

Tab 1	SB 98 by Harrell (CO-INTRODUCERS) Leek ; Identical to H 00135 Self-storage Spaces
Tab 2	SB 164 by Grall ; Similar to H 00289 Civil Liability for the Wrongful Death of an Unborn Child

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

JUDICIARY
Senator Yarborough, Chair
Senator Burton, Vice Chair

MEETING DATE: Tuesday, November 4, 2025

TIME: 1:00—3:00 p.m.

PLACE: *Toni Jennings Committee Room*, 110 Senate Building

MEMBERS: Senator Yarborough, Chair; Senator Burton, Vice Chair; Senators Berman, DiCeglie, Gaetz, Hooper, Leek, Osgood, Passidomo, Polsky, and Trumbull

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 98 Harrell (Similar S 66, Identical H 135)	Self-storage Spaces; Revising the notice requirements of owners of self-storage units in order to enforce a lien on a tenant's property; requiring that rental agreements for renters of self-storage units which are entered into on or after a specified date provide certain information in compliance with the Self-storage Facility Act; providing that failure or refusal of a tenant to designate an alternate contact does not affect a tenant's or an owner's rights or remedies, etc. JU 11/04/2025 Favorable RI RC	Favorable Yeas 8 Nays 1
2	SB 164 Grall (Similar H 289)	Civil Liability for the Wrongful Death of an Unborn Child; Revising the definition of the term "survivors" to include the parents of an unborn child; defining the term "unborn child"; prohibiting a right of action against the mother for the wrongful death of an unborn child or against a medical provider for lawful medical care provided in certain circumstances, etc. JU 11/04/2025 Favorable ACJ RC	Favorable Yeas 5 Nays 4

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 Judiciary

BILL: SB 98

INTRODUCER: Senator Harrell and Senator Leek

SUBJECT: Self-storage Spaces

DATE: November 3, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Davis</u>	<u>Cibula</u>	<u>JU</u>	Favorable
2. _____	_____	<u>RI</u>	_____
3. _____	_____	<u>RC</u>	_____

I. Summary:

SB 98 revises the Self-storage Facility Act. The Act governs the relationship and contracts between tenants and owners of self-storage facilities and self-contained storage units.

Primarily, the bill authorizes an alternate method for an owner to advertise the proposed sale of a tenant's property when the tenant has failed to pay rent. Currently, the owner must advertise the proposed sale once a week for 2 consecutive weeks in a local newspaper. Under the alternative advertising method authorized by the bill, the owner may advertise the sale on a public website that customarily conducts or advertises personal property auctions or sales.

The bill no longer specifies the methods a tenant may use to update his or her address that is on file with the owner of a self-storage facility or self-contained storage unit. Instead, the bill requires a tenant who wishes to update his or her address to do so in accordance with the terms of the rental agreement.

Rental contracts that are entered into after October 1, 2026, are required to give a tenant the option to designate an alternate contact to receive notices required by the Act. The alternate contact, however, by being named an alternate contact does not acquire the right to access the tenant's storage space or the personal property contained in the unit unless that is expressly stated in the rental agreement.

The bill takes effect October 1, 2026.

II. Present Situation:

The Self-storage Facility Act

The Self-storage Facility Act, which is contained in ss. 83.801 – 83.809, F.S., governs self-storage facilities and self-contained storage units in the state. The basic arrangement contemplated in the Act is that of a tenant¹ who contracts with a facility owner to store the tenant's personal property. Under this arrangement, the storage facility owner faces the risk that a tenant will fail to pay rent or other expenses. However, the Act provides the storage facility owner with a degree of protection and recourse from this risk. The owner has a lien² on all of the tenant's stored personal property and may sell a delinquent tenant's property to satisfy the lien.

Self-storage Facility's Recourse against a Delinquent Tenant

The lien that a storage facility has on a tenant's stored property attaches as of the date that the personal property, whether the property belongs to the tenant or not, is brought to the self-service storage facility or as of the date that the tenant takes possession of the self-contained storage unit.³

Once the tenant breaches the rental agreement by failing to pay the rent when it is due, the owner may enforce the lien in two ways. First, the owner may, without notice, after 5 days from the date the rent is due, deny the tenant access to the personal property located in the unit.⁴ Second, the storage facility may take the first steps toward selling the tenant's property. The storage facility may later sell the property if the tenant does not pay the amount due before the lien sale occurs.⁵

Selling a Delinquent Tenant's Property to Enforce a Lien

If the owner of the self-service storage facility or self-contained storage unit intends to sell the tenant's property to enforce the lien, the owner must notify the tenant in writing. The notice must state that his or her property will be sold to satisfy the lien unless the tenant pays the amount due within 14 days or a longer time period specified in the notice.

The Notice to the Tenant

The written notice may be delivered in person, by e-mail, or by first-class mail with a certificate of mailing to the tenant's last known address. The notice must also be conspicuously posted at the storage facility or unit. If the owner sends the notice of a pending sale to the tenant's last known e-mail address, but does not receive a response, return receipt, or delivery confirmation from the same e-mail address, the owner must send the notice of the sale to the tenant by first-

¹ A "tenant" is the person entitled to use the storage space at a self-service storage facility or in a self-contained unit under a rental agreement, to the exclusion of others. The term is defined in s. 83.803(6), F.S.

² A lien is "a legal right or interest that a creditor has in another's property." The lien generally lasts until the debt that it has secured is satisfied. BLACK'S LAW DICTIONARY (12th ed. 2024).

