 and part IV of chapter 250, which includes the Servicemembers Civil Relief Act, 50 U.S.C. ss. 501 et seq., providing for protections to members of the United States Armed Forces, the United States Reserve Forces, or the National Guard during terms of federal or state active duty which materially affect the servicemember's ability to appear.

Section 4. Section 624.155, Florida Statutes, is amended to read:

624.155 Civil remedy.—

(1) Any person may bring a civil action against an insurer when such person is damaged:

(a) By a violation of any of the following provisions by the insurer:

1. Section 626.9541(1)(i), (o), or (x);
2. Section 626.9551;
3. Section 626.9705;
4. Section 626.9706;
5. Section 626.9707; or



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6. Section 627.7283.

(b) By the commission of any of the following acts by the insurer:

1. Not attempting in good faith to settle claims when, under all the circumstances, it could and should have done so, had it acted fairly and honestly toward its insured and with due regard for her or his interests;

2. Making claims payments to insureds or beneficiaries not accompanied by a statement setting forth the coverage under which payments are being made; or

3. Except as to liability coverages, failing to promptly settle claims, when the obligation to settle a claim has become reasonably clear, under one portion of the insurance policy coverage in order to influence settlements under other portions of the insurance policy coverage.

Notwithstanding the provisions of the above to the contrary, a person pursuing a remedy under this section need not prove that such act was committed or performed with such frequency as to indicate a general business practice.

(2) Any party may bring a civil action against an unauthorized insurer if such party is damaged by a violation of s. 624.401 by the unauthorized insurer.

(3)(a) As a condition precedent to bringing an action under this section, the department and the authorized insurer must have been given 60 days' written notice of the violation. Notice to the authorized insurer must be provided by the department to the e-mail address designated by the insurer under s. 624.422.

(b) The notice shall be on a form provided by the



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department and shall state with specificity the following information, and such other information as the department may require:

1. The statutory provision, including the specific language of the statute, which the authorized insurer allegedly violated.

2. The facts and circumstances giving rise to the violation.

3. The name of any individual involved in the violation.

4. Reference to specific policy language that is relevant to the violation, if any. If the person bringing the civil action is a third party claimant, she or he shall not be required to reference the specific policy language if the authorized insurer has not provided a copy of the policy to the third party claimant pursuant to written request.

5. A statement that the notice is given in order to perfect the right to pursue the civil remedy authorized by this section.

(c) No action shall lie if, within 60 days after the insurer receives notice from the department in accordance with this subsection, the damages are paid or the circumstances giving rise to the violation are corrected.

(d) The authorized insurer that is the recipient of a notice filed pursuant to this section shall report to the department on the disposition of the alleged violation.

(e) The applicable statute of limitations for an action under this section shall be tolled for a period of:

1. Sixty days after the insurer receives from the department the notice required by this subsection.

2. Sixty days after the date appraisal is invoked pursuant to paragraph (f).



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(f) A notice required under this subsection may not be filed within 60 days after appraisal is invoked by any party in a residential property insurance claim.

(4)(a) An action for bad faith involving a liability insurance claim, including any such action brought under the common law, shall not lie if the insurer tenders the lesser of the policy limits or the amount demanded by the claimant within 90 days after receiving actual notice of a claim which is accompanied by sufficient evidence to support the amount of the claim.

(b) If an insurer does not tender the lesser of the policy limits or the amount demanded by the claimant within the 90-day period provided in paragraph (a), the existence of the 90-day period and that no bad faith action could lie had the insurer tendered the lesser of policy limits or the amount demanded by the claimant pursuant to paragraph (a) is inadmissible in any action seeking to establish bad faith on the part of the insurer.

(c) If the insurer fails to tender pursuant to paragraph (a) within the 90-day period, any applicable statute of limitations is extended for an additional 90 days.

(5) In any bad faith action, whether such action is brought under this section or is based on the common-law remedy for bad faith:

(a) Mere negligence alone is insufficient to constitute bad faith.

(b)1. The insured, claimant, and representative of the insured or claimant have a duty to act in good faith in furnishing information regarding the claim, in making demands of



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the insurer, in setting deadlines, and in attempting to settle the claim. This duty does not create a separate cause of action, but may only be considered pursuant to subparagraph 2.

2. In any action for bad faith against an insurer, the trier of fact may consider whether the insured, claimant, or representative of the insured or claimant did not act in good faith pursuant to this paragraph, in which case the trier of fact may reasonably reduce the amount of damages awarded against the insurer.

(6) If two or more third-party claimants have competing claims arising out of a single occurrence, which in total may exceed the available policy limits of one or more of the insured parties who may be liable to the third-party claimants, an insurer is not liable beyond the available policy limits for failure to pay all or any portion of the available policy limits to one or more of the third-party claimants if, within 90 days after receiving notice of the competing claims in excess of the available policy limits, the insurer complies with either paragraph (a) or paragraph (b).

(a) The insurer files an interpleader action under the Florida Rules of Civil Procedure. If the claims of the competing third-party claimants are found to be in excess of the policy limits, the third-party claimants are entitled to a prorated share of the policy limits as determined by the trier of fact. An insurer's interpleader action does not alter or amend the insurer's obligation to defend its insured.

(b) Pursuant to binding arbitration that has been agreed to by the insurer and the third-party claimants, the insurer makes the entire amount of the policy limits available for payment to



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the competing third-party claimants before a qualified arbitrator agreed to by the insurer and such third-party claimants at the expense of the insurer. The third-party claimants are entitled to a prorated share of the policy limits as determined by the arbitrator, who must consider the comparative fault, if any, of each third-party claimant, and the total likely outcome at trial based upon the total of the economic and noneconomic damages submitted to the arbitrator for consideration. A third-party claimant whose claim is resolved by the arbitrator must execute and deliver a general release to the insured party whose claim is resolved by the proceeding.

~~(7)(4)~~ Upon adverse adjudication at trial or upon appeal, the authorized insurer shall be liable for damages, together with court costs and reasonable attorney ~~attorney's~~ fees incurred by the plaintiff.

~~(8)(5)~~ ~~No~~ Punitive damages may not ~~shall~~ be awarded under this section unless the acts giving rise to the violation occur with such frequency as to indicate a general business practice and these acts are:

- (a) Willful, wanton, and malicious;
- (b) In reckless disregard for the rights of any insured; or
- (c) In reckless disregard for the rights of a beneficiary under a life insurance contract.

Any person who pursues a claim under this subsection shall post in advance the costs of discovery. Such costs shall be awarded to the authorized insurer if no punitive damages are awarded to the plaintiff.

~~(9)(6)~~ This section does ~~shall~~ not ~~be construed to~~



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authorize a class action suit against an authorized insurer or a civil action against the commission, the office, or the department or any of their employees, or to create a cause of action when an authorized health insurer refuses to pay a claim for reimbursement on the ground that the charge for a service was unreasonably high or that the service provided was not medically necessary.

(10)~~(7)~~ In the absence of expressed language to the contrary, this section shall not be construed to authorize a civil action or create a cause of action against an authorized insurer or its employees who, in good faith, release information about an insured or an insurance policy to a law enforcement agency in furtherance of an investigation of a criminal or fraudulent act relating to a motor vehicle theft or a motor vehicle insurance claim.

(11)~~(8)~~ The civil remedy specified in this section does not preempt any other remedy or cause of action provided for pursuant to any other statute or pursuant to the common law of this state. Any person may obtain a judgment under either the common-law remedy of bad faith or this statutory remedy, but is ~~shall~~ not be entitled to a judgment under both remedies. This section does ~~shall~~ not be ~~construed to~~ create a common-law cause of action. The damages recoverable pursuant to this section shall include those damages which are a reasonably foreseeable result of a specified violation of this section by the authorized insurer and may include an award or judgment in an amount that exceeds the policy limits.

(12)~~(9)~~ A surety issuing a payment or performance bond on the construction or maintenance of a building or roadway project



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is not an insurer for purposes of subsection (1).

Section 5. Section 624.1552, Florida Statutes, is created to read:

624.1552 Civil actions involving an insurance contract; applicability of offer of judgment provisions.—The provisions of s. 768.79 apply to any civil action involving an insurance contract.

Section 6. Section 768.0427, Florida Statutes, is created to read:

768.0427 Admissibility of evidence to prove medical expenses in personal injury or wrongful death actions; disclosure of letters of protection; recovery of past and future medical expenses damages.—

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

(a) "Factoring company" means a person who purchases a health care provider's accounts receivable at a discount below the invoice value of such accounts.

(b) "Health care coverage" means any third-party health care or disability services financing arrangement, including, but not limited to, arrangements with entities certified or authorized under federal law or under the Florida Insurance Code; state or federal health care benefit programs; workers' compensation; and personal injury protection.

(c) "Health care provider" means any of the following professionals and entities, and professionals and entities similarly licensed in another jurisdiction:

1. A provider as defined in s. 408.803.

2. A clinical laboratory providing services in this state or services to health care providers in this state, if the



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clinical laboratory is certified by the Centers for Medicare and Medicaid Services under the federal Clinical Laboratory Improvement Amendments and the federal rules adopted thereunder.

3. A federally qualified health center as defined in 42 U.S.C. s. 1396d(1)(2)(B), as that definition existed on the effective date of this act.

4. A health care practitioner as defined in s. 456.001.

5. A health care professional licensed under part IV of chapter 468.

6. A home health aide as defined in s. 400.462.

7. A provider licensed under chapter 394 or chapter 397 and its clinical and nonclinical staff providing inpatient or outpatient services.

8. A continuing care facility licensed under chapter 651.

9. A pharmacy permitted under chapter 465.

(d) "Letter of protection" means any arrangement by which a health care provider renders treatment in exchange for a promise of payment for the claimant's medical expenses from any judgment or settlement of a personal injury or wrongful death action. The term includes any such arrangement, regardless of whether referred to as a letter of protection.

(2) ADMISSIBLE EVIDENCE OF MEDICAL TREATMENT OR SERVICE EXPENSES.—Evidence offered to prove the amount of damages for past or future medical treatment or services in a personal injury or wrongful death action is admissible as provided in this subsection.

(a) Evidence offered to prove the amount of damages for past medical treatment or services that have been satisfied is limited to evidence of the amount actually paid, regardless of



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the source of payment.

(b) Evidence offered to prove the amount necessary to satisfy unpaid charges for incurred medical treatment or services shall include, but is not limited to, evidence as provided in this paragraph.

1. If the claimant has health care coverage other than Medicare or Medicaid, evidence of the amount which such health care coverage is obligated to pay the health care provider to satisfy the charges for the claimant's incurred medical treatment or services, plus the claimant's share of medical expenses under the insurance contract or regulation.

2. If the claimant has health care coverage but obtains treatment under a letter of protection or otherwise does not submit charges for any health care provider's medical treatment or services to health care coverage, evidence of the amount the claimant's health care coverage would pay the health care provider to satisfy the past unpaid medical charges under the insurance contract or regulation, plus the claimant's share of medical expenses under the insurance contract or regulation, had the claimant obtained medical services or treatment pursuant to the health care coverage.

3. If the claimant does not have health care coverage or has health care coverage through Medicare or Medicaid, evidence of 120 percent of the Medicare reimbursement rate in effect on the date of the claimant's incurred medical treatment or services, or, if there is no applicable Medicare rate for a service, 170 percent of the applicable state Medicaid rate.

4. If the claimant obtains medical treatment or services under a letter of protection and the health care provider



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subsequently transfers the right to receive payment under the letter of protection to a third party, evidence of the amount the third party paid or agreed to pay the health care provider in exchange for the right to receive payment pursuant to the letter of protection.

5. Any evidence of reasonable amounts billed to the claimant for medically necessary treatment or medically necessary services provided to the claimant.

(c) Evidence offered to prove the amount of damages for any future medical treatment or services the claimant will receive shall include, but is not limited to, evidence as provided in this paragraph.

1. If the claimant has health care coverage other than Medicare or Medicaid, or is eligible for any such health care coverage, evidence of the amount for which the future charges of health care providers could be satisfied if submitted to such health care coverage, plus the claimant's share of medical expenses under the insurance contract or regulation.

2. If the claimant does not have health care coverage or has health care coverage through Medicare or Medicaid, or is eligible for such health care coverage, evidence of 120 percent of the Medicare reimbursement rate in effect at the time of trial for the medical treatment or services the claimant will receive, or, if there is no applicable Medicare rate for a service, 170 percent of the applicable state Medicaid rate.

3. Any evidence of reasonable future amounts to be billed to the claimant for medically necessary treatment or medically necessary services.

(d) This subsection does not impose an affirmative duty



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upon any party to seek a reduction in billed charges to which the party is not contractually entitled.

(e) Individual contracts between providers and authorized commercial insurers or authorized health maintenance organizations are not subject to discovery or disclosure and are not admissible into evidence.

(3) LETTERS OF PROTECTION; REQUIRED DISCLOSURES.—In a personal injury or wrongful death action, as a condition precedent to asserting any claim for medical expenses for treatment rendered under a letter of protection, the claimant must disclose:

(a) A copy of the letter of protection.

(b) All billings for the claimant's medical expenses, which must be itemized and, to the extent applicable, coded according to:

1. For health care providers billing at the provider level, the American Medical Association's Current Procedural Terminology (CPT), or the Healthcare Common Procedure Coding System (HCPCS), in effect on the date the services were rendered.

2. For health care providers billing at the facility level for expenses incurred in a clinical or outpatient setting, including when billing through an Ambulatory Payment Classification (APC) or Enhanced Ambulatory Patient Grouping (EAPG), the International Classification of Diseases (ICD) diagnosis code and, if applicable, the American Medical Association's Current Procedural Terminology (CPT), in effect on the date the services were rendered.

3. For health care providers billing at the facility level



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for expenses incurred in an inpatient setting, including when
billing through a Diagnosis Related Group (DRG), the
International Classification of Diseases (ICD) diagnosis and
procedure codes in effect on the date in which the claimant is
discharged.

(c) If the health care provider sells the accounts
receivable for the claimant's medical expenses to a factoring
company or other third party:

1. The name of the factoring company or other third party
who purchased such accounts.

2. The dollar amount for which the factoring company or
other third party purchased such accounts, including any
discount provided below the invoice amount.

(d) Whether the claimant, at the time medical treatment was
rendered, had health care coverage and, if so, the identity of
such coverage.

(e) Whether the claimant was referred for treatment under a
letter of protection and, if so, the identity of the person who
made the referral. If the referral is made by the claimant's
attorney, disclosure of the referral is permitted, and evidence
of such referral is admissible notwithstanding s. 90.502.
Moreover, in such situation, the financial relationship between
a law firm and a medical provider, including the number of
referrals, frequency, and financial benefit obtained, is
relevant to the issue of the bias of a testifying medical
provider.

(4) DAMAGES RECOVERABLE FOR MEDICAL TREATMENT OR SERVICE
EXPENSES.—The damages that may be recovered by a claimant in a
personal injury or wrongful death action for the reasonable and



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necessary cost or value of medical care rendered may not include
any amount in excess of the evidence of medical treatment and
services expenses admitted pursuant to subsection (2), and also
may not exceed the sum of the following:

(a) Amounts actually paid by or on behalf of the claimant
to a health care provider who rendered medical treatment or
services;

(b) Amounts necessary to satisfy charges for medical
treatment or services that are due and owing but at the time of
trial are not yet satisfied; and

(c) Amounts necessary to provide for any reasonable and
necessary medical treatment or services the claimant will
receive in the future.

Section 7. Section 768.0701, Florida Statutes, is created
to read:

768.0701 Premises liability for criminal acts of third
parties.—Notwithstanding s. 768.81(4), in an action for damages
against the owner, lessor, operator, or manager of commercial or
real property brought by a person lawfully on the property who
was injured by the criminal act of a third party, the trier of
fact must consider the fault of all persons who contributed to
the injury.

Section 8. Section 768.0706, Florida Statutes, is created
to read:

768.0706 Multifamily residential property safety and
security; presumption against liability.—

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

(a) "Crime prevention through environmental design" has the
same meaning as in s. 163.503(6).



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(b) "Multifamily residential property" means a residential building, or group of residential buildings, such as apartments, townhouses, or condominiums, consisting of at least five dwelling units on a particular parcel.

(c) "Parcel" means real property for which a distinct parcel identification number is assigned to the property by the property appraiser for the county in which the property is located.

(2) The owner or principal operator of a multifamily residential property which substantially implements the following security measures on that property has a presumption against liability in connection with criminal acts that occur on the premises which are committed by third parties who are not employees or agents of the owner or operator:

(a)1. A security camera system at points of entry and exit which records, and maintains as retrievable for at least 30 days, video footage to assist in offender identification and apprehension.

2. A lighted parking lot illuminated at an intensity of at least an average of 1.8 foot-candles per square foot at 18 inches above the surface from dusk until dawn or controlled by photocell or any similar electronic device that provides light from dusk until dawn.

3. Lighting in walkways, laundry rooms, common areas, and porches. Such lighting must be illuminated from dusk until dawn or controlled by photocell or any similar electronic device that provides light from dusk until dawn.

4. At least a 1-inch deadbolt in each dwelling unit door.

5. A locking device on each window, each exterior sliding



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door, and any other doors not used for community purposes.

6. Locked gates with key or fob access along pool fence areas.

7. A peephole or door viewer on each dwelling unit door that does not include a window or that does not have a window next to the door.

(b) By January 1, 2025, the owner or principal operator of a multifamily residential property has a crime prevention through environmental design assessment that is no more than 3 years old completed for the property. Such assessment must be performed by a law enforcement agency or a Florida Crime Prevention Through Environmental Design Practitioner designated by the Florida Crime Prevention Training Institute of the Department of Legal Affairs. The owner or principal operator must remain in substantial compliance with the assessment for purposes of this paragraph.

(c)1. By January 1, 2025, the owner or principal operator of a multifamily residential property provides proper crime deterrence and safety training to its current employees. After January 1, 2025, the owner or principal operator must provide such training to an employee within 60 days after his or her hire date for purposes of this paragraph.

2. For purposes of this paragraph, "proper crime deterrence and safety training" means training which trains and familiarizes employees with the security principles, devices, measures, and standards set forth under paragraph (a), and which is reviewed at least every 3 years and updated as necessary. The owner or principal operator may request a law enforcement agency or the Florida Crime Prevention Through Environmental Design



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Practitioner performing the assessment under paragraph (b) to review the training curriculum.

(3) For purposes of establishing the presumption against liability under subsection (2), the burden of proof is on the owner or principal operator to demonstrate that the owner or principal operator has substantially implemented the security measures specified in subsection (2).

(4) The Florida Crime Prevention Training Institute of the Department of Legal Affairs shall develop a proposed curriculum or best practices for owners or principal operators to implement such training. The state has no liability in connection with providing a proposed training curriculum under this subsection.

(5) This section does not establish a private cause of action.

Section 9. Subsection (2) of section 768.81, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

768.81 Comparative fault.—

(2) EFFECT OF CONTRIBUTORY FAULT.—In a negligence action, contributory fault chargeable to the claimant diminishes proportionately the amount awarded as economic and noneconomic damages for an injury attributable to the claimant's contributory fault, but does not bar recovery, subject to subsection (6).

(6) GREATER PERCENTAGE OF FAULT.—In a negligence action to which this section applies, any party found to be greater than 50 percent at fault for his or her own harm may not recover any damages. This subsection does not apply to an action for damages for personal injury or wrongful death arising out of medical



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negligence pursuant to chapter 766.

Section 10. Section 626.9373, Florida Statutes, is repealed.

Section 11. Section 627.428, Florida Statutes, is repealed.

Section 12. Subsection (1) of section 627.756, Florida Statutes, is amended to read:

627.756 Bonds for construction contracts; attorney fees in case of suit.—

(1) In a suit ~~Section 627.428 applies to suits~~ brought by an owner, a contractor, a subcontractor, a laborer, or a materialman ~~owners, contractors, subcontractors, laborers, and materialmen~~ against a surety insurer under payment or performance bonds written by the insurer under the laws of this state to indemnify against pecuniary loss by breach of a building or construction contract, upon the rendition of a judgment or decree by any of the courts of this state against the surety insurer and in favor of the owner, contractor, subcontractor, laborer, or materialman, the trial court or, in the event of an appeal in which the owner, contractor, subcontractor, laborer, or materialman prevails, the appellate court, shall adjudge or decree against the surety insurer and in favor of the owner, contractor, subcontractor, laborer, or materialman a reasonable sum as fees or compensation for the attorney prosecuting the suit in which the recovery is had.