³ Section 83.805, F.S.

⁴ Section 83.8055, F.S. This "unit" may be a self-service storage facility or self-contained storage unit.

⁵ Section 83.806, F.S.

class mail with a certificate of mailing to the tenant's last known address before the owner may proceed with the sale.⁶

The notice must contain an itemized statement showing:

- The amount due;
- When the amount became due;
- A description of the personal property;
- A demand for payment within a specified time that is no sooner than 14 days after the notice is delivered;
- A conspicuous statement that, unless the claim is paid by the time stated in the notice, the personal property will be advertised for sale and will be sold or otherwise disposed of at a certain time and place; and
- The name, street address, and telephone number of the owner whom the tenant may contact in order to respond to the notice.⁷

Advertisement of the Notice of Sale

When the time given in the notice expires, the owner must place an advertisement of the sale or other disposition of the property in a newspaper of general circulation once a week for 2 consecutive weeks in the area where the facility or unit is located.⁸

The Lien Sale on a Public Website

A lien sale may be conducted on a public website that customarily conducts personal property auctions. The facility owner is not required to have a license to post property for an online sale.⁹ The advertisement for the online sale must include:

- A brief description of what is believed to be the personal property in the storage unit.
- The address of the storage facility or unit and the name of the tenant.
- The time, place, and manner of the sale or other disposition of the property.¹⁰

The sale or other disposition of the property may take place at least 15 days after the first publication.¹¹

If there is no newspaper of general circulation in the area where the storage facility or unit is located, the advertisement must be posted at least 10 days before the date of the sale in at least three conspicuous places in the neighborhood where the facility or unit is located.¹²

⁶ Section 83.806(1), F.S.

⁷ Section 83.806(2), F.S.

⁸ Section 83.806(4), F.S.

⁹ Section 83.806(4)(a), F.S.

¹⁰ Section 83.806(4)(b), F.S.

¹¹ *Id.*

¹² Section 83.806(4)(c), F.S.

Contracts

The “contracts” provision¹³ of the Self-storage Facility Act states that nothing in the Act may be construed as impairing or affecting the right of the tenant and owner to create liens by special contract or agreement or impair any other lien arising at common law, in equity, or by statute, or any other lien not provided for in the Act. Stated more generally, the Act permits tenants and owners to agree to contracts that contain additional terms.

Each rental agreement or application for a rental agreement must disclose whether the applicant is a member of the uniformed services as defined in 10 U.S.C. 101(a)(5).¹⁴ This notifies an owner whether he or she, in accordance with the Servicemembers Civil Relief Act, must obtain a court order to authorize the sale of a tenant’s property.¹⁵

A facility owner may charge a tenant a reasonable late fee for each period that the tenant does not pay the rent that is due. The amount of the late fee must be stated in the rental agreement. A late fee of \$20 or 20 percent of the monthly rent, whichever is greater, is considered reasonable. An owner may also charge a reasonable fee for any expenses that are incurred as a result of rent collection or lien enforcement.¹⁶

III. Effect of Proposed Changes:

Notice to a Tenant of Enforcement of a Lien (Section 2)

Section 83.806, F.S., which addresses the enforcement of a lien, provides an alternative method for the owner to notify the public of an impending sale of a tenant’s property. As an alternative to publishing the notice in a newspaper of general circulation, the owner may publish the notice on a public website that customarily conducts or advertises personal property auctions or sales.

The bill does not change the minimum requirements for public notice of an impending sale of a tenant’s property if there is no newspaper of general circulation where the self-service storage facility or self-contained unit is located. An advertisement for the sale must still be posted at least 10 days before the date of the sale in at least three conspicuous places in the neighborhood where the facility is located.¹⁷

Regardless of the method the owner uses to notify the tenant of an impending sale, the bill requires the owner to also notify any “alternate contact” for the tenant of the upcoming sale. The bill deletes the requirement that the owner post the notice of sale at the self-service storage facility or self-contained unit.¹⁸

¹³ Section 83.808, F.S.

¹⁴ Section 83.808(2), F.S.

¹⁵ If a tenant is an active duty service member or a member of the National Guard and reserve, the Servicemembers Civil Relief Act gives him or her certain financial and legal protections in business dealings, including rental agreements.

¹⁶ Section 83.808(3), F.S.

¹⁷ Section 83.806(4)(c), F.S.

¹⁸ Section 83.805(1), F.S.

“Alternate Contacts” Provided in Rental Contracts (Section 3)

The bill amends s. 83.808, F.S., to require that rental agreements entered into on or after October 1, 2026, make tenants aware of the option to designate an alternate contact to receive notices. Contracts are required to provide space in the rental agreement for the tenant to designate an alternate contact. However, if a tenant does not designate an alternate contact, that does not affect a tenant’s or owner’s rights or remedies under the law.

The alternate contact may receive notices required under the self-storage act. However, the alternate contact does not have any rights to access the tenant’s storage facility or personal property unless the rental agreement expressly allows access.

If a rental agreement is made before October 1, 2026, an owner may send notice to the tenant’s last known address making the tenant aware of the right to designate an alternate contact by the method specified by the owner in the notice.

Amended Definition of “Last Known Address” (Section 1)

The bill amends s. 83.803(1), F.S., to allow owners to specify in their rental agreements how tenants are to update their addresses. The law will no longer tell the tenant how he or she must receive or accept updated addresses.

The bill takes effect October 1, 2026.

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 storage facility owners will likely save money by providing the notice of sale on a more affordable public website rather than paying the advertising fee to a local newspaper. In contrast, the newspapers will likely experience a loss in revenue due to lost ad sales to the facility owners. The bill, by reducing the costs of a sale, may increase the amount of any surplus or aid in reducing a tenant's debt to the owner after the sale. Any surplus from the sale belongs to the tenant.

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: 83.803, 83.806, and 83.808.

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

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

None.

B. Amendments:

None.

By Senator Harrell

31-00371-26

202698

A bill to be entitled

An act relating to self-storage spaces; amending s. 83.803, F.S.; revising the definition of the term "last known address"; amending s. 83.806, F.S.; revising the notice requirements of owners of self-storage units in order to enforce a lien on a tenant's property; amending s. 83.808, F.S.; requiring that rental agreements for renters of self-storage units which are entered into on or after a specified date provide certain information in compliance with the Self-storage Facility Act; providing that failure or refusal of a tenant to designate an alternate contact does not affect a tenant's or an owner's rights or remedies; providing an exception; authorizing owners of a self-storage unit to send notice to certain tenants' last known address to apprise such tenants of a specified right; providing an effective date.

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

Section 1. Subsection (1) of section 83.803, Florida Statutes, is amended to read:

83.803 Definitions.—As used in ss. 83.801-83.809:

(1) "Last known address" means the street address or post office box address provided by the tenant in the latest rental agreement or, subject to any requirement in the rental agreement, in a subsequent written change-of-address notice ~~provided by hand delivery, first-class mail, or e-mail.~~

Section 2. Subsections (1) and (4) of section 83.806,

Page 1 of 4

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

31-00371-26

202698

Florida Statutes, are amended to read:

83.806 Enforcement of lien.—An owner's lien as provided in s. 83.805 may be satisfied as follows:

(1) ~~The owner must notify the tenant and any alternate contact tenant shall be notified~~ by written notice delivered in person, by e-mail, or by first-class mail with a certificate of mailing to the tenant's and, if applicable, the alternate contact's last known address ~~and conspicuously posted at the self-service storage facility or on the self-contained storage unit.~~ If the owner sends notice of a pending sale of property to the tenant's last known e-mail address and does not receive a response, return receipt, or delivery confirmation from the same e-mail address, the owner must send notice of the sale to the tenant by first-class mail with a certificate of mailing to the tenant's last known address before proceeding with the sale.

(4) After the expiration of the time given in the notice, an advertisement of the sale or other disposition must ~~shall~~ be published once a week for 2 consecutive weeks in a newspaper of general circulation in the area where the self-service storage facility or self-contained storage unit is located or on a public website that customarily conducts or advertises personal property auctions or sales.

(a) A lien sale may be conducted on a public website that customarily conducts personal property auctions or sales. The facility or unit owner is not required to hold a license to post property for online sale. ~~Inasmuch~~ As any sale may involve property of more than one tenant, a single advertisement may be used to dispose of property at any one sale.

(b) The advertisement must ~~shall~~ include:

Page 2 of 4

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

31-00371-26

202698

1. A brief and general description of what is believed to constitute the personal property contained in the storage unit, as provided in paragraph (2)(b).

2. The address of the self-service storage facility or the address where the self-contained storage unit is located and the name of the tenant.

3. The time, place, and manner of the sale or other disposition. The sale or other disposition must ~~shall~~ take place at least 15 days after the first publication.

(c) If there is no newspaper of general circulation in the area where the self-service storage facility or self-contained storage unit is located, the advertisement must ~~shall~~ be posted at least 10 days before the date of the sale or other disposition in at least three conspicuous places in the neighborhood where the self-service storage facility or self-contained storage unit is located.

Section 3. Subsection (4) is added to section 83.808, Florida Statutes, to read:

83.808 Contracts.—

(4) Rental agreements entered into on or after October 1, 2026, must contain a provision that appraises the tenant of the option to designate an alternate contact to receive notices required by the Self-storage Facility Act and must provide space in the agreement to designate the alternate contact.

(a) Failure or refusal of a tenant to designate an alternate contact does not affect a tenant's or an owner's rights or remedies under this section or under any other law. The alternate contact, if any, may not have any rights to access the tenant's storage space at a self-service storage facility or

31-00371-26

202698

the tenant's self-contained storage unit or the personal property contained therein unless expressly stated otherwise in the rental agreement.

(b) For rental agreements entered into before October 1, 2026, an owner may send notice to the tenant's last known address to apprise the tenant of his or her right to designate an alternate contact by the method specified by the owner in the notice.

Section 4. This act shall take effect October 1, 2026.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Appropriations Committee on Higher
Education, *Chair*
Health Policy, *Vice Chair*
Appropriations
Appropriations Committee on Health
and
Human Services
Children, Families, and Elder Affairs
Education Postsecondary
Environment and Natural Resources
Rules

SENATOR GAYLE HARRELL
31st District

October 13, 2025

Senator Yarborough
515 Knott Building
Tallahassee, FL 32399

Dear Chair Yarborough,

I respectfully request that SB 98 – Self-Storage Spaces, be placed on the next available agenda for the Committee on Judiciary.

Should you have any questions or concerns, please feel free to contact my office. Thank you in advance for your consideration.

Thank you,

A handwritten signature in blue ink that reads "Gayle".