~~Owners, contractors, subcontractors, laborers, and materialmen shall be deemed to be insureds or beneficiaries for the purposes of this section.~~

Section 13. Paragraphs (a) and (j) of subsection (1) of section 475.01, Florida Statutes, are amended to read:



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475.01 Definitions.—

(1) As used in this part:

(a) "Broker" means a person who, for another, and for a compensation or valuable consideration directly or indirectly paid or promised, expressly or impliedly, or with an intent to collect or receive a compensation or valuable consideration therefor, appraises, auctions, sells, exchanges, buys, rents, or offers, attempts or agrees to appraise, auction, or negotiate the sale, exchange, purchase, or rental of business enterprises or business opportunities or any real property or any interest in or concerning the same, including mineral rights or leases, or who advertises or holds out to the public by any oral or printed solicitation or representation that she or he is engaged in the business of appraising, auctioning, buying, selling, exchanging, leasing, or renting business enterprises or business opportunities or real property of others or interests therein, including mineral rights, or who takes any part in the procuring of sellers, purchasers, lessors, or lessees of business enterprises or business opportunities or the real property of another, or leases, or interest therein, including mineral rights, or who directs or assists in the procuring of prospects or in the negotiation or closing of any transaction which does, or is calculated to, result in a sale, exchange, or leasing thereof, and who receives, expects, or is promised any compensation or valuable consideration, directly or indirectly therefor; and all persons who advertise rental property information or lists. A broker renders a professional service and is a professional within the meaning of s. 95.11(4)(b) ~~s. 95.11(4)(a)~~. Where the term "appraise" or "appraising" appears



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in the definition of the term "broker," it specifically excludes those appraisal services which must be performed only by a state-licensed or state-certified appraiser, and those appraisal services which may be performed by a registered trainee appraiser as defined in part II. The term "broker" also includes any person who is a general partner, officer, or director of a partnership or corporation which acts as a broker. The term "broker" also includes any person or entity who undertakes to list or sell one or more timeshare periods per year in one or more timeshare plans on behalf of any number of persons, except as provided in ss. 475.011 and 721.20.

(j) "Sales associate" means a person who performs any act specified in the definition of "broker," but who performs such act under the direction, control, or management of another person. A sales associate renders a professional service and is a professional within the meaning of s. 95.11(4)(b) ~~s. 95.11(4)(a)~~.

Section 14. Paragraph (h) of subsection (1) of section 475.611, Florida Statutes, is amended to read:

475.611 Definitions.—

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

(h) "Appraiser" means any person who is a registered trainee real estate appraiser, a licensed real estate appraiser, or a certified real estate appraiser. An appraiser renders a professional service and is a professional within the meaning of s. 95.11(4)(b) ~~s. 95.11(4)(a)~~.

Section 15. Subsection (7) of section 517.191, Florida Statutes, is amended to read:

517.191 Injunction to restrain violations; civil penalties;



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enforcement by Attorney General.—

(7) Notwithstanding s. 95.11(4)(f) ~~s. 95.11(4)(e)~~, an enforcement action brought under this section based on a violation of any provision of this chapter or any rule or order issued under this chapter shall be brought within 6 years after the facts giving rise to the cause of action were discovered or should have been discovered with the exercise of due diligence, but not more than 8 years after the date such violation occurred.

Section 16. Subsection (4) of section 624.123, Florida Statutes, is amended to read:

624.123 Certain international health insurance policies; exemption from code.—

(4) Any international health insurance policy or application solicited, provided, entered into, issued, or delivered pursuant to this subsection is exempt from all provisions of the insurance code, except that such policy, contract, or agreement is subject to the provisions of ss. 624.155, 624.316, 624.3161, 626.951, 626.9511, 626.9521, 626.9541, 626.9551, 626.9561, 626.9571, 626.9581, 626.9591, 626.9601, 627.413, 627.4145, ~~627.428~~, and 627.6043.

Section 17. Subsection (4) of section 624.488, Florida Statutes, is amended to read:

624.488 Applicability of related laws.—In addition to other provisions of the code cited in ss. 624.460-624.488:

(4) Sections 627.291, 627.413, 627.4132, 627.416, 627.418, 627.420, 627.421, 627.425, 627.426, 627.4265, 627.427, ~~627.428~~, 627.702, and 627.706; part XI of chapter 627; ss. 627.912, 627.913, and 627.918;



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794
795 apply to self-insurance funds. Only those sections of the code
796 that are expressly and specifically cited in ss. 624.460-624.489
797 apply to self-insurance funds.

798 Section 18. Paragraph (b) of subsection (3) of section
799 627.062, Florida Statutes, is amended to read:

800 627.062 Rate standards.—

801 (3)

802 (b) Individual risk rates and modifications to existing
803 approved forms are not subject to this part or part II, except
804 for paragraph (a) and ss. 627.402, 627.403, 627.4035, 627.404,
805 627.405, 627.406, 627.407, 627.4085, 627.409, 627.4132,
806 627.4133, 627.415, 627.416, 627.417, 627.419, 627.425, 627.426,
807 627.4265, and 627.427, ~~and 627.428~~, but are subject to all other
808 applicable provisions of this code and rules adopted thereunder.

809 Section 19. Subsections (3), (4), and (5) of section
810 627.401, Florida Statutes, are amended to read:

811 627.401 Scope of this part.—No provision of this part of
812 this chapter applies to:

813 (3) Wet marine and transportation insurance, except ss.
814 627.409 and, 627.420, ~~and 627.428~~.

815 (4) Title insurance, except ss. 627.406, 627.415, 627.416,
816 627.419, and 627.427, ~~and 627.428~~.

817 (5) Credit life or credit disability insurance, except s.
818 627.419(5) ~~ss. 627.419(5) and 627.428~~.

819 Section 20. Subsection (2) of section 627.441, Florida
820 Statutes, is amended to read:

821 627.441 Commercial general liability policies; coverage to
822 contractors for completed operations.—



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(2) A liability insurer must offer coverage at an appropriate additional premium for liability arising out of current or completed operations under an owner-controlled insurance program for any period beyond the period for which the program provides liability coverage, as specified in s. 255.0517(2)(b). The period of such coverage must be sufficient to protect against liability arising out of an action brought within the time limits provided in s. 95.11(3)(b) ~~s. 95.11(3)(c)~~.

Section 21. Subsection (8) of section 627.727, Florida Statutes, is amended to read:

627.727 Motor vehicle insurance; uninsured and underinsured vehicle coverage; insolvent insurer protection.—

~~(8) The provisions of s. 627.428 do not apply to any action brought pursuant to this section against the uninsured motorist insurer unless there is a dispute over whether the policy provides coverage for an uninsured motorist proven to be liable for the accident.~~

Section 22. Subsection (8) of section 627.736, Florida Statutes, is amended to read:

627.736 Required personal injury protection benefits; exclusions; priority; claims.—

(8) APPLICABILITY OF PROVISION REGULATING ATTORNEY FEES.—
With respect to any dispute under the provisions of ss. 627.730-627.7405 between the insured and the insurer, or between an assignee of an insured's rights and the insurer, the provisions of s. 768.79 ~~ss. 627.428 and 768.79~~ apply, except as provided in subsections (10) and (15), and except that any attorney fees recovered must:



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(a) Comply with prevailing professional standards;
(b) Not overstate or inflate the number of hours reasonably necessary for a case of comparable skill or complexity; and
(c) Represent legal services that are reasonable and necessary to achieve the result obtained.

Upon request by either party, a judge must make written findings, substantiated by evidence presented at trial or any hearings associated therewith, that any award of attorney fees complies with this subsection. ~~Notwithstanding s. 627.428,~~ Attorney fees recovered under ss. 627.730-627.7405 must be calculated without regard to a contingency risk multiplier.

Section 23. Subsection (4) of section 628.6016, Florida Statutes, is amended to read:

628.6016 Applicability of related laws.—In addition to other provisions of the code cited in ss. 628.6011-628.6018:

(4) Sections 627.291, 627.413, 627.4132, 627.416, 627.418, 627.420, 627.421, 627.425, 627.426, 627.4265, 627.427, ~~627.428,~~ 627.702, and 627.706; part XI of chapter 627; ss. 627.912, 627.913, and 627.918; and

apply to assessable mutual insurers; however, ss. 628.255, 628.411, and 628.421 do not apply. No section of the code not expressly and specifically cited in ss. 628.6011-628.6018 applies to assessable mutual insurers. The term "assessable mutual insurer" shall be substituted for the term "commercial self-insurer" as appropriate.

Section 24. Section 631.70, Florida Statutes, is repealed.

Section 25. Section 631.926, Florida Statutes, is repealed.



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Section 26. Subsection (11) of section 632.638, Florida Statutes, is amended to read:

632.638 Applicability of other code provisions.—In addition to other provisions contained or referred to in this chapter, the following chapters and provisions of this code apply to fraternal benefit societies, to the extent applicable and not in conflict with the express provisions of this chapter and the reasonable implications thereof:

~~(11) Section 627.428;~~

Section 27. The Division of Law Revision is directed to replace the phrase "the effective date of this act" wherever it occurs in this act with the date this act becomes a law.

Section 28. The amendments made by this act to s. 95.11, Florida Statutes, apply to causes of action accruing after the effective date of this act.

Section 29. This act shall not be construed to impair any right under an insurance contract in effect on or before the effective date of this act. To the extent that this act affects a right under an insurance contract, this act applies to an insurance contract issued or renewed after the effective date of this act.

Section 30. Except as otherwise expressly provided in this act, this act shall apply to causes of action filed after the effective date of this act.

Section 31. This act shall take effect upon becoming a law.

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

And the title is amended as follows:

Delete everything before the enacting clause



344956

and insert:

A bill to be entitled
An act relating to civil remedies; amending s. 57.104,
F.S.; creating a rebuttable presumption that a
lodestar fee is a sufficient and reasonable attorney
fee in most civil actions; providing an exception;
creating s. 86.121, F.S.; authorizing a court to award
attorney fees in certain declaratory actions;
prohibiting the transfer, assignment, or acquisition
of the right to such attorney fees except by specified
persons; amending s. 95.11, F.S.; reducing the statute
of limitations for negligence actions; providing
applicability of certain provisions to actions
involving servicemembers; amending s. 624.155, F.S.;
providing standards for bad faith actions; providing
for the distribution of proceeds when two or more
third-party claims arising out of a single occurrence
exceed policy limits; creating s. 624.1552, F.S.;
providing for applicability of specified offer of
judgment provisions to civil actions involving
insurance contracts; creating s. 768.0427, F.S.;
providing definitions; providing standards for the
admissibility of evidence to prove the cost of damages
for medical expenses in certain civil actions;
requiring certain disclosures with respect to claims
for medical expenses for treatment rendered under
letters of protection; specifying the damages that may
be recovered by a claimant for the reasonable and
necessary cost of medical care; creating s. 768.0701,



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F.S.; requiring the trier of fact to consider the fault of certain persons who contribute to an injury; creating s. 768.0706, F.S.; providing definitions; providing that the owner or principal operator of a multifamily residential property which substantially implements specified security measures on that property has a presumption against liability for negligence in connection with certain criminal acts that occur on the premises; requiring the Florida Crime Prevention Training Institute of the Department of Legal Affairs to develop a proposed curriculum or best practices for owners or principal operators; providing construction; amending s. 768.81, F.S.; providing that a party in a negligence action who is at fault by a specified amount may not recover damages under a comparative negligence action; providing applicability; repealing ss. 626.9373 and 627.428, F.S., relating to attorney fees awarded against surplus lines insurers and insurers, respectively; amending s. 627.756, F.S.; providing for the award of costs and attorney fees in certain actions; amending ss. 475.01, 475.611, 517.191, 624.123, 624.488, 627.062, 627.401, 627.441, 627.727, 627.736, and 628.6016, F.S.; conforming provisions to changes made by the act; repealing ss. 631.70 and 631.926, F.S., relating to attorney fees; amending s. 632.638, F.S.; conforming provisions to changes made by the act; providing a directive to the Division of Law Revision; providing applicability and construction; providing an



344956

968

effective date.



532740

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
03/17/2023	.	
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	.	

The Committee on Fiscal Policy (Torres) recommended the following:

Senate Amendment to Substitute Amendment (344956) (with title amendment)

Delete lines 575 - 583.

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

And the title is amended as follows:

Delete lines 938 - 940

and insert:

necessary cost of medical care;



636650

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/17/2023	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Osgood) recommended the following:

Senate Amendment to Substitute Amendment (344956) (with title amendment)

Between lines 662 and 663
insert:

Section 9. Subsection (1) of section 768.18, Florida Statutes, is amended to read:

768.18 Definitions.—As used in ss. 768.16-768.26:

(1) "Survivors" means the decedent's spouse, children, parents, and, when partly or wholly dependent on the decedent



636650

for support or services, any blood relatives and adoptive brothers and sisters. It includes the child born out of wedlock of a mother, but not the child born out of wedlock of the father unless the father has recognized a responsibility for the child's support. It also includes the parents of an unborn fetus.

Section 10. Present subsections (5) through (8) of section 768.21, Florida Statutes, are redesignated as subsections (6) through (9), respectively, and a new subsection (5) is added to that section, to read:

768.21 Damages.—All potential beneficiaries of a recovery for wrongful death, including the decedent's estate, shall be identified in the complaint, and their relationships to the decedent shall be alleged. Damages may be awarded as follows:

(5) Each parent of an unborn fetus may recover for medical and funeral expenses and mental pain and suffering caused by the death of an unborn fetus if such death was caused by the negligence of a third party.

Section 11. Subsection (9) of section 400.023, Florida Statutes, is amended to read:

400.023 Civil enforcement.—

(9) An action under this part for a violation of rights or negligence recognized herein is not a claim for medical malpractice, and s. 768.21(9) ~~s. 768.21(8)~~ does not apply to a claim alleging death of the resident.

Section 12. Section 400.0235, Florida Statutes, is amended to read:

400.0235 Certain provisions not applicable to actions under this part.—An action under this part for a violation of rights



636650

or negligence recognized under this part is not a claim for medical malpractice, and the provisions of s. 768.21(9) ~~s. 768.21(8)~~ do not apply to a claim alleging death of the resident.

Section 13. Section 429.295, Florida Statutes, is amended to read:

429.295 Certain provisions not applicable to actions under this part.—An action under this part for a violation of rights or negligence recognized herein is not a claim for medical malpractice, and the provisions of s. 768.21(9) ~~s. 768.21(8)~~ do not apply to a claim alleging death of the resident.

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

And the title is amended as follows:

Delete line 951

and insert:

providing construction; amending s. 768.18, F.S.; revising the definition of the term "survivors" for purposes of the Florida Wrongful Death Act; amending s. 768.21, F.S.; authorizing parents of an unborn fetus to recover certain damages caused by the death of the unborn fetus if such death was caused by a third party's negligence; amending ss. 400.023, 400.0235, and 429.295, F.S.; conforming cross-references; amending s. 768.81, F.S.;



544944

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
03/17/2023	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Osgood) recommended the following:

Senate Amendment to Substitute Amendment (344956) (with directory and title amendments)

Between lines 678 and 679
insert:

(7) MOTORCYCLES.—In an action involving a motorcycle and alleging injuries received by a claimant, and where the claimant was at the time of the injury in compliance with s. 316.211, whether the claimant was or was not wearing protective headgear is not admissible as evidence and shall not be considered in the



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apportionment of fault or causation, and the trier of fact shall
not consider whether the claimant was or was not wearing
protective headgear. The trial judge shall appropriately
instruct the jury that the lack of protective headgear may not
be considered in the apportionment of fault or causation.

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

And the directory clause is amended as follows:

Delete line 664

and insert:

Statutes, is amended, and subsections (6) and (7) are added to
that

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

And the title is amended as follows:

Delete line 955

and insert:

applicability; specifying restrictions on the
admissibility and consideration of evidence relating
to protective headgear in an action involving a
motorcycle and alleging injuries received by a
claimant; requiring a trial judge to provide certain
instructions to the jury; repealing ss. 626.9373 and
627.428,

By the Committee on Banking and Insurance; and Senator Hutson

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1 A bill to be entitled
 2 An act relating to civil remedies; amending s. 57.104,
 3 F.S.; creating a rebuttable presumption that a
 4 lodestar fee is a sufficient and reasonable attorney
 5 fee in most civil actions; providing an exception;
 6 amending s. 95.11, F.S.; reducing the statute of
 7 limitations for negligence actions; amending s.
 8 624.155, F.S.; providing standards for bad faith
 9 actions; providing for the distribution of proceeds
 10 when two or more third-party claims arising out of a
 11 single occurrence exceed policy limits; creating s.
 12 768.0427, F.S.; providing definitions; providing
 13 standards for the admissibility of evidence to prove
 14 the cost of damages for medical expenses in certain
 15 civil actions; requiring certain disclosures with
 16 respect to claims for medical expenses for treatment
 17 rendered under letters of protection; specifying the
 18 damages that may be recovered by a claimant for the
 19 reasonable and necessary cost of medical care;
 20 creating s. 768.0701, F.S.; requiring the trier of
 21 fact to consider the fault of certain persons who
 22 contribute to an injury; amending s. 768.79, F.S.;
 23 providing for the applicability of that section;
 24 amending s. 768.81, F.S.; providing that a party in a
 25 negligence action who is at fault by a specified
 26 amount may not recover damages under a comparative
 27 negligence action; providing applicability; repealing
 28 ss. 626.9373 and 627.428, F.S., relating to attorney
 29 fees payable to insureds filing actions against

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30 insurers; amending ss. 624.123, 624.488, 627.062,
 31 627.401, 627.727, 627.736, 627.756, and 628.6016,
 32 F.S.; conforming provisions to changes made by the
 33 act; repealing ss. 631.70 and 631.926, F.S., relating
 34 to awards of attorney fees; amending ss. 475.01,
 35 475.611, 517.191, 627.441, and 632.638, F.S.;
 36 conforming provisions to changes made by the act;
 37 providing a directive to the Division of Law Revision;
 38 providing applicability and construction; providing an
 39 effective date.

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

42
 43 Section 1. Section 57.104, Florida Statutes, is amended to
 44 read:

45 57.104 Computation of attorney ~~attorneys'~~ fees.—

46 (1) In any action in which attorney ~~attorneys'~~ fees are to
 47 be determined or awarded by the court, the court shall consider,
 48 among other things, time and labor of any legal assistants who
 49 contributed nonclerical, meaningful legal support to the matter
 50 involved and who are working under the supervision of an
 51 attorney. For purposes of this section "legal assistant" means a
 52 person, who under the supervision and direction of a licensed
 53 attorney engages in legal research, and case development or
 54 planning in relation to modifications or initial proceedings,
 55 services, processes, or applications; or who prepares or
 56 interprets legal documents or selects, compiles, and uses
 57 technical information from references such as digests,
 58 encyclopedias, or practice manuals and analyzes and follows

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procedural problems that involve independent decisions.

(2) In any action in which attorney fees are determined or awarded by the court, there is a strong presumption that a lodestar fee is sufficient and reasonable. This presumption may be overcome only in a rare and exceptional circumstance with evidence that competent counsel could not otherwise be retained.

Section 2. Subsections (3), (4), and (10) of section 95.11, Florida Statutes, are amended to read:

95.11 Limitations other than for the recovery of real property.—Actions other than for recovery of real property shall be commenced as follows:

(3) WITHIN FOUR YEARS.—

(a) ~~An action founded on negligence.~~

~~(b)~~ An action relating to the determination of paternity, with the time running from the date the child reaches the age of majority.

(b)(c) An action founded on the design, planning, or construction of an improvement to real property, with the time running from the date of actual possession by the owner, the date of the issuance of a certificate of occupancy, the date of abandonment of construction if not completed, or the date of completion of the contract or termination of the contract between the professional engineer, registered architect, or licensed contractor and his or her employer, whichever date is latest; except that, when the action involves a latent defect, the time runs from the time the defect is discovered or should have been discovered with the exercise of due diligence. In any event, the action must be commenced within 10 years after the date of actual possession by the owner, the date of the issuance

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of a certificate of occupancy, the date of abandonment of construction if not completed, or the date of completion of the contract or termination of the contract between the professional engineer, registered architect, or licensed contractor and his or her employer, whichever date is latest. However, counterclaims, cross-claims, and third-party claims that arise out of the conduct, transaction, or occurrence set out or attempted to be set out in a pleading may be commenced up to 1 year after the pleading to which such claims relate is served, even if such claims would otherwise be time barred. With respect to actions founded on the design, planning, or construction of an improvement to real property, if such construction is performed pursuant to a duly issued building permit and if a local enforcement agency, state enforcement agency, or special inspector, as those terms are defined in s. 553.71, has issued a final certificate of occupancy or certificate of completion, then as to the construction which is within the scope of such building permit and certificate, the correction of defects to completed work or repair of completed work, whether performed under warranty or otherwise, does not extend the period of time within which an action must be commenced. Completion of the contract means the later of the date of final performance of all the contracted services or the date that final payment for such services becomes due without regard to the date final payment is made.

(c)(d) An action to recover public money or property held by a public officer or employee, or former public officer or employee, and obtained during, or as a result of, his or her public office or employment.

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(d)~~(e)~~ An action for injury to a person founded on the design, manufacture, distribution, or sale of personal property that is not permanently incorporated in an improvement to real property, including fixtures.

(e)~~(f)~~ An action founded on a statutory liability.

(f)~~(g)~~ An action for trespass on real property.

(g)~~(h)~~ An action for taking, detaining, or injuring personal property.

(h)~~(i)~~ An action to recover specific personal property.

(i)~~(j)~~ A legal or equitable action founded on fraud.

(j)~~(k)~~ A legal or equitable action on a contract, obligation, or liability not founded on a written instrument, including an action for the sale and delivery of goods, wares, and merchandise, and on store accounts.

(k)~~(l)~~ An action to rescind a contract.

(l)~~(m)~~ An action for money paid to any governmental authority by mistake or inadvertence.

(m)~~(n)~~ An action for a statutory penalty or forfeiture.