Senator Gayle Harrell
Senate District 31

Cc: Tom Cibula, Staff Director
Lisa Larson, Committee Administrative Assistant

REPLY TO:

☐ 312 SE Denver Avenue, Stuart, Florida 34994 (772) 221-4019 FAX: (888) 263-7895
☐ 404 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5031

Senate's Website: www.flsenate.gov

BEN ALBRITTON
President of the Senate

JASON BRODEUR
President Pro Tempore

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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SB98

Bill Number or Topic

Amendment Barcode (if applicable)

Name

WILLIAM SNOWDEN

Phone

(850) 566-2232

Address

12 ARRAN ROAD

Email

editor@thewakullasun.com

Street

CLAWFORDVILLE FL 32327

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)

Nov. 4, 2025

Meeting Date

Judiciary

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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SB 98

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Sam Morley**

Phone **8502124395**

Address **336 E. College Ave.**

Email **smorley@flpress.com**

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:

Florida Press Association

☐ 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
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11/4/25
Meeting Date

SB98
Bill Number or Topic

Judiciary
Committee

Amendment Barcode (if applicable)

Name Emerald Greene

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Email emerald@greene
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Madison
City

FL
State

32340
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
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(travel, meals, lodging, etc.),
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S-001 (08/10/2021)

11-4-25

Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 98

Bill Number or Topic

Deliver both copies of this form to
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Judiciary
Committee

Amendment Barcode (if applicable)

Name Emily Walsh

Phone 941-356-0290

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Street

Email ewalsh@yourobservers.com

Sarasota FL 34239
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
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SB 98

Bill Number or Topic

Meeting Date

11/4/25

Committee

Judiciary

Amendment Barcode (if applicable)

Name

Carolyn Nolte

Phone

407-376-6964

Address

471 Canary Island Ct

Email

cnoite@flpress.com

Street

Orlando

FL

32828

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. Press Association



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)

11/04/2025

Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 98

Bill Number or Topic

Judiciary

Deliver both copies of this form to
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Committee

Amendment Barcode (if applicable)

Name **Anna Higgins**

Phone **2023846657**

Address **3375 Rommitch Court**

Email **anna@team180.com**

Street

Pensacola

FL

32504

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:

Self Storage 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. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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11/4/2025

Meeting Date

Judiciary

Committee

SB 98

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Kelly Mallette - Gannett Media

Phone

305-935-1866

Address

108 W Jefferson Street

Email

kelly@RLBOOKPA.COM

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:

Gannette
Media

☐

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 Judiciary

BILL: SB 164

INTRODUCER: Senator Grall

SUBJECT: Civil Liability for the Wrongful Death of an Unborn Child

DATE: November 3, 2025

REVISED: 11/05/25

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Bond	Cibula	JU	Favorable
2.		ACJ	
3.		RC	

I. Summary:

SB 164 expands Florida's Wrongful Death Act to allow the parents of an unborn child to recover damages pursuant to the Act from a person who committed a negligent act that caused the death of the unborn child.

Under current law, damages for the death of an unborn child are not recoverable under the Wrongful Death Act. However, damages may be recoverable for the death of an unborn child who dies at 20 weeks or later into a pregnancy under the common law wrongful stillbirth cause of action. In a wrongful stillbirth action, the damages parents may recover are limited to mental pain and anguish and medical expenses incident to the pregnancy. The mother suffering a loss of an unborn child at any point in the pregnancy that is caused by negligence may sue for general common law personal injury damages if she sustained physical injuries to herself, a requirement of the impact rule.

This bill defines "unborn child" as a human child at any gestational age and provides that the death of an unborn child at any stage of the pregnancy gives rise to a statutory wrongful death action. The effect of these changes is to expand the types of damages recoverable by the parents of an unborn child whose death was caused by a negligent act. Damages recoverable by the parents of a minor child under the Wrongful Death Act include the value of lost support and services, mental pain and suffering from the date of injury, and medical and funeral expenses.

The bill also provides that the mother cannot be sued in a wrongful death action for the death of her unborn child. Similarly, a health care provider providing lawful medical care pursuant with the mother's consent may not be sued in a wrongful death action related to the birth of the unborn child provided that the medical care was provided in compliance with the applicable standard of care. The bill specifies that lawful medical care includes assisted reproductive technologies.

The bill does not impact state revenues or expenditures. See Section V., Fiscal Impact Statement.

The bill is effective July 1, 2026.

II. Present Situation:

Most of the state's tort law is derived from the common law. At common law, there was no right to recover for the wrongful death of another person caused by negligence.¹ This was the law at statehood, but over time the Legislature authorized recoveries for wrongful death and expanded the types of damages recoverable and the classes of survivors entitled to recover. "Because wrongful death actions did not exist at common law, all claims for wrongful death are created and limited by the Florida Wrongful Death Act."²

History of Wrongful Death Actions in Florida

The early versions of the state's wrongful death laws limited the right to recover damages to a surviving spouse, surviving children if there was no surviving spouse, those dependent upon the decedent for support if there was no one belonging to the prior two classes, and finally the executor of the decedent's estate if there was no one belonging to the prior three classes.³ In order to show dependence on the decedent, a claimant had to show that he or she was a minor, physically or mentally disabled, or elderly.⁴ Adults who were mentally and physically capable of providing for themselves could not recover despite having been supported by the decedent.⁵ Any damages recoverable were limited to a form of economic damages.