(n)~~(o)~~ An action for assault, battery, false arrest, malicious prosecution, malicious interference, false imprisonment, or any other intentional tort, except as provided in subsections (4), (5), and (7).

(o)~~(p)~~ Any action not specifically provided for in these statutes.

(p)~~(q)~~ An action alleging a violation, other than a willful violation, of s. 448.110.

(4) WITHIN TWO YEARS.—

(a) An action founded on negligence.

(b)~~(a)~~ An action for professional malpractice, other than

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medical malpractice, whether founded on contract or tort; provided that the period of limitations shall run from the time the cause of action is discovered or should have been discovered with the exercise of due diligence. However, the limitation of actions herein for professional malpractice shall be limited to persons in privity with the professional.

(c)~~(b)~~ An action for medical malpractice shall be commenced within 2 years from the time the incident giving rise to the action occurred or within 2 years from the time the incident is discovered, or should have been discovered with the exercise of due diligence; however, in no event shall the action be commenced later than 4 years from the date of the incident or occurrence out of which the cause of action accrued, except that this 4-year period shall not bar an action brought on behalf of a minor on or before the child's eighth birthday. An "action for medical malpractice" is defined as a claim in tort or in contract for damages because of the death, injury, or monetary loss to any person arising out of any medical, dental, or surgical diagnosis, treatment, or care by any provider of health care. The limitation of actions within this subsection shall be limited to the health care provider and persons in privity with the provider of health care. In those actions covered by this paragraph in which it can be shown that fraud, concealment, or intentional misrepresentation of fact prevented the discovery of the injury the period of limitations is extended forward 2 years from the time that the injury is discovered or should have been discovered with the exercise of due diligence, but in no event to exceed 7 years from the date the incident giving rise to the injury occurred, except that this 7-year period shall not bar an

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action brought on behalf of a minor on or before the child's eighth birthday. This paragraph shall not apply to actions for which ss. 766.301-766.316 provide the exclusive remedy.

(d) ~~(e)~~ An action to recover wages or overtime or damages or penalties concerning payment of wages and overtime.

(e) ~~(d)~~ An action for wrongful death.

(f) ~~(e)~~ An action founded upon a violation of any provision of chapter 517, with the period running from the time the facts giving rise to the cause of action were discovered or should have been discovered with the exercise of due diligence, but not more than 5 years from the date such violation occurred.

(g) ~~(f)~~ An action for personal injury caused by contact with or exposure to phenoxy herbicides while serving either as a civilian or as a member of the Armed Forces of the United States during the period January 1, 1962, through May 7, 1975; the period of limitations shall run from the time the cause of action is discovered or should have been discovered with the exercise of due diligence.

(h) ~~(g)~~ An action for libel or slander.

(10) FOR INTENTIONAL TORTS RESULTING IN DEATH FROM ACTS DESCRIBED IN S. 782.04 OR S. 782.07.—Notwithstanding paragraph (4) ~~(e)~~ ~~(4)~~ ~~(d)~~, an action for wrongful death seeking damages authorized under s. 768.21 brought against a natural person for an intentional tort resulting in death from acts described in s. 782.04 or s. 782.07 may be commenced at any time. This subsection shall not be construed to require an arrest, the filing of formal criminal charges, or a conviction for a violation of s. 782.04 or s. 782.07 as a condition for filing a civil action.

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Section 3. Section 624.155, Florida Statutes, is amended to read:

624.155 Civil remedy.—

(1) Any person may bring a civil action against an insurer when such person is damaged:

(a) By a violation of any of the following provisions by the insurer:

1. Section 626.9541(1)(i), (o), or (x);
2. Section 626.9551;
3. Section 626.9705;
4. Section 626.9706;
5. Section 626.9707; or
6. Section 627.7283.

(b) By the commission of any of the following acts by the insurer:

1. Not attempting in good faith to settle claims when, under all the circumstances, it could and should have done so, had it acted fairly and honestly toward its insured and with due regard for her or his interests;

2. Making claims payments to insureds or beneficiaries not accompanied by a statement setting forth the coverage under which payments are being made; or

3. Except as to liability coverages, failing to promptly settle claims, when the obligation to settle a claim has become reasonably clear, under one portion of the insurance policy coverage in order to influence settlements under other portions of the insurance policy coverage.

Notwithstanding the provisions of the above to the contrary, a

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person pursuing a remedy under this section need not prove that such act was committed or performed with such frequency as to indicate a general business practice.

(2) Any party may bring a civil action against an unauthorized insurer if such party is damaged by a violation of s. 624.401 by the unauthorized insurer.

(3) (a) As a condition precedent to bringing an action under this section, the department and the authorized insurer must have been given 60 days' written notice of the violation. Notice to the authorized insurer must be provided by the department to the e-mail address designated by the insurer under s. 624.422.

(b) The notice shall be on a form provided by the department and shall state with specificity the following information, and such other information as the department may require:

1. The statutory provision, including the specific language of the statute, which the authorized insurer allegedly violated.

2. The facts and circumstances giving rise to the violation.

3. The name of any individual involved in the violation.

4. Reference to specific policy language that is relevant to the violation, if any. If the person bringing the civil action is a third party claimant, she or he shall not be required to reference the specific policy language if the authorized insurer has not provided a copy of the policy to the third party claimant pursuant to written request.

5. A statement that the notice is given in order to perfect the right to pursue the civil remedy authorized by this section.

(c) No action shall lie if, within 60 days after the

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insurer receives notice from the department in accordance with this subsection, the damages are paid or the circumstances giving rise to the violation are corrected.

(d) The authorized insurer that is the recipient of a notice filed pursuant to this section shall report to the department on the disposition of the alleged violation.

(e) The applicable statute of limitations for an action under this section shall be tolled for a period of:

1. Sixty days after the insurer receives from the department the notice required by this subsection.

2. Sixty days after the date appraisal is invoked pursuant to paragraph (f).

(f) A notice required under this subsection may not be filed within 60 days after appraisal is invoked by any party in a residential property insurance claim.

(4) An action for bad faith involving a failure to settle a liability insurance claim, including any such action brought under the common law, shall not lie if the insurer tenders the lesser of the policy limits or the amount demanded by the claimant either:

(a) Before a complaint asserting such claim, accompanied by sufficient evidence to support the amount of the claim, is filed; or

(b) Within 90 days after service of such complaint upon the insurer.

Failure of an insurer to offer payment pursuant to this subsection shall not constitute bad faith and is inadmissible as evidence in any action seeking to establish bad faith on the

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291 part of the insurer.

292 (5) In any bad faith action, whether such action is brought
 293 under this section or is based on the common-law remedy for bad
 294 faith:

295 (a) Mere negligence alone is insufficient to constitute bad
 296 faith.

297 (b)1. The insured, claimant, and representative of the
 298 insured or claimant have a duty to act in good faith in
 299 furnishing information regarding the claim, in making demands of
 300 the insurer, in setting deadlines, and in attempting to settle
 301 the claim. This duty does not create a separate cause of action,
 302 but may only be considered pursuant to subparagraph 2.

303 2. In any action for bad faith against an insurer, the
 304 trier of fact may consider whether the insured, claimant, or
 305 representative of the insured or claimant did not act in good
 306 faith pursuant to this paragraph, in which case the trier of
 307 fact may reasonably reduce the amount of damages awarded against
 308 the insurer.

309 (6) If two or more third-party claimants have competing
 310 claims arising out of a single occurrence, which in total may
 311 exceed the available policy limits of one or more of the insured
 312 parties who may be liable to the third-party claimants, an
 313 insurer is not liable beyond the available policy limits for
 314 failure to pay all or any portion of the available policy limits
 315 to one or more of the third-party claimants if, within 90 days
 316 after receiving notice of the competing claims in excess of the
 317 available policy limits, the insurer complies with either
 318 paragraph (a) or paragraph (b).

319 (a) The insurer files an interpleader action under the

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320 Florida Rules of Civil Procedure. If the claims of the competing
 321 third-party claimants are found to be in excess of the policy
 322 limits, the third-party claimants are entitled to a prorated
 323 share of the policy limits as determined by the trier of fact.
 324 An insurer's interpleader action does not alter or amend the
 325 insurer's obligation to defend its insured.

326 (b) Pursuant to binding arbitration that has been agreed to
 327 by the insurer and the third-party claimants, the insurer makes
 328 the entire amount of the policy limits available for payment to
 329 the competing third-party claimants before a qualified
 330 arbitrator selected by the insurer at the expense of the
 331 insurer. The third-party claimants are entitled to a prorated
 332 share of the policy limits as determined by the arbitrator, who
 333 must consider the comparative fault, if any, of each third-party
 334 claimant, and the total likely outcome at trial based upon the
 335 total of the economic and noneconomic damages submitted to the
 336 arbitrator for consideration. A third-party claimant whose claim
 337 is resolved by the arbitrator must execute and deliver a general
 338 release to the insured party whose claim is resolved by the
 339 proceeding.

340 (7)(4) Upon adverse adjudication at trial or upon appeal,
 341 the authorized insurer shall be liable for damages, together
 342 with court costs and reasonable attorney ~~attorney's~~ fees
 343 incurred by the plaintiff.

344 (8)(5) ~~No~~ Punitive damages may not ~~shall~~ be awarded under
 345 this section unless the acts giving rise to the violation occur
 346 with such frequency as to indicate a general business practice
 347 and these acts are:

348 (a) Willful, wanton, and malicious;

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(b) In reckless disregard for the rights of any insured; or

(c) In reckless disregard for the rights of a beneficiary under a life insurance contract.

Any person who pursues a claim under this subsection shall post in advance the costs of discovery. Such costs shall be awarded to the authorized insurer if no punitive damages are awarded to the plaintiff.

(9) ~~(6)~~ This section does ~~shall not be construed to~~ authorize a class action suit against an authorized insurer or a civil action against the commission, the office, or the department or any of their employees, or ~~to~~ create a cause of action when an authorized health insurer refuses to pay a claim for reimbursement on the ground that the charge for a service was unreasonably high or that the service provided was not medically necessary.

(10) ~~(7)~~ In the absence of expressed language to the contrary, this section shall not be construed to authorize a civil action or create a cause of action against an authorized insurer or its employees who, in good faith, release information about an insured or an insurance policy to a law enforcement agency in furtherance of an investigation of a criminal or fraudulent act relating to a motor vehicle theft or a motor vehicle insurance claim.

(11) ~~(8)~~ The civil remedy specified in this section does not preempt any other remedy or cause of action provided for pursuant to any other statute or pursuant to the common law of this state. Any person may obtain a judgment under either the common-law remedy of bad faith or this statutory remedy, but is

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~~shall not be~~ entitled to a judgment under both remedies. This section ~~does shall not be construed to~~ create a common-law cause of action. The damages recoverable pursuant to this section shall include those damages which are a reasonably foreseeable result of a specified violation of this section by the authorized insurer and may include an award or judgment in an amount that exceeds the policy limits.

(12) ~~(9)~~ A surety issuing a payment or performance bond on the construction or maintenance of a building or roadway project is not an insurer for purposes of subsection (1).

Section 4. Section 768.0427, Florida Statutes, is created to read:

768.0427 Admissibility of evidence to prove medical expenses in personal injury or wrongful death actions; disclosure of letters of protection; recovery of past and future medical expenses damages.-

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

(a) "Factoring company" means a person who purchases a health care provider's accounts receivable at a discount below the invoice value of such accounts.

(b) "Health care coverage" means any third-party health care or disability services financing arrangement, including, but not limited to, arrangements with entities certified or authorized under federal law or under the Florida Insurance Code; state or federal health care benefit programs; workers' compensation; and personal injury protection.

(c) "Health care provider" means any of the following professionals and entities, and professionals and entities similarly licensed in another jurisdiction:

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407 1. A provider as defined in s. 408.803.
 408 2. A clinical laboratory providing services in this state
 409 or services to health care providers in this state, if the
 410 clinical laboratory is certified by the Centers for Medicare and
 411 Medicaid Services under the federal Clinical Laboratory
 412 Improvement Amendments and the federal rules adopted thereunder.
 413 3. A federally qualified health center as defined in 42
 414 U.S.C. s. 1396d(1)(2)(B), as that definition existed on the
 415 effective date of this act.
 416 4. A health care practitioner as defined in s. 456.001.
 417 5. A health care professional licensed under part IV of
 418 chapter 468.
 419 6. A home health aide as defined in s. 400.462.
 420 7. A provider licensed under chapter 394 or chapter 397 and
 421 its clinical and nonclinical staff providing inpatient or
 422 outpatient services.
 423 8. A continuing care facility licensed under chapter 651.
 424 9. A pharmacy permitted under chapter 465.
 425 (d) "Letter of Protection" means any arrangement by which a
 426 health care provider renders treatment in exchange for a promise
 427 of payment for the claimant's medical expenses from any judgment
 428 or settlement of a personal injury or wrongful death action. The
 429 term includes any such arrangement, regardless of whether
 430 referred to as a letter of protection.
 431 (2) ADMISSIBLE EVIDENCE OF MEDICAL TREATMENT OR SERVICE
 432 EXPENSES.—Evidence offered to prove the amount of damages for
 433 past or future medical treatment or services in a personal
 434 injury or wrongful death action is admissible only as provided
 435 in this subsection.

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436 (a) Evidence offered to prove the amount of damages for
 437 past medical treatment or services that have been satisfied is
 438 limited to evidence of the amount actually paid, regardless of
 439 the source of payment.
 440 (b) Evidence offered to prove the amount necessary to
 441 satisfy unpaid charges for incurred medical treatment or
 442 services is limited to evidence as provided in this paragraph.
 443 1. If the claimant has health care coverage, evidence of
 444 the amount which such health care coverage is obligated to pay
 445 the health care provider to satisfy the charges for the
 446 claimant's incurred medical treatment or services, plus the
 447 claimant's share of medical expenses under the insurance
 448 contract or regulation.
 449 2. If the claimant has health care coverage but obtains
 450 treatment under a letter of protection or otherwise does not
 451 submit charges for any health care provider's medical treatment
 452 or services to health care coverage, evidence of the amount the
 453 claimant's health care coverage would pay the health care
 454 provider to satisfy the past unpaid medical charges under the
 455 insurance contract or regulation, plus the claimant's share of
 456 medical expenses under the insurance contract or regulation, had
 457 the claimant obtained medical services or treatment pursuant to
 458 the health care coverage.
 459 3. If the claimant does not have health care coverage,
 460 evidence of 120 percent of the Medicare reimbursement rate in
 461 effect at the time of trial for the claimant's incurred medical
 462 treatment or services, or, if there is no applicable Medicare
 463 rate for a service, 170 percent of the applicable state Medicaid
 464 rate.

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4. If the claimant obtains medical treatment or services under a letter of protection and the health care provider subsequently transfers the right to receive payment under the letter of protection to a third party, evidence of the amount the third party paid or agreed to pay the health care provider in exchange for the right to receive payment pursuant to the letter of protection.

5. Any evidence disclosed under subsection (3) related to a letter of protection.

(c) Evidence offered to prove the amount of damages for any future medical treatment or services the claimant will receive is limited to evidence as provided in this paragraph.

1. If the claimant has health care coverage or is eligible for any health care coverage, evidence of the amount for which the future charges of health care providers could be satisfied if submitted to such health care coverage, plus the claimant's share of medical expenses under the insurance contract or regulation.

2. If the claimant does not have health care coverage, evidence of 120 percent of the Medicare reimbursement rate in effect at the time of trial for the medical treatment or services the claimant will receive, or, if there is no applicable Medicare rate for a service, 170 percent of the applicable state Medicaid rate.

(d) This subsection does not impose an affirmative duty upon any party to seek a reduction in billed charges to which the party is not contractually entitled.

(e) Individual contracts between providers and authorized commercial insurers or authorized health maintenance

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organizations are not subject to discovery or disclosure and are not admissible into evidence.

(3) LETTERS OF PROTECTION; REQUIRED DISCLOSURES.—In a personal injury or wrongful death action, as a condition precedent to asserting any claim for medical expenses for treatment rendered under a letter of protection, the claimant must disclose:

(a) A copy of the letter of protection.

(b) All billings for the claimant's medical expenses, which must be itemized and, to the extent applicable, coded according to the American Medical Association's Current Procedural Terminology (CPT), or the Healthcare Common Procedure Coding System (HCPCS), in effect for the year in which services are rendered.

(c) If the health care provider sells the accounts receivable for the claimant's medical expenses to a factoring company or other third party:

1. The name of the factoring company or other third party who purchased such accounts.

2. The dollar amount for which the factoring company or other third party purchased such accounts, including any discount provided below the invoice amount.

(d) Whether the claimant, at the time medical treatment was rendered, had health care coverage and, if so, the identity of such coverage.

(e) Whether the claimant was referred for treatment under a letter of protection and, if so, the identity of the person who made the referral. If the referral is made by the claimant's attorney, disclosure of the referral is permitted, and evidence

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of such referral is admissible notwithstanding any provision within s. 90.502. Moreover, in such situation, the financial relationship between a law firm and a medical provider, including the number of referrals, frequency, and financial benefit obtained, is relevant to the issue of the bias of a testifying medical provider.

(4) DAMAGES RECOVERABLE FOR MEDICAL TREATMENT OR SERVICE EXPENSES.—The damages that may be recovered by a claimant in a personal injury or wrongful death action for the reasonable and necessary cost or value of medical care rendered may not include any amount in excess of the evidence of medical treatment and services expenses admitted pursuant to subsection (2), and also may not exceed the sum of the following:

(a) Amounts actually paid by or on behalf of the claimant to a health care provider who rendered medical treatment or services;

(b) Amounts necessary to satisfy charges for medical treatment or services that are due and owing but at the time of trial are not yet satisfied; and

(c) Amounts necessary to provide for any reasonable and necessary medical treatment or services the claimant will receive in the future.

Section 5. Section 768.0701, Florida Statutes, is created to read:

768.0701 Premises liability for criminal acts of third parties.—Notwithstanding s. 768.81(4), in an action for damages against the owner, lessor, operator, or manager of commercial or real property brought by a person lawfully on the property who was injured by the criminal act of a third party, the trier of

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fact must consider the fault of all persons who contributed to the injury.

Section 6. Subsection (1) of section 768.79, Florida Statutes, is amended to read:

768.79 Offer of judgment and demand for judgment.—

(1) In any civil action for damages and in any civil action involving an insurance contract filed in the courts of this state, if a defendant files an offer of judgment which is not accepted by the plaintiff within 30 days, the defendant shall be entitled to recover reasonable costs and attorney's fees incurred by her or him or on the defendant's behalf pursuant to a policy of liability insurance or other contract from the date of filing of the offer if the judgment is one of no liability or the judgment obtained by the plaintiff is at least 25 percent less than such offer, and the court shall set off such costs and attorney's fees against the award. Where such costs and attorney's fees total more than the judgment, the court shall enter judgment for the defendant against the plaintiff for the amount of the costs and fees, less the amount of the plaintiff's award. If a plaintiff files a demand for judgment which is not accepted by the defendant within 30 days and the plaintiff recovers a judgment in an amount at least 25 percent greater than the offer, she or he shall be entitled to recover reasonable costs and attorney's fees incurred from the date of the filing of the demand. If rejected, neither an offer nor demand is admissible in subsequent litigation, except for pursuing the penalties of this section.

Section 7. Subsection (2) of section 768.81, Florida Statutes, is amended, and subsection (6) is added to that

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section, to read:

768.81 Comparative fault.—

(2) EFFECT OF CONTRIBUTORY FAULT.—In a negligence action, contributory fault chargeable to the claimant diminishes proportionately the amount awarded as economic and noneconomic damages for an injury attributable to the claimant's contributory fault, but does not bar recovery, subject to subsection (6).

(6) GREATER PERCENTAGE OF FAULT.—In a negligence action to which this section applies, any party found to be greater than 50 percent at fault for his or her own harm may not recover any damages. This subsection does not apply to an action for damages for personal injury or wrongful death arising out of medical negligence pursuant to chapter 766.

Section 8. Section 626.9373, Florida Statutes, is repealed.

Section 9. Section 627.428, Florida Statutes, is repealed.

Section 10. Subsection (4) of section 624.123, Florida Statutes, is amended to read:

624.123 Certain international health insurance policies; exemption from code.—

(4) Any international health insurance policy or application solicited, provided, entered into, issued, or delivered pursuant to this subsection is exempt from all provisions of the insurance code, except that such policy, contract, or agreement is subject to the provisions of ss. 624.155, 624.316, 624.3161, 626.951, 626.9511, 626.9521, 626.9541, 626.9551, 626.9561, 626.9571, 626.9581, 626.9591, 626.9601, 627.413, 627.4145, ~~627.428~~, and 627.6043.

Section 11. Subsection (4) of section 624.488, Florida

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Statutes, is amended to read:

624.488 Applicability of related laws.—In addition to other provisions of the code cited in ss. 624.460-624.488:

(4) Sections 627.291, 627.413, 627.4132, 627.416, 627.418, 627.420, 627.421, 627.425, 627.426, 627.4265, 627.427, ~~627.428~~, 627.702, and 627.706; part XI of chapter 627; ss. 627.912, 627.913, and 627.918;

apply to self-insurance funds. Only those sections of the code that are expressly and specifically cited in ss. 624.460-624.489 apply to self-insurance funds.

Section 12. Paragraph (b) of subsection (3) of section 627.062, Florida Statutes, is amended to read:

627.062 Rate standards.—

(3)

(b) Individual risk rates and modifications to existing approved forms are not subject to this part or part II, except for paragraph (a) and ss. 627.402, 627.403, 627.4035, 627.404, 627.405, 627.406, 627.407, 627.4085, 627.409, 627.4132, 627.4133, 627.415, 627.416, 627.417, 627.419, 627.425, 627.426, 627.4265, and 627.427, ~~and 627.428~~, but are subject to all other applicable provisions of this code and rules adopted thereunder.

Section 13. Section 627.401, Florida Statutes, is amended to read:

627.401 Scope of this part.—No provision of this part of this chapter applies to:

(1) Reinsurance.

(2) Policies or contracts not issued for delivery in this state nor delivered in this state, except as otherwise provided

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in this code.

(3) Wet marine and transportation insurance, except ss. 627.409 ~~and~~, 627.420, ~~and 627.428.~~

(4) Title insurance, except ss. 627.406, 627.415, 627.416, 627.419, ~~and 627.427, and 627.428.~~

(5) Credit life or credit disability insurance, except s. 627.419(5) ~~ss. 627.419(5) and 627.428.~~

Section 14. Subsection (8) of section 627.727, Florida Statutes, is amended to read:

627.727 Motor vehicle insurance; uninsured and underinsured vehicle coverage; insolvent insurer protection.—

~~(8) The provisions of s. 627.428 do not apply to any action brought pursuant to this section against the uninsured motorist insurer unless there is a dispute over whether the policy provides coverage for an uninsured motorist proven to be liable for the accident.~~

Section 15. Subsection (8) of section 627.736, Florida Statutes, is amended to read:

627.736 Required personal injury protection benefits; exclusions; priority; claims.—

(8) APPLICABILITY OF PROVISION REGULATING ATTORNEY FEES.—
With respect to any dispute under the provisions of ss. 627.730-627.7405 between the insured and the insurer, or between an assignee of an insured's rights and the insurer, the provisions of s. 768.79 ~~ss. 627.428 and 768.79~~ apply, except as provided in subsections (10) and (15), and except that any attorney fees recovered must:

(a) Comply with prevailing professional standards;

(b) Not overstate or inflate the number of hours reasonably

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necessary for a case of comparable skill or complexity; and

(c) Represent legal services that are reasonable and necessary to achieve the result obtained.

Upon request by either party, a judge must make written findings, substantiated by evidence presented at trial or any hearings associated therewith, that any award of attorney fees complies with this subsection. ~~Notwithstanding s. 627.428,~~ Attorney fees recovered under ss. 627.730-627.7405 must be calculated without regard to a contingency risk multiplier.

Section 16. Section 627.756, Florida Statutes, is amended to read:

627.756 Bonds for construction contracts; ~~attorney fees in case of suit.—~~

~~(1) Section 627.428 applies to suits brought by owners, contractors, subcontractors, laborers, and materialmen against a surety insurer under payment or performance bonds written by the insurer under the laws of this state to indemnify against pecuniary loss by breach of a building or construction contract. Owners, contractors, subcontractors, laborers, and materialmen shall be deemed to be insureds or beneficiaries for the purposes of this section.~~

~~(2)~~ A surety who issues a bid, performance, or payment bond in connection with construction activities where hazardous substances exist or are discovered is liable under ss. 376.308 and 403.727 only to the extent provided in this section ~~subsection~~. In case of a default, the surety is liable only for the cost of completion of the contract work in accordance with the plans and specifications, less the balance of funds

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697 remaining to be paid under the contract, up to the penal sum of
 698 the bond. The surety is not liable on a bond to indemnify or
 699 compensate the obligee for loss or liability arising from
 700 personal injury or property damage, whether or not caused by a
 701 breach of the bonded contract. Further, a right of action does
 702 not accrue on a bond to or for the use of any person other than
 703 the obligee named in the bond.

704 Section 17. Subsection (4) of section 628.6016, Florida
 705 Statutes, is amended to read:

706 628.6016 Applicability of related laws.—In addition to
 707 other provisions of the code cited in ss. 628.6011-628.6018:

708 (4) Sections 627.291, 627.413, 627.4132, 627.416, 627.418,
 709 627.420, 627.421, 627.425, 627.426, 627.4265, 627.427, ~~627.428,~~
 710 627.702, and 627.706; part XI of chapter 627; ss. 627.912,
 711 627.913, and 627.918; and

712
 713 apply to assessable mutual insurers; however, ss. 628.255,
 714 628.411, and 628.421 do not apply. No section of the code not
 715 expressly and specifically cited in ss. 628.6011-628.6018
 716 applies to assessable mutual insurers. The term "assessable
 717 mutual insurer" shall be substituted for the term "commercial
 718 self-insurer" as appropriate.

719 Section 18. Section 631.70, Florida Statutes, is repealed.

720 Section 19. Section 631.926, Florida Statutes, is repealed.

721 Section 20. Paragraphs (a) and (j) of subsection (1) of
 722 section 475.01, Florida Statutes, are amended to read:

723 475.01 Definitions.—

724 (1) As used in this part:

725 (a) "Broker" means a person who, for another, and for a

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726 compensation or valuable consideration directly or indirectly
 727 paid or promised, expressly or impliedly, or with an intent to
 728 collect or receive a compensation or valuable consideration
 729 therefor, appraises, auctions, sells, exchanges, buys, rents, or
 730 offers, attempts or agrees to appraise, auction, or negotiate
 731 the sale, exchange, purchase, or rental of business enterprises
 732 or business opportunities or any real property or any interest
 733 in or concerning the same, including mineral rights or leases,
 734 or who advertises or holds out to the public by any oral or
 735 printed solicitation or representation that she or he is engaged
 736 in the business of appraising, auctioning, buying, selling,
 737 exchanging, leasing, or renting business enterprises or business
 738 opportunities or real property of others or interests therein,
 739 including mineral rights, or who takes any part in the procuring
 740 of sellers, purchasers, lessors, or lessees of business
 741 enterprises or business opportunities or the real property of
 742 another, or leases, or interest therein, including mineral
 743 rights, or who directs or assists in the procuring of prospects
 744 or in the negotiation or closing of any transaction which does,
 745 or is calculated to, result in a sale, exchange, or leasing
 746 thereof, and who receives, expects, or is promised any
 747 compensation or valuable consideration, directly or indirectly
 748 therefor; and all persons who advertise rental property
 749 information or lists. A broker renders a professional service
 750 and is a professional within the meaning of s. 95.11(4)(b) ~~or~~
 751 95.11(4)(a). Where the term "appraise" or "appraising" appears
 752 in the definition of the term "broker," it specifically excludes
 753 those appraisal services which must be performed only by a
 754 state-licensed or state-certified appraiser, and those appraisal

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services which may be performed by a registered trainee appraiser as defined in part II. The term "broker" also includes any person who is a general partner, officer, or director of a partnership or corporation which acts as a broker. The term "broker" also includes any person or entity who undertakes to list or sell one or more timeshare periods per year in one or more timeshare plans on behalf of any number of persons, except as provided in ss. 475.011 and 721.20.

(j) "Sales associate" means a person who performs any act specified in the definition of "broker," but who performs such act under the direction, control, or management of another person. A sales associate renders a professional service and is a professional within the meaning of s. 95.11(4)(b) ~~s. 95.11(4)(a)~~.

Section 21. Paragraph (h) of subsection (1) of section 475.611, Florida Statutes, is amended to read:

475.611 Definitions.—

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

(h) "Appraiser" means any person who is a registered trainee real estate appraiser, a licensed real estate appraiser, or a certified real estate appraiser. An appraiser renders a professional service and is a professional within the meaning of s. 95.11(4)(b) ~~s. 95.11(4)(a)~~.

Section 22. Subsection (7) of section 517.191, Florida Statutes, is amended to read:

517.191 Injunction to restrain violations; civil penalties; enforcement by Attorney General.—

(7) Notwithstanding s. 95.11(4)(f) ~~s. 95.11(4)(e)~~, an enforcement action brought under this section based on a

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violation of any provision of this chapter or any rule or order issued under this chapter shall be brought within 6 years after the facts giving rise to the cause of action were discovered or should have been discovered with the exercise of due diligence, but not more than 8 years after the date such violation occurred.

Section 23. Subsection (2) of section 627.441, Florida Statutes, is amended to read:

627.441 Commercial general liability policies; coverage to contractors for completed operations.—

(2) A liability insurer must offer coverage at an appropriate additional premium for liability arising out of current or completed operations under an owner-controlled insurance program for any period beyond the period for which the program provides liability coverage, as specified in s. 255.0517(2)(b). The period of such coverage must be sufficient to protect against liability arising out of an action brought within the time limits provided in s. 95.11(3)(b) ~~s. 95.11(3)(e)~~.

Section 24. Subsection (11) of section 632.638, Florida Statutes, is amended to read:

632.638 Applicability of other code provisions.—In addition to other provisions contained or referred to in this chapter, the following chapters and provisions of this code apply to fraternal benefit societies, to the extent applicable and not in conflict with the express provisions of this chapter and the reasonable implications thereof:

~~(11) Section 627.428;~~

Section 25. The Division of Law Revision is directed to

597-02362-23

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813 replace the phrase "the effective date of this act" wherever it
814 occurs in this act with the date this act becomes a law.

815 Section 26. The amendments made by this act to s. 95.11,
816 Florida Statutes, apply to causes of action accruing after the
817 effective date of this act.

818 Section 27. This act shall not be construed to impair any
819 right under an insurance contract in effect on or before the
820 effective date of this act. To the extent that this act affects
821 a right under an insurance contract, this act applies to an
822 insurance contract issued or renewed after the effective date of
823 this act.

824 Section 28. Except as otherwise expressly provided in this
825 act, this act shall apply to causes of action filed after the
826 effective date of this act.

827 Section 29. This act shall take effect upon becoming a law.



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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/14/2023	.	
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	.	
	.	

The Committee on Judiciary (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 57.104, Florida Statutes, is amended to
read:

57.104 Computation of attorney ~~attorneys'~~ fees.—

(1) In any action in which attorney ~~attorneys'~~ fees are to
be determined or awarded by the court, the court shall consider,
among other things, time and labor of any legal assistants who
contributed nonclerical, meaningful legal support to the matter



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involved and who are working under the supervision of an attorney. For purposes of this section "legal assistant" means a person, who under the supervision and direction of a licensed attorney engages in legal research, and case development or planning in relation to modifications or initial proceedings, services, processes, or applications; or who prepares or interprets legal documents or selects, compiles, and uses technical information from references such as digests, encyclopedias, or practice manuals and analyzes and follows procedural problems that involve independent decisions.

(2) In any action in which attorney fees are determined or awarded by the court, there is a strong presumption that a lodestar fee is sufficient and reasonable. This presumption may be overcome only in a rare and exceptional circumstance with evidence that competent counsel could not otherwise be retained.

Section 2. Section 86.121, Florida Statutes, is created to read:

86.121 Attorney fees; actions for declaratory relief to determine insurance coverage after denial of claim.—In an action brought under this chapter for declaratory relief to determine insurance coverage after the insurer has made a denial of a claim:

(1) Either party is entitled to the summary procedure provided in s. 51.011, and the court shall advance the cause on the calendar.

(2) The court shall award reasonable attorney fees to the named insured, omnibus insured, or named beneficiary under a policy issued by the insurer, upon rendition of a declaratory judgment in favor of the named insured, omnibus insured, or



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named beneficiary. This right may not be transferred to, assigned to, or acquired in any other manner by anyone other than a named or omnibus insured or a named beneficiary. A defense offered by an insurer pursuant to a reservation of rights does not constitute a denial of a claim. Such fees are limited to those incurred in the action brought under this chapter for declaratory relief to determine coverage of insurance issued under the Florida Insurance Code.

Section 3. Subsections (3), (4), and (10) of section 95.11, Florida Statutes, are amended, and subsection (12) is added to that section, to read:

95.11 Limitations other than for the recovery of real property.—Actions other than for recovery of real property shall be commenced as follows:

(3) WITHIN FOUR YEARS.—

(a) ~~An action founded on negligence.~~

~~(b)~~ An action relating to the determination of paternity, with the time running from the date the child reaches the age of majority.

(b)~~(c)~~ An action founded on the design, planning, or construction of an improvement to real property, with the time running from the date of actual possession by the owner, the date of the issuance of a certificate of occupancy, the date of abandonment of construction if not completed, or the date of completion of the contract or termination of the contract between the professional engineer, registered architect, or licensed contractor and his or her employer, whichever date is latest; except that, when the action involves a latent defect, the time runs from the time the defect is discovered or should



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have been discovered with the exercise of due diligence. In any event, the action must be commenced within 10 years after the date of actual possession by the owner, the date of the issuance of a certificate of occupancy, the date of abandonment of construction if not completed, or the date of completion of the contract or termination of the contract between the professional engineer, registered architect, or licensed contractor and his or her employer, whichever date is latest. However, counterclaims, cross-claims, and third-party claims that arise out of the conduct, transaction, or occurrence set out or attempted to be set out in a pleading may be commenced up to 1 year after the pleading to which such claims relate is served, even if such claims would otherwise be time barred. With respect to actions founded on the design, planning, or construction of an improvement to real property, if such construction is performed pursuant to a duly issued building permit and if a local enforcement agency, state enforcement agency, or special inspector, as those terms are defined in s. 553.71, has issued a final certificate of occupancy or certificate of completion, then as to the construction which is within the scope of such building permit and certificate, the correction of defects to completed work or repair of completed work, whether performed under warranty or otherwise, does not extend the period of time within which an action must be commenced. Completion of the contract means the later of the date of final performance of all the contracted services or the date that final payment for such services becomes due without regard to the date final payment is made.

(c)~~(d)~~ An action to recover public money or property held



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by a public officer or employee, or former public officer or employee, and obtained during, or as a result of, his or her public office or employment.

(d)~~(e)~~ An action for injury to a person founded on the design, manufacture, distribution, or sale of personal property that is not permanently incorporated in an improvement to real property, including fixtures.

(e)~~(f)~~ An action founded on a statutory liability.

(f)~~(g)~~ An action for trespass on real property.

(g)~~(h)~~ An action for taking, detaining, or injuring personal property.

(h)~~(i)~~ An action to recover specific personal property.

(i)~~(j)~~ A legal or equitable action founded on fraud.

(j)~~(k)~~ A legal or equitable action on a contract, obligation, or liability not founded on a written instrument, including an action for the sale and delivery of goods, wares, and merchandise, and on store accounts.

(k)~~(l)~~ An action to rescind a contract.

(l)~~(m)~~ An action for money paid to any governmental authority by mistake or inadvertence.

(m)~~(n)~~ An action for a statutory penalty or forfeiture.

(n)~~(o)~~ An action for assault, battery, false arrest, malicious prosecution, malicious interference, false imprisonment, or any other intentional tort, except as provided in subsections (4), (5), and (7).

(o)~~(p)~~ Any action not specifically provided for in these statutes.

(p)~~(q)~~ An action alleging a violation, other than a willful violation, of s. 448.110.



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(4) WITHIN TWO YEARS.—

(a) An action founded on negligence.

(b) ~~(a)~~ An action for professional malpractice, other than medical malpractice, whether founded on contract or tort; provided that the period of limitations shall run from the time the cause of action is discovered or should have been discovered with the exercise of due diligence. However, the limitation of actions herein for professional malpractice shall be limited to persons in privity with the professional.

(c) ~~(b)~~ An action for medical malpractice shall be commenced within 2 years from the time the incident giving rise to the action occurred or within 2 years from the time the incident is discovered, or should have been discovered with the exercise of due diligence; however, in no event shall the action be commenced later than 4 years from the date of the incident or occurrence out of which the cause of action accrued, except that this 4-year period shall not bar an action brought on behalf of a minor on or before the child's eighth birthday. An "action for medical malpractice" is defined as a claim in tort or in contract for damages because of the death, injury, or monetary loss to any person arising out of any medical, dental, or surgical diagnosis, treatment, or care by any provider of health care. The limitation of actions within this subsection shall be limited to the health care provider and persons in privity with the provider of health care. In those actions covered by this paragraph in which it can be shown that fraud, concealment, or intentional misrepresentation of fact prevented the discovery of the injury the period of limitations is extended forward 2 years from the time that the injury is discovered or should have been



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discovered with the exercise of due diligence, but in no event to exceed 7 years from the date the incident giving rise to the injury occurred, except that this 7-year period shall not bar an action brought on behalf of a minor on or before the child's eighth birthday. This paragraph shall not apply to actions for which ss. 766.301-766.316 provide the exclusive remedy.

(d)~~(e)~~ An action to recover wages or overtime or damages or penalties concerning payment of wages and overtime.

(e)~~(d)~~ An action for wrongful death.

(f)~~(e)~~ An action founded upon a violation of any provision of chapter 517, with the period running from the time the facts giving rise to the cause of action were discovered or should have been discovered with the exercise of due diligence, but not more than 5 years from the date such violation occurred.

(g)~~(f)~~ An action for personal injury caused by contact with or exposure to phenoxy herbicides while serving either as a civilian or as a member of the Armed Forces of the United States during the period January 1, 1962, through May 7, 1975; the period of limitations shall run from the time the cause of action is discovered or should have been discovered with the exercise of due diligence.

(h)~~(g)~~ An action for libel or slander.

(10) FOR INTENTIONAL TORTS RESULTING IN DEATH FROM ACTS DESCRIBED IN S. 782.04 OR S. 782.07.—Notwithstanding paragraph (4) (e) ~~(4)~~ ~~(d)~~, an action for wrongful death seeking damages authorized under s. 768.21 brought against a natural person for an intentional tort resulting in death from acts described in s. 782.04 or s. 782.07 may be commenced at any time. This subsection shall not be construed to require an arrest, the



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filing of formal criminal charges, or a conviction for a violation of s. 782.04 or s. 782.07 as a condition for filing a civil action.

(12) FOR ACTIONS INVOLVING SERVICEMEMBERS.—Any action involving a servicemember as defined in s. 250.01 is subject to the provisions of s. 250.5201 and part IV of chapter 250, which includes the Servicemembers Civil Relief Act, 50 U.S.C. ss. 501 et seq., providing for protections to members of the United States Armed Forces, the United States Reserve Forces, or the National Guard during terms of federal or state active duty which materially affect the servicemember's ability to appear.

Section 4. Section 624.155, Florida Statutes, is amended to read:

624.155 Civil remedy.—

(1) Any person may bring a civil action against an insurer when such person is damaged:

(a) By a violation of any of the following provisions by the insurer:

1. Section 626.9541(1)(i), (o), or (x);
2. Section 626.9551;
3. Section 626.9705;
4. Section 626.9706;
5. Section 626.9707; or
6. Section 627.7283.

(b) By the commission of any of the following acts by the insurer:

1. Not attempting in good faith to settle claims when, under all the circumstances, it could and should have done so, had it acted fairly and honestly toward its insured and with due



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regard for her or his interests;

2. Making claims payments to insureds or beneficiaries not accompanied by a statement setting forth the coverage under which payments are being made; or

3. Except as to liability coverages, failing to promptly settle claims, when the obligation to settle a claim has become reasonably clear, under one portion of the insurance policy coverage in order to influence settlements under other portions of the insurance policy coverage.

Notwithstanding the provisions of the above to the contrary, a person pursuing a remedy under this section need not prove that such act was committed or performed with such frequency as to indicate a general business practice.

(2) Any party may bring a civil action against an unauthorized insurer if such party is damaged by a violation of s. 624.401 by the unauthorized insurer.

(3)(a) As a condition precedent to bringing an action under this section, the department and the authorized insurer must have been given 60 days' written notice of the violation. Notice to the authorized insurer must be provided by the department to the e-mail address designated by the insurer under s. 624.422.

(b) The notice shall be on a form provided by the department and shall state with specificity the following information, and such other information as the department may require:

1. The statutory provision, including the specific language of the statute, which the authorized insurer allegedly violated.

2. The facts and circumstances giving rise to the



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violation.

3. The name of any individual involved in the violation.

4. Reference to specific policy language that is relevant to the violation, if any. If the person bringing the civil action is a third party claimant, she or he shall not be required to reference the specific policy language if the authorized insurer has not provided a copy of the policy to the third party claimant pursuant to written request.

5. A statement that the notice is given in order to perfect the right to pursue the civil remedy authorized by this section.

(c) No action shall lie if, within 60 days after the insurer receives notice from the department in accordance with this subsection, the damages are paid or the circumstances giving rise to the violation are corrected.

(d) The authorized insurer that is the recipient of a notice filed pursuant to this section shall report to the department on the disposition of the alleged violation.

(e) The applicable statute of limitations for an action under this section shall be tolled for a period of:

1. Sixty days after the insurer receives from the department the notice required by this subsection.

2. Sixty days after the date appraisal is invoked pursuant to paragraph (f).

(f) A notice required under this subsection may not be filed within 60 days after appraisal is invoked by any party in a residential property insurance claim.

(4) (a) An action for bad faith involving a liability insurance claim, including any such action brought under the common law, shall not lie if the insurer tenders the lesser of



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the policy limits or the amount demanded by the claimant within 90 days after receiving actual notice of a claim which is accompanied by sufficient evidence to support the amount of the claim.