The wrongful death law was substantially re-written in 1972.⁶ That law created the Florida Wrongful Death Act, which provides the framework for current law. One of the major changes made by this law was to consolidate or merge survival and wrongful death actions.⁷ A survival action is a legal action allowed under the survival statute to continue notwithstanding the plaintiff's death. As merged, the 1972 law allowed the statutory survivors to recover damages for their pain and suffering as a substitute for recoveries for the decedent's pain and suffering under the survival statute.⁸

The type of damages that a survivor is entitled to, under the 1972 law, depends upon the classification of the survivor. The 1972 law allows all survivors to recover the value of lost support and services, a type of economic damages. A surviving spouse may also recover loss of marital companionship and pain and suffering, which are types of noneconomic damages. Minor

¹ *Louisville & Nashville Railroad Co. v. Jones*, 45 Fla. 407, 416 (Fla. 1903).

² *Chinghina v. Racik*, 647 So. 2d 289, 290 (Fla. 4th DCA 1994).

³ *Duval v. Hunt*, 34 Fla. 85 (Fla. 1894) (discussing a wrongful death statute enacted in 1883).

⁴ *Id.* at 101-102.

⁵ The Court interpreted the dependency requirement in the statute as requiring a person to have a genuine inability to support himself or herself based on the view that strong, healthy adults who are capable of earning a livelihood should not be content to "live in idleness upon the fruits of [another's] labor." *Id.* at 101.

⁶ Chapter 72-35, Laws of Fla.

⁷ *Sheffield v. R.J. Reynolds Tobacco Co.*, 329 So. 3d 114, 121 (Fla. 2021).

⁸ *Martin v. United Sec. Services, Inc.*, 314 So. 2d 765, 767 (Fla. 1975).

children, then defined as under age 21⁹ and unmarried, may also recover loss of parental companionship and pain and suffering, both past and future. The parents of a deceased minor child may also recover pain and suffering, both past and future. Any survivor who paid final medical, funeral, and burial expenses of the deceased may recover the value of those expenses. The estate of the decedent may recover lost earnings from date of injury to date of death, plus net accumulations, which is essentially an estimate of the present value of the future estate that would have been available for inheritance.

A 1981 act expanded the definition of “minor children” to include all children of the decedent under age 25, regardless of whether a child is married or dependent.¹⁰ The statutes did not authorize a wrongful death action by a nondependent, adult child for the loss of a parent or an action by a parent for the loss of an adult child.¹¹

In 1990, the Legislature generally expanded the class of survivors entitled to recover damages for pain and suffering in a wrongful death action.¹² As expanded, a decedent’s adult children may recover damages for pain and suffering if there is no surviving spouse. The parents of an adult decedent may also recover damages for pain and suffering if there is no surviving spouse or surviving minor or adult children.¹³

Negligence Actions Related to the Death of an Unborn Child

History of Florida Wrongful Death Law related to Unborn Children

In 1978 the Florida Supreme Court held that an unborn fetus is not a “person” for purposes of Florida’s Wrongful Death Act (Act).¹⁴ Thus, the law was that when a person caused the death of an unborn child at any gestational age, the child’s parents could not recover civil damages under the Act for the death.¹⁵

In 1997 the Florida Supreme Court in the *Tanner* case reiterated that “there is no cause of action under Florida’s Wrongful Death Act for the death of a stillborn fetus.”¹⁶ The Florida courts to this day do not apply Florida’s Wrongful Death Act to an unborn child of any gestational age.

Florida Common Law on Negligence in the Death of an Unborn Child Beyond 20 Weeks Gestation

While the *Tanner* court refused to apply Florida’s statutory Wrongful Death Act, the Court recognized a common law action for “negligent stillbirth.” The Court emphasized that the damages recoverable in such action are limited to mental pain and anguish and medical expenses

⁹ Florida changed the age of majority from 21 to 18 in the following year, but that act did not change the reference to age 21 in the wrongful death law. Section 743.07, F.S.; chapter 73-21, Laws of Fla.

¹⁰ Chapter 81-183, Laws of Fla.

¹¹ *Mizrahi v. North Miami Medical Center, Ltd.*, 761 So. 2d 1040, 1042 (Fla. 2000).

¹² Chapter 90-14, Laws of Fla.

¹³ *Id.* (amending s. 768.18(3) and (4), F.S.). The adult children were also authorized by the 1990 law to recover noneconomic damages for lost parental companionship, instruction, and guidance.

¹⁴ *Duncan v. Flynn*, 358 So. 2d 178 (Fla. 1978).

¹⁵ *Singleton v. Ranz*, 534 So. 2d 847 (Fla. 5th DCA 1988) (citing *Duncan v. Flynn*, 358 So. 2d 178 (Fla. 1978)).

¹⁶ *Tanner v. Hartog*, 696 So. 2d 705, 706 (Fla. 1997).

incurred incident to the pregnancy, and that such legal action is different from an action under the Wrongful Death Act, as follows:

A suit for negligent stillbirth is a direct common law action by the parents which is different in kind from a wrongful death action. The former is directed toward the death of a fetus while the latter is applicable to the death of a living person. As contrasted to the damages recoverable by parents under the wrongful death statute, the damages recoverable in an action for negligent stillbirth would be limited to mental pain and anguish and medical expenses incurred incident to the pregnancy.¹⁷

Historically, the courts have used the common law terms “stillbirth” and “miscarriage” to determine the common law legal rights and obligations of society regarding a mother, a father, an unborn child, and society in general. The *Tanner* court did not specifically define the term stillbirth but simply used it in context. In general, the common law considers a normal pregnancy to last 40 weeks, a lost pregnancy in the first 20 weeks is characterized as a miscarriage, and a lost pregnancy in the second 20 weeks (and beyond) is characterized as a stillbirth.^{18,19}

Florida Common Law on Negligence in the Death of an Unborn Child in the First 20 Weeks Gestation

The *Tanner* court, in using the term “stillbirth” in naming the common law action for wrongful stillbirth strongly implied that Florida courts do not recognize a specific tort for negligence that causes the death of an unborn child in the first 20 weeks of gestation. The mother can recover from the negligent party her personal losses under general common law tort theories; but this recovery appears in practice to be less than what she would recover if the Wrongful Death Act were applied. It appears that the father, however, may be significantly limited in any common law recovery by the practical realities and limitations resulting from the common law impact rule.²⁰

Other States Laws Regarding the Death of an Unborn Child Resulting from Negligence

Florida remains one of the few states that currently do not recognize a cause of action for the wrongful death of an unborn child.²¹ Forty-three states currently have some form of the cause of action. These statutes generally condition recovery based on the viability²² of the child in question.²³

¹⁷ *Tanner*, 696 So. 2d at 708-09.

¹⁸ Centers for Disease Control, *About Stillbirth*, (Aug. 26, 2025) <https://www.cdc.gov/stillbirth/about/index.html>.

¹⁹ MedlinePlus, Miscarriage, <https://medlineplus.gov/ency/article/001488.htm> (last visited Oct. 31, 2025).

²⁰ See, e.g., *Thomas v. OB/GYN Specialists of Palm Beaches, Inc.*, 889 So.2d 971 (Fla. 4th DCA 2004).

²¹ *Stern v. Miller*, 348 So. 2d 303, 307–08 (Fla. 1977); The three other states include Iowa, Maine, and New Jersey. *Dunn v. Rose Way, Inc.*, 333 N.W. 2d 830, 831 (Iowa 1983); *Shaw v. Jendzejec*, 717 A.2d 367, 371 (Me. 1998); *Giardina v. Bennett*, 111 N.J. 412, 421–25 (N.J. 1988).

²² “Viability” is the ability of a developing fetus to survive independent of a pregnant woman’s womb. Elizabeth Chloe Romanis, *Is “viability” viable? Abortion, conceptual confusion and the law in England and Wales and the United States*, 7 J. LAW. BIOSCI. 1 (Jan.-Dec. 2020).

²³ Only Wyoming remains undecided as to whether a cause of action for wrongful death exists as to an unborn child.

Fifteen states afford a cause of action for the wrongful death of an unborn child at any stage of development.²⁴ Several of these states, however, provide an exception so that the mother cannot be sued for the wrongful death of her unborn child.²⁵

Three states, including Connecticut,²⁶ Georgia,²⁷ and Mississippi,²⁸ allow a wrongful death action to be brought on behalf of an unborn child if the quickening standard is met, which requires fetal movement to have been detected prior to death.²⁹

Twenty-five states allow a cause of action for the wrongful death of an unborn child under a viability standard, which examines whether an unborn child can exist independently outside of the mother's womb.³⁰ Of these 25 states, one state, Indiana, expressly prohibits a wrongful death action if the death of an unborn child is the result of a lawful abortion.³¹

Finally, one state, Wyoming, remains undecided as to whether a cause of action for wrongful death exists as to an unborn child.³²

²⁴ Alabama (*Hamilton v. Scott*, 97 So. 3d 728 (Ala. 2012)); *Mack v. Carmack*, 79 So. 3d 597 (Ala. 2011)); Alaska (Alaska Stat. Ann. § 09.55.585); Arkansas (Ark. Code Ann. § 15-62-102); Illinois (740 Ill. Comp. Stat. Ann. 180/2.2); Kansas (Kan. Stat. Ann. § 60-1901); Louisiana (Louisiana Civil Code Art. 26); Michigan (Mich. Comp. Laws Ann. § 600.2922a); Missouri (Mo. Ann. Stat. § 1.205); Nebraska (Neb. Rev. Stat. § 30-809); Oklahoma (12 Okl. St. Ann. § 1053, OK ST T. 12 § 1053; *Pino v. United States*, 2008 OK 26, 183 P.3d 1001); South Dakota (S.D. Codified Laws §21-5-1); Texas (Tex. Civ. Prac. & Rem. Code § 71.002); Utah (*Carranza v. United States*, 2011 UT 80, 267 P.3d 912); Virginia (Va. Code. Ann. §§8.01-50); West Virginia (*Farley v. Sarti*, 195 W. Va. 671, 681 (1995)).

²⁵ See Kan. Stat. Ann. § 60-1901; Tex. Civ. Prac. & Rem. Code § 71.003.

²⁶ *Elderkin v. Mahoney*, No. CV156056191, 2017 WL 5178583 (Conn. Super. Ct. Sept. 28, 2017).

²⁷ *Porter v. Lassiter*, 91 Ga. App. 712 (1955); *Shirley v. Bacon*, 154 Ga. App. 203 (1980).

²⁸ Miss. Code Ann. § 11-7-13 (2018).

²⁹ Romanis, *supra*, note 20.