(b) If an insurer does not tender the lesser of the policy limits or the amount demanded by the claimant within the 90-day timeframe provided in paragraph (a), the existence of the 90-day timeframe and that no bad faith action could lie had the insurer tendered the lesser of policy limits or the amount demanded by the claimant pursuant to paragraph (a) is inadmissible in any action seeking to establish bad faith on the part of the insurer.

(c) If the insurer fails to tender pursuant to paragraph (a) within the 90-day period, any applicable statute of limitations is extended for an additional 90 days.

(5) In any bad faith action, whether such action is brought under this section or is based on the common-law remedy for bad faith:

(a) Mere negligence alone is insufficient to constitute bad faith.

(b)1. The insured, claimant, and representative of the insured or claimant have a duty to act in good faith in furnishing information regarding the claim, in making demands of the insurer, in setting deadlines, and in attempting to settle the claim. This duty does not create a separate cause of action, but may only be considered pursuant to subparagraph 2.

2. In any action for bad faith against an insurer, the trier of fact may consider whether the insured, claimant, or representative of the insured or claimant did not act in good



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faith pursuant to this paragraph, in which case the trier of fact may reasonably reduce the amount of damages awarded against the insurer.

(6) If two or more third-party claimants have competing claims arising out of a single occurrence, which in total may exceed the available policy limits of one or more of the insured parties who may be liable to the third-party claimants, an insurer is not liable beyond the available policy limits for failure to pay all or any portion of the available policy limits to one or more of the third-party claimants if, within 90 days after receiving notice of the competing claims in excess of the available policy limits, the insurer complies with either paragraph (a) or paragraph (b).

(a) The insurer files an interpleader action under the Florida Rules of Civil Procedure. If the claims of the competing third-party claimants are found to be in excess of the policy limits, the third-party claimants are entitled to a prorated share of the policy limits as determined by the trier of fact. An insurer's interpleader action does not alter or amend the insurer's obligation to defend its insured.

(b) Pursuant to binding arbitration that has been agreed to by the insurer and the third-party claimants, the insurer makes the entire amount of the policy limits available for payment to the competing third-party claimants before a qualified arbitrator agreed to by the insurer and such third-party claimants at the expense of the insurer. The third-party claimants are entitled to a prorated share of the policy limits as determined by the arbitrator, who must consider the comparative fault, if any, of each third-party claimant, and the



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total likely outcome at trial based upon the total of the economic and noneconomic damages submitted to the arbitrator for consideration. A third-party claimant whose claim is resolved by the arbitrator must execute and deliver a general release to the insured party whose claim is resolved by the proceeding.

(7)~~(4)~~ Upon adverse adjudication at trial or upon appeal, the authorized insurer shall be liable for damages, together with court costs and reasonable attorney ~~attorney's~~ fees incurred by the plaintiff.

(8)~~(5)~~ ~~No~~ Punitive damages may not ~~shall~~ be awarded under this section unless the acts giving rise to the violation occur with such frequency as to indicate a general business practice and these acts are:

(a) Willful, wanton, and malicious;

(b) In reckless disregard for the rights of any insured; or

(c) In reckless disregard for the rights of a beneficiary under a life insurance contract.

Any person who pursues a claim under this subsection shall post in advance the costs of discovery. Such costs shall be awarded to the authorized insurer if no punitive damages are awarded to the plaintiff.

(9)~~(6)~~ This section does ~~shall~~ not ~~be construed to~~ authorize a class action suit against an authorized insurer or a civil action against the commission, the office, or the department or any of their employees, or to create a cause of action when an authorized health insurer refuses to pay a claim for reimbursement on the ground that the charge for a service was unreasonably high or that the service provided was not



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medically necessary.

~~(10)(7)~~ In the absence of expressed language to the contrary, this section shall not be construed to authorize a civil action or create a cause of action against an authorized insurer or its employees who, in good faith, release information about an insured or an insurance policy to a law enforcement agency in furtherance of an investigation of a criminal or fraudulent act relating to a motor vehicle theft or a motor vehicle insurance claim.

~~(11)(8)~~ The civil remedy specified in this section does not preempt any other remedy or cause of action provided for pursuant to any other statute or pursuant to the common law of this state. Any person may obtain a judgment under either the common-law remedy of bad faith or this statutory remedy, but is ~~shall~~ not be entitled to a judgment under both remedies. This section does ~~shall~~ not be construed to create a common-law cause of action. The damages recoverable pursuant to this section shall include those damages which are a reasonably foreseeable result of a specified violation of this section by the authorized insurer and may include an award or judgment in an amount that exceeds the policy limits.

~~(12)(9)~~ A surety issuing a payment or performance bond on the construction or maintenance of a building or roadway project is not an insurer for purposes of subsection (1).

Section 5. Section 768.0427, Florida Statutes, is created to read:

768.0427 Admissibility of evidence to prove medical expenses in personal injury or wrongful death actions; disclosure of letters of protection; recovery of past and future



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medical expenses damages.—

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

(a) "Factoring company" means a person who purchases a health care provider's accounts receivable at a discount below the invoice value of such accounts.

(b) "Health care coverage" means any third-party health care or disability services financing arrangement, including, but not limited to, arrangements with entities certified or authorized under federal law or under the Florida Insurance Code; state or federal health care benefit programs; workers' compensation; and personal injury protection.

(c) "Health care provider" means any of the following professionals and entities, and professionals and entities similarly licensed in another jurisdiction:

1. A provider as defined in s. 408.803.

2. A clinical laboratory providing services in this state or services to health care providers in this state, if the clinical laboratory is certified by the Centers for Medicare and Medicaid Services under the federal Clinical Laboratory Improvement Amendments and the federal rules adopted thereunder.

3. A federally qualified health center as defined in 42 U.S.C. s. 1396d(1)(2)(B), as that definition existed on the effective date of this act.

4. A health care practitioner as defined in s. 456.001.

5. A health care professional licensed under part IV of chapter 468.

6. A home health aide as defined in s. 400.462.

7. A provider licensed under chapter 394 or chapter 397 and its clinical and nonclinical staff providing inpatient or



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outpatient services.

8. A continuing care facility licensed under chapter 651.

9. A pharmacy permitted under chapter 465.

(d) "Letter of protection" means any arrangement by which a health care provider renders treatment in exchange for a promise of payment for the claimant's medical expenses from any judgment or settlement of a personal injury or wrongful death action. The term includes any such arrangement, regardless of whether referred to as a letter of protection.

(2) ADMISSIBLE EVIDENCE OF MEDICAL TREATMENT OR SERVICE EXPENSES.—Evidence offered to prove the amount of damages for past or future medical treatment or services in a personal injury or wrongful death action is admissible as provided in this subsection.

(a) Evidence offered to prove the amount of damages for past medical treatment or services that have been satisfied is limited to evidence of the amount actually paid, regardless of the source of payment.

(b) Evidence offered to prove the amount necessary to satisfy unpaid charges for incurred medical treatment or services shall include, but is not limited to, evidence as provided in this paragraph.

1. If the claimant has health care coverage other than Medicare or Medicaid, evidence of the amount which such health care coverage is obligated to pay the health care provider to satisfy the charges for the claimant's incurred medical treatment or services, plus the claimant's share of medical expenses under the insurance contract or regulation.

2. If the claimant has health care coverage but obtains



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treatment under a letter of protection or otherwise does not submit charges for any health care provider's medical treatment or services to health care coverage, evidence of the amount the claimant's health care coverage would pay the health care provider to satisfy the past unpaid medical charges under the insurance contract or regulation, plus the claimant's share of medical expenses under the insurance contract or regulation, had the claimant obtained medical services or treatment pursuant to the health care coverage.

3. If the claimant does not have health care coverage or has health care coverage through Medicare or Medicaid, evidence of 120 percent of the Medicare reimbursement rate in effect on the date of the claimant's incurred medical treatment or services, or, if there is no applicable Medicare rate for a service, 170 percent of the applicable state Medicaid rate.

4. If the claimant obtains medical treatment or services under a letter of protection and the health care provider subsequently transfers the right to receive payment under the letter of protection to a third party, evidence of the amount the third party paid or agreed to pay the health care provider in exchange for the right to receive payment pursuant to the letter of protection.

5. Any evidence of reasonable amounts billed to the claimant for medically necessary treatment or medically necessary services provided to the claimant.

(c) Evidence offered to prove the amount of damages for any future medical treatment or services the claimant will receive shall include, but is not limited to, evidence as provided in this paragraph.



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476 1. If the claimant has health care coverage other than
477 Medicare or Medicaid, or is eligible for any such health care
478 coverage, evidence of the amount for which the future charges of
479 health care providers could be satisfied if submitted to such
480 health care coverage, plus the claimant's share of medical
481 expenses under the insurance contract or regulation.

482 2. If the claimant does not have health care coverage or
483 has health care coverage through Medicare or Medicaid, or is
484 eligible for such health care coverage, evidence of 120 percent
485 of the Medicare reimbursement rate in effect at the time of
486 trial for the medical treatment or services the claimant will
487 receive, or, if there is no applicable Medicare rate for a
488 service, 170 percent of the applicable state Medicaid rate.

489 3. Any evidence of reasonable future amounts to be billed
490 to the claimant for medically necessary treatment or medically
491 necessary services.

492 (d) This subsection does not impose an affirmative duty
493 upon any party to seek a reduction in billed charges to which
494 the party is not contractually entitled.

495 (e) Individual contracts between providers and authorized
496 commercial insurers or authorized health maintenance
497 organizations are not subject to discovery or disclosure and are
498 not admissible into evidence.

499 (3) LETTERS OF PROTECTION; REQUIRED DISCLOSURES.—In a
500 personal injury or wrongful death action, as a condition
501 precedent to asserting any claim for medical expenses for
502 treatment rendered under a letter of protection, the claimant
503 must disclose:

504 (a) A copy of the letter of protection.



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(b) All billings for the claimant's medical expenses, which must be itemized and, to the extent applicable, coded according to:

1. For health care providers billing at the provider level, the American Medical Association's Current Procedural Terminology (CPT), or the Healthcare Common Procedure Coding System (HCPCS), in effect on the date the services were rendered.

2. For health care providers billing at the facility level for expenses incurred in a clinical or outpatient setting, including when billing through an Ambulatory Payment Classification (APC) or Enhanced Ambulatory Patient Grouping (EAPG), the International Classification of Diseases (ICD) diagnosis code and, if applicable, the American Medical Association's Current Procedural Terminology (CPT), in effect on the date the services were rendered.

3. For health care providers billing at the facility level for expenses incurred in an inpatient setting, including when billing through a Diagnosis Related Group (DRG), the International Classification of Diseases (ICD) diagnosis and procedure codes in effect on the date in which the claimant is discharged.

(c) If the health care provider sells the accounts receivable for the claimant's medical expenses to a factoring company or other third party:

1. The name of the factoring company or other third party who purchased such accounts.

2. The dollar amount for which the factoring company or other third party purchased such accounts, including any



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discount provided below the invoice amount.

(d) Whether the claimant, at the time medical treatment was rendered, had health care coverage and, if so, the identity of such coverage.

(e) Whether the claimant was referred for treatment under a letter of protection and, if so, the identity of the person who made the referral. If the referral is made by the claimant's attorney, disclosure of the referral is permitted, and evidence of such referral is admissible notwithstanding s. 90.502.

Moreover, in such situation, the financial relationship between a law firm and a medical provider, including the number of referrals, frequency, and financial benefit obtained, is relevant to the issue of the bias of a testifying medical provider.

(4) DAMAGES RECOVERABLE FOR MEDICAL TREATMENT OR SERVICE EXPENSES.—The damages that may be recovered by a claimant in a personal injury or wrongful death action for the reasonable and necessary cost or value of medical care rendered may not include any amount in excess of the evidence of medical treatment and services expenses admitted pursuant to subsection (2), and also may not exceed the sum of the following:

(a) Amounts actually paid by or on behalf of the claimant to a health care provider who rendered medical treatment or services;

(b) Amounts necessary to satisfy charges for medical treatment or services that are due and owing but at the time of trial are not yet satisfied; and

(c) Amounts necessary to provide for any reasonable and necessary medical treatment or services the claimant will



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receive in the future.

Section 6. Section 768.0701, Florida Statutes, is created to read:

768.0701 Premises liability for criminal acts of third parties.—Notwithstanding s. 768.81(4), in an action for damages against the owner, lessor, operator, or manager of commercial or real property brought by a person lawfully on the property who was injured by the criminal act of a third party, the trier of fact must consider the fault of all persons who contributed to the injury.

Section 7. Section 768.0706, Florida Statutes, is created to read:

768.0706 Multifamily residential property safety and security; presumption against liability.—

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

(a) "Crime prevention through environmental design" has the same meaning as in s. 163.503(6).

(b) "Multifamily residential property" means a residential building, or group of residential buildings, such as apartments, townhouses, or condominiums, consisting of at least five dwelling units on a particular parcel.

(c) "Parcel" means real property for which a distinct parcel identification number is assigned to the property by the property appraiser for the county in which the property is located.

(2) The owner or principal operator of a multifamily residential property which substantially implements the following security measures on that property, and demonstrates substantial implementation, has a presumption against liability



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in connection with criminal acts that occur on the premises
which are committed by third parties who are not employees or
agents of the owner or operator:

(a)1. A security camera system at points of entry and exit
which records, and maintains as retrievable for at least 30
days, video footage to assist in offender identification and
apprehension.

2. A lighted parking lot illuminated at an intensity of at
least an average of 1.8 foot-candles per square foot at 18
inches above the surface from dusk until dawn or controlled by
photocell or any similar electronic device that provides light
from dusk until dawn.

3. Lighting in walkways, laundry rooms, common areas, and
porches. Such lighting must be illuminated from dusk until dawn
or controlled by photocell or any similar electronic device that
provides light from dusk until dawn.

4. At least a 1-inch deadbolt in each dwelling unit door.

5. A locking device on each window, each exterior sliding
door, and any other doors not used for community purposes.

6. Locked gates with key or fob access along pool fence
areas.

7. A peephole or door viewer on each dwelling unit door
that does not include a window or that does not have a window
next to the door.

(b) By January 1, 2025, the owner or principal operator of
a multifamily residential property has a crime prevention
through environmental design assessment that is no more than 3
years old completed for the property. Such assessment must be
performed by a law enforcement agency or a Florida Crime



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Prevention Through Environmental Design Practitioner designated by the Florida Crime Prevention Training Institute of the Department of Legal Affairs. The owner or principal operator must remain in substantial compliance with the assessment for purposes of this paragraph.

(c)1. By January 1, 2025, the owner or principal operator of a multifamily residential property provides proper crime deterrence and safety training to its current employees. After January 1, 2025, the owner or principal operator must provide such training to an employee within 60 days after his or her hire date for purposes of this paragraph.

2. For purposes of this paragraph, "proper crime deterrence and safety training" means training which trains and familiarizes employees with the security principles, devices, measures, and standards set forth under paragraph (a), and which is reviewed at least every 3 years and updated as necessary. The owner or principal operator may request a law enforcement agency or the Florida Crime Prevention Through Environmental Design Practitioner performing the assessment under paragraph (b) to review the training curriculum.

(3) The Florida Crime Prevention Training Institute of the Department of Legal Affairs shall develop a proposed curriculum or best practices for owners or principal operators to implement such training. The state has no liability in connection with providing a proposed training curriculum under this subsection.

(4) This section does not establish a private cause of action.

Section 8. Subsection (2) of section 768.81, Florida Statutes, is amended, and subsection (6) is added to that



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section, to read:

768.81 Comparative fault.—

(2) EFFECT OF CONTRIBUTORY FAULT.—In a negligence action, contributory fault chargeable to the claimant diminishes proportionately the amount awarded as economic and noneconomic damages for an injury attributable to the claimant's contributory fault, but does not bar recovery, subject to subsection (6).

(6) GREATER PERCENTAGE OF FAULT.—In a negligence action to which this section applies, any party found to be greater than 50 percent at fault for his or her own harm may not recover any damages. This subsection does not apply to an action for damages for personal injury or wrongful death arising out of medical negligence pursuant to chapter 766.

Section 9. Section 626.9373, Florida Statutes, is repealed.

Section 10. Section 627.428, Florida Statutes, is repealed.

Section 11. Paragraphs (a) and (j) of subsection (1) of section 475.01, Florida Statutes, are amended to read:

475.01 Definitions.—

(1) As used in this part:

(a) "Broker" means a person who, for another, and for a compensation or valuable consideration directly or indirectly paid or promised, expressly or impliedly, or with an intent to collect or receive a compensation or valuable consideration therefor, appraises, auctions, sells, exchanges, buys, rents, or offers, attempts or agrees to appraise, auction, or negotiate the sale, exchange, purchase, or rental of business enterprises or business opportunities or any real property or any interest in or concerning the same, including mineral rights or leases,



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or who advertises or holds out to the public by any oral or printed solicitation or representation that she or he is engaged in the business of appraising, auctioning, buying, selling, exchanging, leasing, or renting business enterprises or business opportunities or real property of others or interests therein, including mineral rights, or who takes any part in the procuring of sellers, purchasers, lessors, or lessees of business enterprises or business opportunities or the real property of another, or leases, or interest therein, including mineral rights, or who directs or assists in the procuring of prospects or in the negotiation or closing of any transaction which does, or is calculated to, result in a sale, exchange, or leasing thereof, and who receives, expects, or is promised any compensation or valuable consideration, directly or indirectly therefor; and all persons who advertise rental property information or lists. A broker renders a professional service and is a professional within the meaning of s. 95.11(4)(b) ~~s. 95.11(4)(a)~~. Where the term "appraise" or "appraising" appears in the definition of the term "broker," it specifically excludes those appraisal services which must be performed only by a state-licensed or state-certified appraiser, and those appraisal services which may be performed by a registered trainee appraiser as defined in part II. The term "broker" also includes any person who is a general partner, officer, or director of a partnership or corporation which acts as a broker. The term "broker" also includes any person or entity who undertakes to list or sell one or more timeshare periods per year in one or more timeshare plans on behalf of any number of persons, except as provided in ss. 475.011 and 721.20.



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(j) "Sales associate" means a person who performs any act specified in the definition of "broker," but who performs such act under the direction, control, or management of another person. A sales associate renders a professional service and is a professional within the meaning of s. 95.11(4)(b) ~~s. 95.11(4)(a)~~.

Section 12. Paragraph (h) of subsection (1) of section 475.611, Florida Statutes, is amended to read:

475.611 Definitions.—

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

(h) "Appraiser" means any person who is a registered trainee real estate appraiser, a licensed real estate appraiser, or a certified real estate appraiser. An appraiser renders a professional service and is a professional within the meaning of s. 95.11(4)(b) ~~s. 95.11(4)(a)~~.

Section 13. Subsection (7) of section 517.191, Florida Statutes, is amended to read:

517.191 Injunction to restrain violations; civil penalties; enforcement by Attorney General.—

(7) Notwithstanding s. 95.11(4)(f) ~~s. 95.11(4)(e)~~, an enforcement action brought under this section based on a violation of any provision of this chapter or any rule or order issued under this chapter shall be brought within 6 years after the facts giving rise to the cause of action were discovered or should have been discovered with the exercise of due diligence, but not more than 8 years after the date such violation occurred.

Section 14. Subsection (2) of section 627.441, Florida Statutes, is amended to read:



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627.441 Commercial general liability policies; coverage to contractors for completed operations.—

(2) A liability insurer must offer coverage at an appropriate additional premium for liability arising out of current or completed operations under an owner-controlled insurance program for any period beyond the period for which the program provides liability coverage, as specified in s. 255.0517(2)(b). The period of such coverage must be sufficient to protect against liability arising out of an action brought within the time limits provided in s. 95.11(3)(b) ~~s. 95.11(3)(c)~~.

Section 15. Subsection (4) of section 624.123, Florida Statutes, is amended to read:

624.123 Certain international health insurance policies; exemption from code.—

(4) Any international health insurance policy or application solicited, provided, entered into, issued, or delivered pursuant to this subsection is exempt from all provisions of the insurance code, except that such policy, contract, or agreement is subject to the provisions of ss. 624.155, 624.316, 624.3161, 626.951, 626.9511, 626.9521, 626.9541, 626.9551, 626.9561, 626.9571, 626.9581, 626.9591, 626.9601, 627.413, 627.4145, ~~627.428~~, and 627.6043.

Section 16. Subsection (4) of section 624.488, Florida Statutes, is amended to read:

624.488 Applicability of related laws.—In addition to other provisions of the code cited in ss. 624.460-624.488:

(4) Sections 627.291, 627.413, 627.4132, 627.416, 627.418, 627.420, 627.421, 627.425, 627.426, 627.4265, 627.427, ~~627.428~~,



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627.702, and 627.706; part XI of chapter 627; ss. 627.912,
627.913, and 627.918;

apply to self-insurance funds. Only those sections of the code
that are expressly and specifically cited in ss. 624.460-624.489
apply to self-insurance funds.