³⁰ Arizona (*Summerfield v. Superior Ct. in and for Maricopa County*, 144 Ariz. 467 (Ariz. 1985)); Colorado (*Gonzales v. Mascarenas*, 190 P. 3d 826 (Colo. App. 2008)); Delaware (*Worgan v. Greggo & Ferrera, Inc.*, 50 Del. 258 (Del. Super. Ct. 1956)); Hawaii (*Hawaii Castro v. Melchor*, 137 Hawai'i 179 (Haw. Ct. App. 2016)); Idaho (*Volk v. Baldazo*, 103 Idaho 570 (Idaho 1982)); Indiana (Ind. Code Ann. §34-23-2-1(b)); Kentucky (*Stevens v. Flynn*, No. 2010-CA-00196-MR, 2011 WL 3207952 (Ky. Ct. App. July 29, 2011)); Maryland (*Brown v. Contemporary OB/GYN Assocs.*, 143 Md. App. 199 (Md. Ct. Spec. App. 2002); Md. Code Ann., Cts. & Jud. Proc. §§ 3-902, 3-904); Massachusetts (*Thibert v. Milka*, 419 Mass. 693 (Mass. 1995)); Minnesota (*Pehrson v. Kistner*, 301 Minn. 299 (Minn. 1974)); Montana (*Blackburn v. Blue Mt. Women's Clinic*, 286 Mont. 60 (Mont. 1997)); Nevada (*White v. Yup*, 85 Nev. 527 (Nev. 1969)); New Hampshire (*Wallace v. Wallace*, 120 N.H. 675 (N.H. 1980)); New Mexico (*Miller v. Kirk*, 120 N.M. 654 (N.M. 1995)); North Carolina (*DiDonato v. Wortman*, 320 N.C. 423, 358 S.E.2d 489 (1987)); North Dakota (*Hopkins v. McBane*, 359 N.W. 2d 862 (N.D. 1984)); Ohio (*Griffiths v. Doctor's Hosp.*, 150 Ohio App. 3d 234, 2002-Ohio-6173, 780 N.E.2d 603 (2002)); Oregon (*LaDu v. Oregon Clinic, P.C.*, 165 Or. App. 687 (Or. Ct. App. 2000)); Pennsylvania (*Coveleski v. Bubnis*, 535 Pa.166 (Pa. 1993)); Rhode Island (*Miccolis v. AMICA*, 587 A. 2d 67 (R.I. 1991)); South Carolina (*Crosby v. Glasscock Trucking*, 340 S.C. 626 (S.C. 2000)); Tennessee (Tenn. Code Ann. § 2 0-5-106(c)); Vermont (*Vaillancourt v. Med. Ctr. Hosp. Vt., Inc.*, 139 Vt. 38 (Vt. 1980)); Washington (*Baum v. Burrington*, 119 Wash. App.36 (Wash. Ct. App. 2003)); Wisconsin (*Kwaterski v. State Farm Mut. Auto. Ins. Co.*, 34 Wis. 2d 14 (Wis. 1967)).

³¹ Ind. Code Ann. §34-23-2-1.

³² Wyoming has not determined whether an unborn child is a "person" under the state's Wrongful Death Act. But, the Court has held that an unborn child is not a "minor" for whom guardianship statutes authorize the appointment of a guardian. *Matter of Guardianship of MKH*, 2016 WY 103, 382 P.3d 1096 (Wyo. 2016).

Damages Recoverable Pursuant to Florida Wrongful Death Act

The Florida Wrongful Death Act³³ provides that the parents³⁴ of a minor child who dies due to the negligence of another may recover:

- The value of lost support and services from the date of the decedent's injury to her or his death, with interest, and future loss of support and services from the date of death and reduced to present value. In evaluating loss of support and services, the survivor's relationship to the decedent, the amount of the decedent's probable net income available for distribution to the particular survivor, and the replacement value of the decedent's services to the survivor may be considered. In computing the duration of future losses, the joint life expectancies of the survivor and the decedent and the period of minority, in the case of healthy minor children, may be considered.³⁵
- Mental pain and suffering from the date of injury.³⁶
- Medical or funeral expenses due to the decedent's injury or death that were paid by one of the parents. These expenses are recoverable by the parent that paid them.³⁷

The probate estate of the minor child may recover for the estate:³⁸

- Loss of earnings of the deceased from the date of injury to the date of death, less lost support of survivors excluding contributions in kind, with interest.³⁹
- Medical or funeral expenses due to the decedent's injury or death that have become a charge against her or his estate.⁴⁰

III. Effect of Proposed Changes:

The bill expands Florida's Wrongful Death Act to allow the parents of an unborn child to recover noneconomic damages through the Act from a person who is responsible pursuant to tort law (that is, a person who has committed a negligent act)⁴¹ for the death of their unborn child. The

³³ Sections 768.16-.26, F.S.

³⁴ The use of the term "parents" is arguably unclear, but the use in context is not changed by the bill. In the current statute, the term "parent" is not specifically defined, but is used in the context of survivors of the decedent. See s. 768.21(1), F.S. In general, only a person who is within the category of survivor may be a plaintiff in a statutory wrongful death action. Clearly, the natural mother is a parent and a survivor. The definition of "survivors" excludes a natural father of a child born out of wedlock unless the father has recognized a responsibility for the child's support. *Id.* It appears the statutory intent of the term "parents" in s. 768.21(4), F.S., would be found by a court (whether using the current statute or the law as amended by the bill) to also exclude a natural father who was not supporting the unborn child at the time of his or her wrongful death from collecting a recovery for wrongful death. On the other hand, a predecessor statute that excluded the father of an "illegitimate child" from being a survivor was found unconstitutional as a violation of equal protection. *Wilcox v. Jones*, 346 So.2d 1037 (Fla. 4th DCA 1977).