Section 17. Paragraph (b) of subsection (3) of section
627.062, Florida Statutes, is amended to read:

627.062 Rate standards.—

(3)

(b) Individual risk rates and modifications to existing
approved forms are not subject to this part or part II, except
for paragraph (a) and ss. 627.402, 627.403, 627.4035, 627.404,
627.405, 627.406, 627.407, 627.4085, 627.409, 627.4132,
627.4133, 627.415, 627.416, 627.417, 627.419, 627.425, 627.426,
627.4265, and 627.427, ~~and 627.428~~, but are subject to all other
applicable provisions of this code and rules adopted thereunder.

Section 18. Section 627.401, Florida Statutes, is amended
to read:

627.401 Scope of this part.—No provision of this part of
this chapter applies to:

(1) Reinsurance.

(2) Policies or contracts not issued for delivery in this
state nor delivered in this state, except as otherwise provided
in this code.

(3) Wet marine and transportation insurance, except ss.
627.409 and, 627.420, ~~and 627.428~~.

(4) Title insurance, except ss. 627.406, 627.415, 627.416,
627.419, and 627.427, ~~and 627.428~~.



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(5) Credit life or credit disability insurance, except s. 627.419(5) ~~ss. 627.419(5) and 627.428.~~

Section 19. Subsection (8) of section 627.727, Florida Statutes, is amended to read:

627.727 Motor vehicle insurance; uninsured and underinsured vehicle coverage; insolvent insurer protection.—

~~(8) The provisions of s. 627.428 do not apply to any action brought pursuant to this section against the uninsured motorist insurer unless there is a dispute over whether the policy provides coverage for an uninsured motorist proven to be liable for the accident.~~

Section 20. Subsection (8) of section 627.736, Florida Statutes, is amended to read:

627.736 Required personal injury protection benefits; exclusions; priority; claims.—

(8) APPLICABILITY OF PROVISION REGULATING ATTORNEY FEES.—
With respect to any dispute under the provisions of ss. 627.730-627.7405 between the insured and the insurer, or between an assignee of an insured's rights and the insurer, the provisions of s. 768.79 ~~ss. 627.428 and 768.79~~ apply, except as provided in subsections (10) and (15), and except that any attorney fees recovered must:

- (a) Comply with prevailing professional standards;
- (b) Not overstate or inflate the number of hours reasonably necessary for a case of comparable skill or complexity; and
- (c) Represent legal services that are reasonable and necessary to achieve the result obtained.

Upon request by either party, a judge must make written



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findings, substantiated by evidence presented at trial or any hearings associated therewith, that any award of attorney fees complies with this subsection. ~~Notwithstanding s. 627.428,~~ Attorney fees recovered under ss. 627.730-627.7405 must be calculated without regard to a contingency risk multiplier.

Section 21. Section 627.756, Florida Statutes, is amended to read:

627.756 Bonds for construction contracts; attorney fees in case of suit.—

(1) In a suit ~~Section 627.428 applies to suits~~ brought by an owner, a contractor, a subcontractor, a laborer, or a materialman ~~owners, contractors, subcontractors, laborers, and materialmen~~ against a surety insurer under payment or performance bonds written by the insurer under the laws of this state to indemnify against pecuniary loss by breach of a building or construction contract, upon the rendition of a judgment or decree by any of the courts of this state against the surety insurer and in favor of the owner, contractor, subcontractor, laborer, or materialman, the trial court or, in the event of an appeal in which the owner, contractor, subcontractor, laborer, or materialman prevails, the appellate court, shall adjudge or decree against the surety insurer and in favor of the owner, contractor, subcontractor, laborer, or materialman a reasonable sum as fees or compensation for the attorney prosecuting the suit in which the recovery is had. ~~Owners, contractors, subcontractors, laborers, and materialmen shall be deemed to be insureds or beneficiaries for the purposes of this section.~~

(2) A surety who issues a bid, performance, or payment bond



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in connection with construction activities where hazardous substances exist or are discovered is liable under ss. 376.308 and 403.727 only to the extent provided in this subsection. In case of a default, the surety is liable only for the cost of completion of the contract work in accordance with the plans and specifications, less the balance of funds remaining to be paid under the contract, up to the penal sum of the bond. The surety is not liable on a bond to indemnify or compensate the obligee for loss or liability arising from personal injury or property damage, whether or not caused by a breach of the bonded contract. Further, a right of action does not accrue on a bond to or for the use of any person other than the obligee named in the bond.

Section 22. Subsection (4) of section 628.6016, Florida Statutes, is amended to read:

628.6016 Applicability of related laws.—In addition to other provisions of the code cited in ss. 628.6011-628.6018:

(4) Sections 627.291, 627.413, 627.4132, 627.416, 627.418, 627.420, 627.421, 627.425, 627.426, 627.4265, 627.427, ~~627.428~~, 627.702, and 627.706; part XI of chapter 627; ss. 627.912, 627.913, and 627.918; and

apply to assessable mutual insurers; however, ss. 628.255, 628.411, and 628.421 do not apply. No section of the code not expressly and specifically cited in ss. 628.6011-628.6018 applies to assessable mutual insurers. The term "assessable mutual insurer" shall be substituted for the term "commercial self-insurer" as appropriate.

Section 23. Section 631.70, Florida Statutes, is repealed.



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Section 24. Section 631.926, Florida Statutes, is repealed.

Section 25. Subsection (11) of section 632.638, Florida Statutes, is amended to read:

632.638 Applicability of other code provisions.—In addition to other provisions contained or referred to in this chapter, the following chapters and provisions of this code apply to fraternal benefit societies, to the extent applicable and not in conflict with the express provisions of this chapter and the reasonable implications thereof:

~~(11) Section 627.428;~~

Section 26. The Division of Law Revision is directed to replace the phrase "the effective date of this act" wherever it occurs in this act with the date this act becomes a law.

Section 27. The amendments made by this act to s. 95.11, Florida Statutes, apply to causes of action accruing after the effective date of this act.

Section 28. This act shall not be construed to impair any right under an insurance contract in effect on or before the effective date of this act. To the extent that this act affects a right under an insurance contract, this act applies to an insurance contract issued or renewed after the effective date of this act.

Section 29. Except as otherwise expressly provided in this act, this act shall apply to causes of action filed after the effective date of this act.

Section 30. This act shall take effect upon becoming a law.

===== T I T L E A M E N D M E N T =====
And the title is amended as follows:



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911 Delete everything before the enacting clause
912 and insert:

913 A bill to be entitled
914 An act relating to civil remedies; amending s. 57.104,
915 F.S.; creating a rebuttable presumption that a
916 lodestar fee is a sufficient and reasonable attorney
917 fee in most civil actions; providing an exception;
918 creating s. 86.121, F.S.; authorizing a court to award
919 attorney fees in certain declaratory actions;
920 prohibiting the transfer, assignment, or acquisition
921 of the right to such attorney fees except by specified
922 persons; providing construction; amending s. 95.11,
923 F.S.; reducing the statute of limitations for
924 negligence actions; providing applicability of certain
925 provisions to actions involving servicemembers;
926 amending s. 624.155, F.S.; providing standards for bad
927 faith actions; providing for the distribution of
928 proceeds when two or more third-party claims arising
929 out of a single occurrence exceed policy limits;
930 creating s. 768.0427, F.S.; providing definitions;
931 providing standards for the admissibility of evidence
932 to prove the cost of damages for medical expenses in
933 certain civil actions; requiring certain disclosures
934 with respect to claims for medical expenses for
935 treatment rendered under letters of protection;
936 specifying the damages that may be recovered by a
937 claimant for the reasonable and necessary cost of
938 medical care; creating s. 768.0701, F.S.; requiring
939 the trier of fact to consider the fault of certain



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persons who contribute to an injury; creating s.
768.0706, F.S.; providing definitions; providing that
the owner or principal operator of a multifamily
residential property which substantially implements
specified security measures on that property has a
presumption against liability for negligence in
connection with certain criminal acts that occur on
the premises; requiring the Florida Crime Prevention
Training Institute of the Department of Legal Affairs
to develop a proposed curriculum or best practices for
owners or principal operators; providing construction;
amending s. 768.81, F.S.; providing that a party in a
negligence action who is at fault by a specified
amount may not recover damages under a comparative
negligence action; providing applicability; repealing
ss. 626.9373 and 627.428, F.S., relating to attorney
fees awarded against surplus lines insurers and
insurers, respectively; amending s. 627.756, F.S.;
providing for the award of costs and attorney fees in
certain actions; amending ss. 475.01, 475.611,
517.191, 627.441, 624.123, 624.488, 627.062, 627.401,
627.727, 627.736, 628.6016, and 632.638, F.S.;
conforming cross-references and provisions to changes
made by the act; repealing ss. 631.70 and 631.926,
F.S., relating to attorney fees; providing a directive
to the Division of Law Revision; providing
applicability and construction; providing an effective
date.

The Florida Senate

3/16/2023

APPEARANCE RECORD

CS/SB 236

Meeting Date

Fiscal Policy

Deliver both copies of this form to
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Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name **Barry Snyder**

Phone **305-903-8892**

Address **1064 NE 204 Terrace**

Email **attybms@aol.com**

Street

Miami

FL

33179

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/2023

Meeting Date

Fiscal Policy

Committee

The Florida Senate

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CS/SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Karina Perez**

Phone **813-471-4444**

Address **1220 E. 5th Ave.**

Email **karinap@vanguardattorneys.com**

Street

Tampa

City

FL

State

33605

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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Meeting Date

Fiscal Policy

Committee

236

Bill Number or Topic

Amendment Barcode (if applicable)

Name George Feijoo ("Fay-Jew") Phone 305 720 7099

Address 108 S. Monroe St. Email grfeijoo@flapartners.com
Street

Tallahassee FL 32301
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

U.S. Chamber Institute for Legal Reform

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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FISCAL Policy

Committee

SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name Todd E. Carr

Phone 727-687-0205

Address 5537 110th Ave N #203

Email tecarr621@yahoo.com

Street

Pinellas Park, FL 33782

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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Meeting Date

Fiscal Policy

Committee

236

Bill Number or Topic

532740

Amendment Barcode (if applicable)

407-540-9170

Name

Laurette A. Balinsky

Phone

Address

201 S. Orange Avenue

Street

Orlando

City

State

FL

Zip

32801

Email

lbalinsky@insurance
defense.
net

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:☐I am appearing without
compensation or sponsorship.☒I am a registered lobbyist,
representing:

Florida Retail Federation

☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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Meeting Date

Fiscal Policy

Committee

SB 236

Bill Number or Topic

532740

Amendment Barcode (if applicable)

Name Carolyn Johnson

Phone 521-1200

Address 136 S Bronough St

Street

Email cjohnson@flchamber.com

Tallahassee

City

FL

State

32301

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:

FL Chamber of Commerce

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

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S-001 (08/10/2021)

3/16/2023

Meeting Date

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Committee

Name Adam Basford

Address 516 N Adams

Street

Tallahassee

City

FL 32301

State

Zip

The Florida Senate

APPEARANCE RECORD

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236

Bill Number or Topic

344956

Amendment Barcode (if applicable)

Phone 8502247173

Email abasford@aif.com

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Associated Industries of Florida

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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Meeting Date

SB 236
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name John M. Boos

Phone 941 228 6365

Address 2704 19th St. W.
Street

Email A23turbo@Aol.com

Bradenton FL 34205
City State Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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3 LG-23

Meeting Date

Fiscal Policy

Committee

SB 936

Bill Number or Topic

Amendment Barcode (if applicable)

Name Fred Lavett

Phone 206 445-3403

Address 6630 Anchor Loop

Email

Street

Bradenton FL 34212

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

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Meeting Date

SB 236

Bill Number or Topic

FISCAL Policy

Committee

Amendment Barcode (if applicable)

Name Mike Licken

Phone 216 337 6231

Address 5024 SPRINGWOOD

Email MikeLick22@AOL.com

Street

SPRING Hill FL 34609

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Meeting Date

FISCAL Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 236
Bill Number or Topic

Amendment Barcode (if applicable)

Name

BRYAN York

Phone

727 859 0184

Address

3636 Rock Royal Jr
Street

Email

BYORK1204@aol.com

HOLIDAY
City

FL
State

34691
Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-16-23

Meeting Date

FISCAL POLICY

Committee

SB-236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

DEAN MORAN

Phone

727-280-4317

Address

5817 ARRESTREE RD

Email

AAAB34690@GMAIL.COM

Street

HOLIDAY

City

State

FL

Zip

34690

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

SB 236

Bill Number or Topic

Riscal Policy

Committee

Amendment Barcode (if applicable)

Name Michael AWC

Phone 727 808 5184

Address 810 Beltracis Sp

Email Michael.AWC@gmail

Street

Duxedini

FL

34698

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23
Meeting Date

Fiscal Policy
Committee

236
Bill Number or Topic

Amendment Barcode (if applicable)

Name ALIX MILLER

Phone 850-222-9900

Address 350 E. College Ave
Street

Email alix@floridatrucking.org

Tallahassee FL 32301
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

FLORIDA TRUCKING ASSOCIATION

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3-16-23

Meeting Date

Fiscal Policy

Committee

SB 236

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Don Howell

Phone

941-909-4489

Address

4275 Manila Ave

Email

donh1201@gmail.com

Street

North Port FL

34288

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-16-2027

Meeting Date

SB-236

Bill Number or Topic

Escape Policy

Committee

Amendment Barcode (if applicable)

Name

Brad Orlando

Phone

941-815-8372

Address

2306 Seagull Lane

Street

Email

BradOrlando@msn.com

North Port

City

FL

State

34286

Zip

Speaking:

☐ For

☐ Against

☐ Information

OR

Waive Speaking:

☒ In Support

☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

Fiscal Policy

Committee

SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Shana Kessler

Phone

813-898-6288

Address

22461 Carson Dr

Street

Email

ShanaKailani@gmail.com

Land Oakes FL 34639

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/2023

Meeting Date

286/836

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Kathie Skinner

Phone

727-243-8589

Address

1690 Pine Place

Email

KathieSkinner6@gmail.com

Street

Clearwater

City

State

FL

Zip

33755

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenote.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/2023

Meeting Date

Fiscal Policy

Committee

236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Tracey Biggins (son killed by Drunk Driver)

Phone

850-443-8493

Address

1110 Ellington Ct.

Street

Email

mstracey601@yahoo.com

Tallahassee FL

City

32304

State

Zip

Speaking:

☐ For

☐ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

APPEARANCE RECORD

3/14/23

Meeting Date

Fiscal Policy

Committee

SB 234

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Carolyn Johnson

Phone 521-1200

Address 134 S Bronaugh St

Street

Email

Tallahassee FL 32301

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information**OR**Waive Speaking: ☒ In Support ☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**☐ I am appearing without
compensation or sponsorship.☒ I am a registered lobbyist,
representing:FL Chamber of
Commerce☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/23

Meeting Date

The Florida Senate
APPEARANCE RECORD

236

Bill Number or Topic

FISCAL Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name LORENA HOLLEY

Phone 850-222-4082

Address 227 S. ADAMS

Email lorena@FRF.org

Street

Tallahassee FL 32301

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

FLORIDA Retail Federation

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3-16-2023

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

1 SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Romy C Downard

Phone

813-215-7311

Address

13643 Fareham Rd

Email

romy.cdownard@gmail.com

Street

Odesse

FL

33556

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16

Meeting Date

Fiscal Policy

Committee

SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name Fran Haasch

Phone (727) 784-8191

Address 1275 Nebraska Ave

Email fran@lawfran.com

Street

Palm Hb

FL

34683

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

~~3-16-23~~

Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

HB 837

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Gabor Koppany

Phone

727-272-5881

Address

2172 Briarway Dr.

Email

gaborkoppany70@gmail

Street

Clearwater

FL

33763

City

State

Zip

Speaking:

☐

For

~~XXXXXX~~

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

~~X~~

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-16-23

Meeting Date

Fiscal Policy

Committee

SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Dodge Acosta

Phone

954-531-2582

Address

4688 S.W 29 ter

Email

Street

Dania Beach

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

8:35 3-16-23

Meeting Date

Fiscal policy

Committee

SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name William Scolnik

Phone 754-214-1318

Address 1732 NE 15th Ave

Street

Email scolnikwilliam@yahoo.com

Fort Lauderdale FL 33305

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

Meeting Date

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/2023
Meeting Date

Fiscal Policy
Committee

SB 236
Bill Number or Topic

Amendment Barcode (if applicable)

Name William Arnold Phone 904-472-3653

Address 5426 Bay Center Dr., Ste 600 Email warnad@aiffloside.com
Street

Tampa FL 33609
City State Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

American Integrity Insurance Company

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/2023

Meeting Date

SB 236

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Brian Dempsey

Phone _____

Address 3360 SE 62nd
Street

Email _____

Ocala
City

FL
State

34480
Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

March 16 2023
Meeting Date

SB 236
Bill Number or Topic

Fiscal
Committee

Amendment Barcode (if applicable)

Name Dorothy Lee McPherson Phone 850-591-4988

Address 24236 Lanier St Email DottyMcP@aol.com
Street

Tallahassee FL 32310
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

CALA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 236

3/16/23

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Chris Fitts**

Phone **646-246-9207**

Address **7654 Nottingham Stg Dr.**

Street

Apollo Beach FL 33572

City

State

Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

CALA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

03/16

Meeting Date

Fiscal

Committee

SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Christine Ashburn

Phone

850 513 3757

Address

Maryland Circle

Email

christine.ashburn@citizensfla.com

Street

Tallahassee FL

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Citizens Property Insurance Corp.

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

Fiscal Policy

Committee

236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

BG Murphy

Phone

850-893-4155

Address

3195 Shamrock St. S.

Street

Tallahassee

City

FL

State

32309

Zip

Email

bmurphy@faia.com

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Florida Association of Insurance Agents

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

SB 236

Bill Number or Topic

3/16/23

Meeting Date

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Brandi George

Phone 941-650-2086

Address 1055 Lillian St.

Street

Venice

City

FL

State

34285

Zip

Email _____

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

3/16/23

Meeting Date

SB 236

Bill Number or Topic

FISCAL Policy

Committee

Amendment Barcode (if applicable)

Name Sarah Sandberg

Phone 727-657-0294

Address 1406 Ohio Avenue

Street

Email Sarahhbrooke002@gmail.com

Palm Harbor FL

City

State

34683

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/16/2023

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Fiscal Policy Committee

Committee

Deliver both copies of this form to
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SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Stefan Babin

Phone

727-278-7678

Address

322 Ausley Rd. Apt C

Email

sbabinfl@gmail.com

Street

Tallahassee FL

32304

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

CALA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/23

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB236

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Logan Padgett**

Phone **(850)386-3131**

Address **100 N Duval Street**

Email **lpadgett@jamesmadison.org**

Street

Tallahassee

FL

32347

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3.16.23

Meeting Date

Fiscal Policy

Committee

236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Sarah Suskey

Phone

850.222.8100

Address

204 S Monroe St

Email

Sarah@tapfla.com

Street

Tallahassee FL

32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

TechNet

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

APPEARANCE RECORD16 March 2023

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Chris Stranburg

Phone

813-767-9667

Address

107 E College Ave

Street

Email

cstranburg@afphg.orgTallahassee FL

City

State

32301

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:☐I am appearing without
compensation or sponsorship.☒I am a registered lobbyist,
representing:Americans for
Prosperity☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-16-23

Meeting Date

Fiscal Policy

Committee

SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

VIVIAN Lyte-Johnson

Phone

407 598 4264

Address

1884 Ibis Bay Ct

Email

V3576@att.net

Street

Ocoee

FL

34761

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

APPEARANCE RECORD

Meeting Date

3.16.23

Bill Number or Topic

SB 236

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Fiscal Policy

Amendment Barcode (if applicable)

Name

Yolanda Russell

Phone

407-619-3641

Address

5803 CITRUS VILLAGE BLVD #323

Email

yolandarusselloearthlink.net

Street

WINTER GARDEN FL 34787

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:☒I am appearing without
compensation or sponsorship.☐I am a registered lobbyist,
representing:☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-16-23

Meeting Date

Fiscal Policy

Committee

SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Alex Couch

Phone

407-928-3091

Address

2271 Nairn Drive

Street

Winter Park

City

FL

State

32792

Zip

Email

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/2023

Meeting Date

Fiscal Policy

Committee

SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name Brandon Blake

Phone (386) 316-5734

Address 117 S. Gadsden St., Suite A

Street

Email bab@bolin-law.com

Tallahassee FL 32301

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

on behalf of
Florida Defense
Lawyers Association

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. § 11.045 and Joint Rule 1. [2020-2022 Joint Rules pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-16-23

Meeting Date

234

Bill Number or Topic

Physical Policy

Committee

Amendment Barcode (if applicable)

Name

Roy Moore

Phone

Address

4006 Hansen Ferry Rd.

Email

Street

TALLA.

FLA

32308

City

State

Zip

Speaking:

☒ For

☐ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/23

Meeting Date

The Florida Senate
APPEARANCE RECORD

CS/SB 236

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Rick Edwards w/ Florida Auto Glass Plus Phone 904-723-3107

Address 960 Rogero Rd Suite #10

Email _____

Street

Jacksonville

FL

32211

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 236

3-16-23

Meeting Date

Fiscal Policy
Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Vincent James Donahue

Phone

(727) 678-0596

Address

3700 Winder Dr

Email

vincentjdonahue@gmail.com

Street

Holaday
City

FL
State

34691
Zip

Speaking:

☐ For



Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

03/16/2023

Meeting Date

Fiscal Policy

Committee

S3 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Anthony Palmer

Phone

(858) 245-7102

Address

1003 Blue Wing Ct

Street

Venice

City

FL

State

34293

Zip

Email

that haley guy @ gmail.com

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 23C

Bill Number or Topic

Amendment Barcode (if applicable)

Meeting Date

Committee

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

SB-236

Bill Number or Topic

Amendment Barcode (if applicable)

3/16/2023

Meeting Date

Fiscal Policy

Committee

Name

Jay Walton

Phone

850-510-2555

Address

PO Box 15

Email

Jay@highendtimber.com

Street

Monticello

FL

32345

City

State

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

March 16, 2023

Meeting Date

APPEARANCE RECORDDeliver both copies of this form to
Senate professional staff conducting the meeting

SB - 236

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Michael BeardsleyPhone 904-845-7133Address PO Box 187Email mbeardsley@swpa.ag

Street

TallahasseeFL32302-0187

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**☐ I am appearing without
compensation or sponsorship.☒ I am a registered lobbyist,
representing:Southeastern Wood Producers Association,
Inc.☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-16-23

Meeting Date

SB 236

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Kenneth DiGiaco

Phone

(360) 888-2759

Address

5103 Rolling Hill Ct.

Email

Kedigiaco@gmail.com

Street

Temple Terrace FL 33617

City

State

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/10/23

Meeting Date

SB 236

Bill Number or Topic

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Lee Hagood

Phone

941 224 0309

Address

754 Tanana Fall Dr

Email

lee.hagood1@yahoo

Street

Ruskin FL 33570

City

State

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. § 11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-16-23

Meeting Date

SB 236

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

CHRIS FITTS

Phone

646-246-9207

Address

840 WOLKER LOOP

Email

CHRIS766@GMPIL.COM

Street

VILLAGES

City

FL

State

32162

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 236

Bill Number or Topic

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

3-16-2023
Policy
FISCAL Committee

Name RANDY AKERS

Phone 813-763-2097

Address 8098 SHORECREST CT.
Street

Email RC.AKERS@YAHOO.COM

SPRING HILL FL 34606
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

March 16, 2023

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB - 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name Michael Beardsley

Phone 904-845-7133

Address PO Box 187

Email mbeardsley@swpa.ag

Street

Tallahassee

FL

32302-0187

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Southeastern Wood Producers Association,
Inc.

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-16-23

Meeting Date

Physical Policy

Committee

SB-236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Robert Giles

Phone

727-458-9403

Address

4530 41st Ave N

Email

trxdad53@Gmail.com

Street

St. Pete

City

FL

State

33714

Zip

Speaking:

☐ For☒ Against☐ Information**OR**

Waive Speaking:

☐ In Support☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**

I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

03/16/2023

Meeting Date

Fiscal Policy

Committee

SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name Chris McClure

Phone 727-459-1870

Address 6476 Evergreen Ave.

Street

Seminole

City

FL

State

33772

Zip

Email Mason3242@gmail.com

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

CS/SB 236

3/16/2023

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name Michal Meiler Phone 305-577-2149

Address 100 SE 2nd St., Suite 3300 Email mmeiler@vpm-legal.com

Street

Miami

City

FL

State

33131

Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

3/16/2023

APPEARANCE RECORD

CS/SB 236

Meeting Date

Fiscal Policy

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name **Curry Pajcic**

Phone **904-358-8881**

Address **1 Independent Dr. Suite 1900**

Email **curry@pajcic.com**

Street

Jacksonville

FL

32202

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/14/2023
Meeting Date

CS/SB 236
Bill Number (if applicable)

Topic Civil Remedies

Amendment Barcode (if applicable)

Name Tatiana Yaguez

Job Title Survivor Advocate

Address _____
Street

Phone _____

City

State

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing self

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/16/2023
Meeting Date

CS/SB 236
Bill Number (if applicable)

Topic Civil Remedies

Amendment Barcode (if applicable)

Name Nicole McCall

Job Title Survivor advocate

Address Jacksonville FL
Street City State Zip

Phone

Email

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing self

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/14/2023

Meeting Date

CS/SB 236

Bill Number (if applicable)

Topic Civil Remedies

Amendment Barcode (if applicable)

Name Damian Loughran

Job Title Parkland Parent

Address

Street

Coral Springs FL

City

State

Zip

Phone

Email

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing self and family

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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

S-001 (10/14/14)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 236

Bill Number or Topic

3/16/23

Meeting Date

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Lori O'Saechy

Phone 904-737-3232

Address 1545 Landon Ave.
Street

Email admin@niveshore.com
counseling.com

Jacksonville FL 32207
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 236

3/16/23

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Christopher Campione

Phone

352 455 4641

Address

501 W Bay Street

Street

Email

cc@campionelawpa.com

Jacksonville

City

FL

State

32202

Zip

Speaking:

☐ For



Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Meeting Date

Amendment Barcode (if applicable)

Committee

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/2023

Meeting Date

Fiscal Policy

Committee

CS/SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Alexander Clem**

Phone **407-420-1414**

Address **PO Box 4979**

Email **aclem@forthepeople.com**

Street

Orlando

City

FL

State

32802

Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

3/16/2023

Meeting Date

Fiscal Policy

Committee

Name **Brent Steinberg**

Address **1234 E 5th Ave**

Street

Tampa

City

FL

State

33605

Zip

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Phone **813-273-0017**

Email **brents@swopelaw.com**

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3-16-23

Meeting Date

236

Bill Number or Topic

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Bill Herrle

Phone

850-681-0416

Address

110 E Jefferson St.

Email

bill.herrle@nfib.org

Street

Tallahassee FL 32301

City

State

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:

NFIB



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

03.16.23

APPEARANCE RECORD

236

Meeting Date

Fiscal Policy

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name **Andy Bolin**

Phone **813-848-0600**

Address **1905 E. 7th Ave.**

Email **asb@bolin-law.com**

Street

Tampa

FL

33605

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida Justice Reform Institute

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/2023

Meeting Date

Fiscal Policy

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Alex Arteaga-Gomez**

Phone **305-442-8666**

Address **2525 Ponce De Leon Blvd., Suite 1150**

Email **aag@grossmanroth.com**

Street

Coral Gables

FL

33134

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3-16-23

Meeting Date

Fiscal Policy

Committee

SB 236

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Chris Giomblanco

Phone

561-587-3532

Address

19503 Trails End Terrace

Email

chrisgiomblanco@gmail.com

Street

Jupiter

FL

33458

City

State

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-16-23

Meeting Date

FISCAL POLICY

Committee

SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Holly Hec

Phone

941 284 6065

Address

5407 Bent Oak Dr

Email

HollyHec@Yahoo

Street

Sarasota FL

34232

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/2023

Meeting Date

Fiscal Policy

Committee

SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Giovanni Castro

Phone

305.948.4853

Address

161 NW 6 St

Email

Street

Miami

City

FL

State

33128

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:

UBER



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-16-23

Meeting Date

Fiscal Policy

Committee

234

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Matthew Penland

Phone

904-250-2258

Address

1414 Lindrose St

Street

Jacksonville

City

FL

State

32206

Zip

Email

mpenland@cypressstrade.com

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

336

3 / 16

Meeting Date

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name

Kenneth W. Skinner

Phone

727-243-8591

Address

1690 Pine Place

Email

provincer ken 59@gmail.com

Street

Clearwater

FL

33755

City

State

Zip

Speaking:

☐ For



Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3-16-23

Meeting Date

FISCAL POLICY

Committee

SB 2760

Bill Number or Topic

Amendment Barcode (if applicable)

Deliver both copies of this form to
Senate professional staff conducting the meeting

Name JOSEPH TESSITORE

Phone

Address 2707 E. JEFFERSON ST

Email

Street

ORLANDO, FL 32803

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:

FIA CHAMBER

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-JointRules.pdf)

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

S-001 (08/10/2021)

APPEARANCE RECORD

3/16/23

Meeting Date

Fiscal

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 23C

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Todd Michaels

Phone

305 775 0339

Address

330 Alhambra Circle

Street

Email

tMichaels@hogsandlawfirm.com

Carol Gable FL

City

State

33134

Zip

Speaking:

☐ For☒ Against☐ Information**OR**

Waive Speaking:

☐ In Support☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**I am appearing without
compensation or sponsorship.I am a registered lobbyist,
representing:I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3-16-23

Meeting Date

Fiscal Policy

Committee

236

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Kristen Allen

Phone 850-681-0061

Address 1018 Thomasville Rd #101

Email Kristen.allen@madd.org

Street

Tallahassee, FL

City

State

32303

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

Mothers Against
Drug Drivers

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Meeting Date

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

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S-001 (08/10/2021)

03.16.23

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

236

Bill Number or Topic

Amendment Barcode (if applicable)

Name Laurette Balinsky Phone 407-540-9170

Address 201 South Orange Avenue - Suite 200 Email LBalinsky@insurancedefense.net

Street

Orlando

City

FL

State

32801

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida Retail Federation

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/2023

Meeting Date

Fiscal Policy

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Dale Swope**

Phone **813-273-0017**

Address **1234 E 5th Ave**

Email **dales@swopelaw.com**

Street

Tampa

City

FL

State

33605

Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

Fiscal Policy

Committee

236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Samantha Padgett

Phone

850-224-2250

Address

230 S. Adams St.

Street

Email

spadgett@fla.org

Tallahassee

City

FL

State

32301

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:

Florida Restaurant & Lodging Assoc.



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/23

Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 236

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Cary Silverman

Phone 202-783-8400

Address 1800 K Street NW, Ste 1000

Email csilverman@shb.com

Street

Washington

City

DC

State

20006

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

American Tort
Reform Association

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 236

3-16-23

Meeting Date

Deliver both copies of this form to

Senate professional staff conducting the meeting

Bill Number or Topic

Piscar Policy

Committee

Amendment Barcode (if applicable)

Name

Richard Carlin

Phone

724-366-8869

Address

5144 Albert Road

Email

Street

Fruitland Park

State

Zip

FL 34731

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without compensation or sponsorship.



I am a registered lobbyist, representing:



I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. § 11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

APPEARANCE RECORD

3-16-23

Meeting Date

FISCAL

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Alex Arteaga-Gomez

Phone

Address

Street

Coral Gables FL

Email

City

State

Zip

Speaking:

☐ For☒ Against☐ Information**OR**

Waive Speaking:

☐ In Support☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**I am appearing without
compensation or sponsorship.I am a registered lobbyist,
representing:I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/2023

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name Alex Arteaga-Gomez

Phone 305-442-8666

Address 2525 Ponce De Leon Blvd., Suite 1150

Email aag@grossmanroth.com

Street

Coral Gables

FL

33134

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/23

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

236

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Kansas Gooden, Esq.**

Phone **305-537-1238**

Address **11767 S Dixie Hwy #274**
Street

Email **kgooden@boydjen.com**

Miami

City

FL

State

33156

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Personal Insurance Federation of Florida

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

3/16/2023

Meeting Date

Fiscal Policy

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Stephen Cain**

Phone **305-358-6644**

Address **1 SE 3rd Ave., Suite 3000**

Email **scain@stfblaw.com**

Street

Miami

City

FL

State

33131

Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16

Meeting Date

Fiscal Policy

Committee

236

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Dr Rich Templin

Phone

850.224.6926

Address

135 S Monroe St

Email

rtemplin@flaficio.org

Street

Tallahassee

City

FL

State

32301

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Florida
AFL-CIO

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB236

2-16-23

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name John Hagerman

Phone 945-979-6962

Address 207 Cross St.

Street

Email jshagerman@yahoo.com

Punta Gorda FL 33950

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

3/16/2023

Meeting Date

Fiscal Policy

Committee

Name Adam Basford

Address 516 N Adams

Street

Tallahassee

City

FL 32301

State

Zip

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

236

Bill Number or Topic

Amendment Barcode (if applicable)

Phone 8502247173

Email abasford@aif.com

Speaking: ☒ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Associated Industries of Florida

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flisenate.gov\)](#)

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S-001 (08/10/2021)

3/16/23

Meeting Date

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 236

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Chris Giomblanco

Phone

561-587-3532

Address

15503 Trails End Terrace

Email

Chrisgiomblanco@gmail

Street

City

Jupiter

State

FL

Zip

33458

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒I am appearing without
compensation or sponsorship.☐I am a registered lobbyist,
representing:☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/16/23

Meeting Date

236

Bill Number (if applicable)

Topic Civil Remedies

Amendment Barcode (if applicable)

Name Kim Driggers

Job Title General Counsel

Address 1009 SE 9th St

Street

Fort Lauderdale, FL

City

State

Zip

Phone 850.597.1355

Email Kdriggers@driggers-law.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Chiropractic Assn.

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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

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

S-001 (10/14/14)

3/16/2023

Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 236

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name **Todd Michaels**

Phone **305-446-5700**

Address **330 Alhambra Circle, Floor 1**

Email **tjm@haggardlawfirm.com**

Street

Coral Gables

FL

33134

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/2023

Meeting Date

Fiscal Policy

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Robert Bracewell**

Phone **904-629-2779**

Address **1935 Lane Ave. S, Suite 1**

Email **robert@justicecoalition.org**

Street

Jacksonville

FL

32210

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/2023

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Michael Haggard**

Phone **305-446-5700**

Address **330 Alhambra Circle, Floor**

Email **mah@haggardlawfirm.com**

Street

Coral Gables

FL

33134

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/2023

Meeting Date

Fiscal Policy

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

Name Amanda Altman

Phone 305-547-6836

Address 1265 NW 12th Ave

Email aaltman@kristihouse.org

Street

Miami

FL

33136

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

3/16/23

Meeting Date

Fiscal Policy

Committee

Name Rick Carlins

Phone 724-366-9207

Address

Street

City

State

Zip

Speaking:

☒

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without compensation or sponsorship.

☐

I am a registered lobbyist, representing:

☒

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

CALA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 236

Bill Number or Topic

Amendment Barcode (if applicable)

The Florida Senate

APPEARANCE RECORD

16 March 2023

Meeting Date

SB 236

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name

J. Mack - west Florida
Council of clubs

Phone

727-495-3286

Address

Gulf Way

Email

josemack@gmail.com

Street

Hudson

FL

34667

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 236

Bill Number or Topic

544944

Amendment Barcode (if applicable)

3/16/2023

Meeting Date

Fiscal

Committee

Name

Matthew Waring

Phone

904-252-1705

Address

1430 S Federal Hwy Ste 200

Email

matthew@waringinjury.com

Street

Deerfield Beach, FL 33441

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

APPEARANCE RECORD

3-16-23

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 236

Bill Number or Topic

544944-Osgood

Amendment Barcode (if applicable)

Name

Alex Couch

Phone

407-928-3091

Address

2271 Nairn Drive

Email

Street

Winter Park FL 32792

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information**OR**Waive Speaking: ☒ In Support ☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**I am appearing without
compensation or sponsorship.I am a registered lobbyist,
representing:I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/2023

Meeting Date

Fiscal

Committee

236

Bill Number or Topic

544944

Amendment Barcode (if applicable)

Name Brian Dunmire

Phone 352-642-2566

Address 722 W Smith Street

Email BTD@traumainjurylawyer.com

Orlando

City

FL

State

32804

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

03.16.23

APPEARANCE RECORD

236

Meeting Date

Fiscal Policy

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

544944

Committee

Amendment Barcode (if applicable)

Name **Andy Bolin**

Phone **813-848-0600**

Address **1905 E. 7th Ave.**

Email **asb@bolin-law.com**

Street

Tampa

FL

33605

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida Justice Reform Institute

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

3/16/2023

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 236

Bill Number or Topic

544944

Amendment Barcode (if applicable)

Name **Stephen Cain**

Phone **305-358-6644**

Address **1 SE 3rd Ave., Suite 3000**

Street

Email **scain@stfblaw.com**

Miami

FL

33131

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-16-23

Meeting Date

Fiscal Policy

Committee

SB 236

Bill Number or Topic

636650-Osgood

Amendment Barcode (if applicable)

Name Alex Couch

Phone 407-928-3091

Address 2271 Nairn Drive

Street

Email

Winter Park FL 32792

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

31/6/2023

Meeting Date

Fiscal

Committee

236

Bill Number or Topic

~~522140~~ 636650

Amendment Barcode (if applicable)

Name

Brian Dunmire

Phone

352-642-2566

Address

722 W Smith Street

Street

Orlando

City

FL

State

32804

Zip

Email

BTD@traumainjurylawyer.com

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/16/2023

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 236

Bill Number or Topic

636650

Amendment Barcode (if applicable)

Name

Stephen Cain

Phone

305-358-6644

Address

1 SE 3rd Ave, Suite 3000

Street

Miami

City

FL

State

33131

Zip

Email

scain@stflaw.com

Speaking:

☒

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/2023

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 236

Bill Number or Topic

636650

Amendment Barcode (if applicable)

Name **William Kurtz**

Phone **904-599-3152**

Address **301 W Bay Street, Suite 14133**

Email **will@kurtzlawgroup.com**

Street

Jacksonville

FL

32202

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/2023

APPEARANCE RECORD

CS/SB 236

Meeting Date

Fiscal Policy

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

636650

Committee

Amendment Barcode (if applicable)

Name **William Kurtz**Phone **904-599-3152**Address **301 W Bay Street, Suite 14133**
StreetEmail **will@kurtzlawgroup.com****Jacksonville****FL****32202**

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**I am appearing without
compensation or sponsorship.I am a registered lobbyist,
representing:I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

March 16, 2023

Meeting Date

Fiscal Policy

Committee

Name Maria T. Santi

Phone

305-926-7190

Address 7440 N Kendall Drive

Email

msantilaw@gmail.com

Street

2718

Miami

FL

33156

City

State

Zip

Healthcare Attorney

Speaking:

☐

For

☐

Against

☒

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without compensation or sponsorship.

☐

I am a registered lobbyist, representing:

☐

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/2023

Meeting Date

Fiscal Policy

Committee

SB 236

Bill Number or Topic

344956

Amendment Barcode (if applicable)

Name

Brandon A. Blake

Phone

(386) 316-5734

Address

117 S. Gadsden St., Suite A

Street

Email

bab@bolin-law.com

Tallahassee

City

FL

State

32301

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.

01610
Florida Defense
Lawyers Association



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. § 11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

03.16.23

Meeting Date

Fiscal Policy

Committee

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

236

Bill Number or Topic

344956

Amendment Barcode (if applicable)

Name Laurette Balinsky

Phone 407-540-9170

Address 201 South Orange Avenue - Suite 200

Email LBalinsky@insurancedefense.net

Street

Orlando

FL

32801

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida Retail Federation

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

03.16.23

Meeting Date

Fiscal Policy

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

236

Bill Number or Topic

344954

Amendment Barcode (if applicable)

Name **Andy Bolin**

Phone **813-848-0600**

Address **1905 E. 7th Ave.**

Email **asb@bolin-law.com**

Street

Tampa

City

FL

State

33605

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida Justice Reform Institute

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

Fiscal Policy

Committee

SB236

Bill Number or Topic

344956

Amendment Barcode (if applicable)

Name

Cary Silverman

Phone

Address

1800 K Street NW, Ste 1000

Street

Washington

City

DC

State

20006

Zip

Email

csilverman@shb.com

Speaking: ☒ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

American Tort
Reform Association

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

3/16/23

APPEARANCE RECORD

236

Meeting Date

Fiscal Policy

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

344956

Committee

Amendment Barcode (if applicable)

Name **Kansas Gooden, Esq.**

Phone **305-537-1238**

Address **11767 S. Dixie Hwy #274**

Email **kgooden@boydjen.com**

Street

Miami

FL

33156

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Personal Insurance Federation of Florida

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/2023

Meeting Date

Fiscal

Committee

SB 236

Bill Number or Topic

344956

Amendment Barcode (if applicable)

Name

Brian Dunmire

Phone

352-642-2566

Address

722 W Smith Street

Street

Email

BTD@traumainjurylawyers.com

Orlando

City

FL

State

32804

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

3/16/2023

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 236

Bill Number or Topic

344956

Amendment Barcode (if applicable)

Name

William Arnold

Phone

904-472-3653

Address

5226 Bay Center Dr, Ste 600

Email

warnold@aiiflorida.com

Street

Tampa

City

FL

State

33609

Zip

Speaking:

☐ For

☐ Against

☐ Information

OR

Waive Speaking:

☒ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

American Integrity Insurance Company

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/2023

Meeting Date

Fiscal

Committee

SB 236

Bill Number or Topic

344956

Amendment Barcode (if applicable)

Name Matthew Waring

Phone 904-252-1705

Address 1430 S Federal Hwy Ste 200

Street

Email Matthew@waringinjury.com

Deerfield Beach, FL 33441

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

3/16/2023

APPEARANCE RECORD

CS/SB 236

Meeting Date

Fiscal Policy

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

532740

Committee

Amendment Barcode (if applicable)

Name **Alex Arteaga-Gomez**Phone **305-442-8666**Address **2525 Ponce De Leon Blvd., Suite 1150**
StreetEmail **aag@grossmanroth.com****Coral Gables****FL****33134**

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**I am appearing without
compensation or sponsorship.I am a registered lobbyist,
representing:I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

3/16/2023

Meeting Date

Fiscal Policy

Committee

Name

Curry Pajcic

[Signature]

Phone

904-358-8881

Address

1 Independent Dr. Suite 1900

Email

curry@pajcic.com

Street

Jacksonville

FL

32202

City

State

Zip

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 236

Bill Number or Topic

532740

Amendment Barcode (if applicable)

Speaking:

☒

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

CS/SB 236

3/16/2023

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

532748

Amendment Barcode (if applicable)

Name **Stephen Cain**

Phone **305-358-6644**

Address **1 SE 3rd Ave., Suite 3000**

Email **scain@stfblaw.com**

Street

Miami

City

FL

State

33131

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23
Meeting Date

Senate Fiscal Policy
Committee

236
Bill Number or Topic

532740
Amendment Barcode (if applicable)

Name AMANDA ALTMAN Phone 305-547-6836

Address 1265 NW 12th AVE. Email altman@christyhouse.org
Street

MIAMI FL 33136
City State Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

CEO
Christy House

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16
Meeting Date
Senate A + P
Committee

236
Bill Number or Topic
532740
Amendment Barcode (if applicable)

Name Robert Bracewell Phone 904-629-2729

Address 1935 Lane Ave. S. Email Robert@justicecoalition.org
Street
Sacksonville, FL 32210
City State Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

- ☒ I am appearing without compensation or sponsorship.
- ☐ I am a registered lobbyist, representing:
- ☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

03.16.23

APPEARANCE RECORD

236

Meeting Date

Fiscal Policy

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

532740

Committee

Amendment Barcode (if applicable)

Name **Andy Bolin**

Phone **813-848-0600**

Address **1905 E. 7th Ave.**

Email **asb@bolin-law.com**

Street

Tampa

FL

33605

City

State

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Florida Justice Reform Institute

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

3/16/2023

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 236

Bill Number or Topic

532740

Amendment Barcode (if applicable)

Name **Todd Michaels**

Phone **305-446-5700**

Address **330 Alhambra Circle, Floor 1**

Street

Email **tjm@haggardlawfirm.com**

Coral Gables

FL

33134

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/2023

Meeting Date

Fiscal Policy

Committee

CS/SB 236

Bill Number or Topic

532740

Amendment Barcode (if applicable)

Name **Michael Haggard**

Phone **305-446-5700**

Address **330 Alhambra Circle, Floor**

Street

Email **mah@haggardlawfirm.com**

Coral Gables

City

FL

State

33134

Zip

Speaking: ☒ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 236

Bill Number or Topic

532740

Amendment Barcode (if applicable)

3/16/23

Meeting Date

Fiscal

Committee

Name

Tatiana Yoguet

Phone

Address

Jacksonville, FL

Email

Street

City

State

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/16/23

Meeting Date

Fiscal

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 236

Bill Number or Topic

532740

Amendment Barcode (if applicable)

Name

Nicole McCall

Phone

Address

Jacksonville, FL

Email

Street

City

State

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23

Meeting Date

Fiscal

Committee

CS/SB 236

Bill Number or Topic

5327410

Amendment Barcode (if applicable)

Name

Anthony Montalto

Phone

Address

Parkland, FL

Email

Street

City

State

Zip

Speaking:

☒

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 236
Bill Number or Topic
532740
Amendment Barcode (if applicable)

3/16/23
Meeting Date

Fiscal
Committee

Name Damian Loughran Phone _____

Address _____ Email _____

Carol Springs, FL
City State Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/16/23

Meeting Date

Bill Number (if applicable)

532740

Amendment Barcode (if applicable)

Topic Fiscal Policy

Name Tom Michaels

Job Title FJA

Address 330 Alhambra Circle

Street

Coral Gables

City

FL

State

33134

Zip

Phone 305 775-0339

Email tmichaels@hessandlaw.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing FOA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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

S-001 (10/14/14)

CourtSmart Tag Report

Room: KB 412

Case No.: -

Type:

Caption: Senate Fiscal Policy Committee

Judge:

Started: 3/16/2023 8:31:57 AM

Ends: 3/16/2023 3:44:24 PM

Length: 07:12:28

8:31:57 AM Meeting called to order, roll call
8:32:46 AM Quorum is present
8:32:48 AM Pledge of Allegiance
8:33:14 AM Chair Hutson makes opening remarks
8:33:31 AM Tab 2- SB 234, Statutorily Required Reports by Senator Avila
8:33:43 AM Chair Hutson explains the bill
8:33:44 AM Senator Avila explains the bill
8:34:57 AM Amendment 567424
8:35:02 AM Senator Avila explains the amendment
8:35:53 AM Chair Hutson reports the amendment
8:36:13 AM Senator Avila waives close
8:36:19 AM Roll call on SB 234
8:36:58 AM Chair Hutson reports the bill favorable
8:37:04 AM Tab 1- SB 154, Condominium and Cooperative Associations by Senator Bradley
8:37:06 AM Chair Hutson recognizes Senator Bradley
8:37:17 AM Senator Bradley explains the bill
8:42:12 AM Amendment 910284
8:42:17 AM Senator Bradley explains the amendment
8:43:09 AM Senator Bradley waives close
8:43:13 AM Chair Hutson reports the amendment
8:43:23 AM Amendment 648940
8:43:48 AM Chair Hutson reads appearance cards waiving
8:44:03 AM Chair Hutson reports amendment
8:44:09 AM Amendment 368622
8:44:17 AM Senator Bradley explains the amendment
8:44:42 AM Chair Hutson reports amendment
8:44:47 AM Amendment 111888
8:44:53 AM Senator Bradley explains amendment
8:45:08 AM Chair Hutson reports amendment
8:45:14 AM Amendment 333574
8:45:20 AM Senator Bradley explains the amendment
8:45:24 AM Chair Hutson reports amendment
8:45:30 AM Amendment 673282
8:45:36 AM Senator Bradley explains the amendment
8:45:42 AM Chair Hutson reports amendment
8:45:52 AM Amendment 411842
8:45:58 AM Senator Bradley explains the amendment
8:46:16 AM Chair Hutson reports amendment
8:46:29 AM Questions:
8:46:31 AM Senator Berman
8:47:06 AM Senator Bradley
8:47:40 AM Senator Berman
8:47:54 AM Senator Bradley
8:48:19 AM Senator Berman
8:48:28 AM Senator Bradley
8:49:12 AM Senator Berman
8:49:14 AM Senator Bradley
8:49:34 AM Senator Berman
8:49:52 AM Senator Bradley
8:50:32 AM Chair Hutson reads appearance cards waiving
8:50:58 AM Mark Anderson
8:52:53 AM Debate:

8:52:55 AM	Senator Berman
8:54:16 AM	Senator DiCeglie
8:54:59 AM	Senator Boyd
8:55:34 AM	Senator Mayfield
8:56:30 AM	Senator Bradley closes on the bill
8:57:08 AM	Roll call on CS/SB 154
8:57:39 AM	Chair Hutson reports the bill favorable
8:57:51 AM	Tab 3- SB 256, Employee Organizations Representing Public Employees by Senator Ingoglia
8:58:22 AM	Chair Hutson recognizes Senator Ingoglia
8:58:29 AM	Senator Ingoglia explains the bill
8:59:30 AM	Amendment 366640
8:59:36 AM	Senator Ingoglia explains the amendment
8:59:50 AM	Questions:
8:59:51 AM	Senator Berman
9:00:01 AM	Senator Ingoglia
9:00:26 AM	Chair Hutson reports the amendment
9:00:33 AM	Questions:
9:00:34 AM	Senator Jones
9:01:19 AM	Senator Ingoglia
9:01:25 AM	Senator Jones
9:01:30 AM	Senator Ingoglia
9:02:34 AM	Senator Jones
9:02:55 AM	Senator Ingoglia
9:03:14 AM	Senator Jones
9:03:38 AM	Senator Ingoglia
9:04:09 AM	Senator Jones
9:04:18 AM	Senator Ingoglia
9:05:49 AM	Senator Jones
9:05:58 AM	Senator Ingoglia
9:06:33 AM	Senator Jones
9:06:59 AM	Senator Ingoglia
9:07:02 AM	Senator Jones
9:07:12 AM	Senator Ingoglia
9:07:14 AM	Senator Jones
9:08:04 AM	Senator Ingoglia
9:09:33 AM	Senator Osgood
9:10:14 AM	Senator Ingoglia
9:11:10 AM	Senator Osgood
9:11:13 AM	Senator Ingoglia
9:11:34 AM	Senator Thompson
9:11:54 AM	Senator Ingoglia
9:11:58 AM	Senator Thompson
9:12:06 AM	Senator Ingoglia
9:12:09 AM	Senator Thompson
9:12:18 AM	Senator Ingoglia
9:13:03 AM	Senator Thompson
9:13:16 AM	Senator Ingoglia
9:13:55 AM	Senator Thompson
9:14:11 AM	Senator Ingoglia
9:14:21 AM	Senator Thompson
9:15:25 AM	Senator Ingoglia
9:15:56 AM	Senator Torres
9:16:11 AM	Senator Ingoglia
9:16:24 AM	Senator Torres
9:16:40 AM	Senator Ingoglia
9:17:29 AM	Senator Torres
9:17:54 AM	Senator Ingoglia
9:19:21 AM	Senator Torres
9:19:37 AM	Senator Ingoglia
9:19:46 AM	Senator Torres
9:19:48 AM	Senator Ingoglia
9:19:55 AM	Senator Torres

9:20:09 AM	Senator Ingoglia
9:21:24 AM	Senator Torres
9:21:58 AM	Senator Ingoglia
9:22:12 AM	Senator Berman
9:22:36 AM	Senator Ingoglia
9:23:35 AM	Senator Berman
9:23:45 AM	Senator Ingoglia
9:23:52 AM	Senator Berman
9:24:01 AM	Senator Ingoglia
9:24:09 AM	Senator Berman
9:24:31 AM	Senator Ingoglia
9:24:51 AM	Senator Berman
9:25:16 AM	Senator Ingoglia
9:25:22 AM	Senator Berman
9:25:41 AM	Senator Ingoglia
9:26:00 AM	Chair Hutson recognizes appearance cards waiving
9:28:02 AM	Chris Stranburg, AFP
9:30:28 AM	Eric Rodriguez
9:31:26 AM	Stephanie Kunkel, Florida Education Association
9:33:20 AM	Chair Hutson
9:33:34 AM	Stephanie Kunkel
9:33:54 AM	Jason Pridham
9:36:07 AM	Keith Calloway, Special Educators of Florida
9:37:24 AM	Erika Pridham
9:38:41 AM	Martina Taylor
9:40:14 AM	Darla Wolak
9:41:16 AM	Grace Hayes, FEA
9:42:09 AM	Helen Hamel
9:42:42 AM	Clinton McCracken
9:44:19 AM	Elizabeth Albert
9:45:24 AM	Antje Meissner
9:46:42 AM	Melvin Lee Hicks Jr.
9:47:44 AM	April Williams
9:49:07 AM	Stephen Simon
9:50:47 AM	Eric Rodriguez
9:51:24 AM	Nancy Bailey
9:52:50 AM	Charles Walsh
9:54:12 AM	Dr. Ana Ciereszko, United Faculty of Miami-Dade College
9:55:33 AM	Elizabeth Rasmusson, FEA
9:56:45 AM	Emily Goreniz
9:58:14 AM	Tina Vieira
9:59:16 AM	William Scolnik
9:59:23 AM	Chair Hutson passes the chair to Senator Mayfield
10:00:50 AM	Senator Trumbull
10:01:33 AM	Jorge Acosta
10:02:11 AM	Curtis Hierro
10:03:44 AM	Patricia Farley
10:05:08 AM	Stacy Yankelevitz
10:06:00 AM	Mary Rivera
10:08:17 AM	Dr. Rich Templin, Florida AFL-CIO
10:11:20 AM	Tim Adams, WFCC
10:12:14 AM	Elizabeth May
10:13:19 AM	Dwight Mattingly
10:15:18 AM	Cassandra Beltran
10:16:57 AM	Logan Padgett
10:18:09 AM	Ramona Hooks
10:19:04 AM	Theresa King, Florida State Building & Construction Trades
10:20:53 AM	Roosevelt Johnson Jr
10:22:46 AM	Maverick Mckinney
10:24:52 AM	Lisa Bush
10:27:10 AM	Erin Swenson
10:28:18 AM	Dr. Casey Mohrien

10:31:10 AM	James Hand-DeMaria
10:32:50 AM	Charles Colon
10:34:59 AM	Jeff Beekman
10:36:04 AM	Byron Williams
10:37:32 AM	Chaira Cardona
10:38:43 AM	Will Hanley
10:40:09 AM	Arlisa Whitby
10:41:29 AM	Alyssa Roelans
10:43:41 AM	Arlene Griffin
10:45:30 AM	Seadoreia Brown
10:46:52 AM	Deena Howell
10:48:11 AM	Darzell Warren
10:49:36 AM	Michael Sampson II
10:51:09 AM	Senator Burton
10:51:38 AM	Michael Sampson II
10:52:09 AM	Senator Burton
10:52:16 AM	Michael Sampson II
10:53:00 AM	Senator Burton
10:53:03 AM	Michael Sampson II
10:53:34 AM	Senator Burton
10:53:56 AM	Michael Sampson II
10:54:26 AM	Sandra Thuringer
10:56:56 AM	Theresa King
10:58:39 AM	Senator Calatayud
10:59:09 AM	Theresa King
10:59:42 AM	Dr. Kathryn Jones
11:02:17 AM	Chair Mayfield
11:02:27 AM	Kathryn Jones
11:02:50 AM	Chair Mayfield
11:03:06 AM	Kathryn Jones
11:03:14 AM	Chair Mayfield
11:03:26 AM	Dr. Rich Templin
11:04:05 AM	Chair Mayfield
11:04:11 AM	Dr. Rich Templin
11:04:24 AM	Chair Mayfield
11:04:39 AM	Dr. Rich Templin
11:04:47 AM	Senator Yarborough
11:05:08 AM	Dr. Rich Templin
11:05:44 AM	Senator Yarborough
11:05:52 AM	Dr. Rich Templin
11:06:35 AM	Samuel Reddick
11:08:24 AM	Jean Federico
11:09:42 AM	Ken Williams
11:12:29 AM	Patrick Strong
11:13:51 AM	Chair Mayfield
11:14:54 AM	Chair Hutson under rule 2.10(2) receives permission to extend
11:14:56 AM	Debate:
11:15:41 AM	Senator Osgood
11:16:43 AM	Senator Berman
11:18:28 AM	Senator Jones
11:21:24 AM	Senator Boyd
11:22:35 AM	Senator Thompson
11:25:47 AM	Vice Chair Stewart
11:26:31 AM	Senator Torres
11:35:06 AM	Senator Wright
11:36:06 AM	Senator Ingoglia closes on the bill
11:40:20 AM	Roll call on CS/SB 256
11:41:03 AM	Chair Hutson reports the bill favorable
11:41:24 AM	Recording Paused
12:50:16 PM	Recording Resumed
12:50:19 PM	Chair Hutson calls meeting back to order
12:50:44 PM	Roll call

12:51:22 PM Quorum is present
 12:51:25 PM Chair Hutson passes the chair to Senator Mayfield
 12:52:10 PM Tab 4- SB 236, Civil Remedies by Senator Hutson
 12:52:18 PM Chair Mayfield recognizes Senator Hutson
 12:53:00 PM Amendment 209768
 12:53:07 PM Senator Hutson explains the amendment
 12:55:40 PM Amendment 344956
 12:55:46 PM Senator Hutson explains the amendment
 12:57:31 PM Amendment 544944
 12:57:37 PM Chair Mayfield recognizes Senator Osgood
 12:57:51 PM Senator Osgood explains the amendment
 12:59:12 PM Chair Mayfield recognizes appearance cards
 12:59:26 PM Andy Bolin, Florida Justice Reform Institute
 1:01:04 PM Stephen Cain
 1:02:15 PM Senator Hutson
 1:02:57 PM Senator Osgood waives close
 1:03:06 PM Chair Mayfield reports amendment
 1:03:11 PM Amendment 636650
 1:03:59 PM Senator Osgood explains the amendment
 1:05:50 PM Chair Mayfield reads appearance cards
 1:05:58 PM Stephen Cain
 1:07:05 PM William Kurtz
 1:08:29 PM Senator Hutson
 1:09:19 PM Senator Osgood withdraws the amendment
 1:09:32 PM Amendment 532740
 1:09:40 PM Senator Torres explains the amendment
 1:11:05 PM Chair Mayfield recognizes appearance cards
 1:12:08 PM Todd Michaels
 1:13:15 PM Andy Bolin, Florida Justice Reform Institute
 1:14:29 PM Michael Haggard
 1:17:09 PM Tatiana Yoguez
 1:18:05 PM Nicole McCall
 1:18:55 PM Anthony Montalto
 1:21:30 PM Damian Loughran
 1:22:28 PM Amanda Altman
 1:24:29 PM Curry Pajcic
 1:27:37 PM Laurette Balinsky, Florida Retail Federation
 1:29:30 PM Senator Jones
 1:29:43 PM Laurette Balinsky
 1:30:09 PM Debate:
 1:30:11 PM Senator Osgood
 1:31:25 PM Senator Berman
 1:32:32 PM Senator Hutson
 1:35:07 PM Senator Torres closes on the amendment
 1:35:32 PM Chair Mayfield reports the amendment
 1:36:18 PM Chair Mayfield recognizes public testimony
 1:36:49 PM Kansas Gooden, Personal Insurance Federation of Florida
 1:37:46 PM Cary Silverman, American Tort Reform Association
 1:39:01 PM Andy Bolin, Florida Justice Reform Institute
 1:40:39 PM Laurette Balinsky, Florida Retail Federation
 1:42:31 PM Brandon Blake
 1:44:10 PM Maria Santi
 1:46:51 PM Senator Hutson waives close
 1:46:57 PM Chair Mayfield reports amendment
 1:47:13 PM Questions:
 1:47:17 PM Senator Berman
 1:47:39 PM Senator Hutson
 1:48:17 PM Senator Berman
 1:48:38 PM Senator Hutson
 1:48:53 PM Senator Berman
 1:49:19 PM Senator Hutson
 1:49:30 PM Senator Berman

1:49:52 PM	Senator Hutson
1:50:50 PM	Senator Berman
1:51:21 PM	Senator Hutson
1:51:47 PM	Senator Berman
1:52:46 PM	Senator Hutson
1:53:34 PM	Senator Berman
1:53:50 PM	Senator Hutson
1:56:00 PM	Chair Mayfield reads appearance cards waiving
2:01:03 PM	Chair Mayfield recognizes public testimony:
2:01:15 PM	Roy Moore
2:03:15 PM	Rick Edwards, Florida Auto Glass Plus
2:04:07 PM	Vincent Donahue
2:05:36 PM	Matt Hensley
2:06:47 PM	Jay Walton
2:08:28 PM	Kenneth DiGiacomo
2:10:28 PM	Michael
2:12:10 PM	Robert Giles
2:14:39 PM	Chris McClure
2:16:08 PM	Chris Fitts
2:18:08 PM	Randy Akers
2:22:08 PM	Chris
2:23:27 PM	Holly Hill
2:25:33 PM	Giovanni Castro, Uber
2:27:09 PM	Matthew Penland
2:28:48 PM	Kenneth Skinner
2:30:21 PM	Joseph Tessitore, Florida Chamber of Commerce
2:31:43 PM	Todd Michaels
2:34:20 PM	Kristen Allen, Mothers Against Drunk Driving Florida
2:35:39 PM	Laura Henderson
2:38:50 PM	Laurette Balinsky, Florida Retail Federation
2:41:01 PM	Lori Osachy
2:43:16 PM	Christopher Campione
2:44:34 PM	Gordon Terry
2:46:41 PM	Michelle
2:48:19 PM	Curry Pajcic
2:50:37 PM	Chris Giamblanco
2:52:17 PM	Kansas Gooden, Personal Insurance Federation of Florida
2:53:04 PM	Dale Swope
2:55:20 PM	Recording Paused
2:55:40 PM	Recording Resumed
2:55:47 PM	Dale Swope
2:58:04 PM	Alexander Clem
3:00:33 PM	J-Mack, West Florida Council of Clubs
3:04:00 PM	Amanda Altman, Kristi House
3:06:01 PM	Kim Driggers, Florida Chiropractic Association
3:07:05 PM	Michael Haggard
3:09:34 PM	John
3:13:35 PM	Richard Carlins
3:16:02 PM	Chris Ligore
3:18:41 PM	Chair Mayfield makes comments
3:18:50 PM	Debate:
3:18:57 PM	Senator Osgood
3:19:51 PM	Senator Thompson
3:21:31 PM	Vice Chair Stewart
3:24:36 PM	Senator Berman
3:26:51 PM	Senator Torres
3:29:49 PM	Senator DiCeglie
3:31:53 PM	Senator Wright
3:32:15 PM	Senator Jones
3:33:34 PM	Senator Trumbull
3:34:36 PM	Chair Mayfield
3:35:12 PM	Senator Hutson closes on the bill

3:42:36 PM	Roll call on CS/SB 236
3:43:22 PM	Chair Mayfield reports the bill favorable
3:43:46 PM	Chair Mayfield turns the chair back over to Senator Hutson
3:43:57 PM	Senator Jones moves to record a missed vote
3:44:06 PM	Senator Simon moves to record a missed vote
3:44:13 PM	Meeting adjourned