³⁵ Section 768.21(1), F.S.

³⁶ Section 768.21(4), F.S.

³⁷ Section 768.21(5), F.S.

³⁸ Note that, as this may be applied to unborn children, an unborn child could not have lawfully executed a will, the laws of intestacy would apply and the parents would share equally in net proceeds of the estate.

³⁹ Section 768.21(6)(a), F.S.

⁴⁰ Section 768.21(6)(b), F.S.

⁴¹ A plaintiff in a wrongful death action, like the plaintiff in any form of negligence lawsuit, must prove to the court that one or more defendants committed one or more negligent acts, and that the negligent act or acts caused harm to the plaintiff, in order to prevail in the lawsuit. Ordinary lawful actions are generally not considered negligent under the tort law, and thus, do not support any form of personal injury lawsuit. An act considered negligent under the tort law but that causes no harm to the plaintiff does not support any form of personal injury lawsuit.

bill does not reference the gestational age of the unborn child, and thus treats the death of an unborn child at any point in the pregnancy the same as the death of any child as that term is defined in the wrongful death law.

The bill defines the term “unborn child” to mean “a member of the species *Homo Sapiens*, at any stage of development, who is carried in the womb.”⁴²

Using that definition, the bill creates a statutory wrongful death action that may be pursued by the parents of an unborn child whose death is caused by the negligence of another person which occurs at any stage of a pregnancy.

By expanding the statutory wrongful death law to include unborn children, the parents of the unborn child will not be limited to the damages available under the common law causes of action. The parents are also not limited by the common law differences based on the gestational age, which thereby equalizes the legal effects of this law to apply to all unborn children. The parents, instead, may recover the full measure of the economic and noneconomic damages available under the Florida Wrongful Death Act for the loss of a minor child.⁴³

The bill does not change the statutory requirements for a wrongful death action pursuant to the Wrongful Death Act.⁴⁴ The bill adopts the current measure of damages available to the parents upon the death of a minor child to equally apply to the death of an unborn child.

The bill specifies that the mother of the unborn child may not be sued in a wrongful death action related to the death of her unborn child. Also, a health care provider may not be sued in a wrongful death action related to the death of an unborn child, provided that the health care provider furnished lawful medical care with the consent of the mother and in compliance with the applicable standard of care. The bill specifies that the lawful medical care that qualifies for protection includes assisted reproductive technologies.⁴⁵

The bill is effective July 1, 2026.

⁴² The definition is similar to the definition of unborn child used in the criminal code. See s. 775.021(5)(e), F.S.

⁴³ Recovery of some forms of damages, such as lost support and services and net accumulations, may be difficult to calculate given the nature of those damages as they relate to an unborn child. A 1976 DCA opinion that found the Wrongful Death Act applies to an unborn child went on to rule that damages for lost support and services of an unborn child are so speculative that they may not be recovered. *Miller v. Highlands Ins. Co.*, 336 So.2d 636 (Fla. 4th DCA), *overruled on other grounds by Stern v. Miller*, 348 So.2d 303 (Fla. 1977) (ruling that the Wrongful Death Act does not apply to the death of an unborn child).

⁴⁴ See s. 768.20, F.S. (stating that the “action shall be brought by the decedent’s personal representative, who shall recover for the benefit of the decedent’s survivors and estate all damages”). See also s. 733.301(1)(b), F.S., which establishes an order of preference for appointing personal representatives for intestate estates (persons who die without a will). Probate law requirements giving the court oversight over appointment and actions of a personal representative should preclude the appointment of a personal representative who would take a position adverse to the mother.

⁴⁵ Assisted reproductive technology is defined at s. 742.13(1), F.S., to mean “those procreative procedures which involve the laboratory handling of human eggs or preembryos, including, but not limited to, in vitro fertilization embryo transfer, gamete intrafallopian transfer, pronuclear stage transfer, tubal embryo transfer, and zygote intrafallopian transfer.”

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:

The bill may increase private insurance rates to the extent that this bill provides for tort claim recoveries that are not paid under current law.

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: 768.18, 768.19, and 768.21.

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

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

None.

B. Amendments:

None.

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

By Senator Grall

29-00131-26

2026164__

A bill to be entitled

An act relating to civil liability for the wrongful death of an unborn child; reordering and amending s. 768.18, F.S.; revising the definition of the term "survivors" to include the parents of an unborn child; defining the term "unborn child"; amending s. 768.19, F.S.; prohibiting a right of action against the mother for the wrongful death of an unborn child or against a medical provider for lawful medical care provided in certain circumstances; amending s. 768.21, F.S.; authorizing parents of an unborn child to recover certain damages; prohibiting the recovery of certain damages if the decedent is an unborn child; conforming a cross-reference; providing an effective date.

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

Section 1. Section 768.18, Florida Statutes, is reordered and amended to read:

768.18 Definitions.—As used in ss. 768.16-768.26:

(5)(1) "Survivors" means the decedent's spouse, children, parents, and, when partly or wholly dependent on the decedent 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 child.

(1)(2) "Minor children" means children under 25 years of

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

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age, notwithstanding the age of majority.

(4)(3) "Support" includes contributions in kind as well as money.

(3)(4) "Services" means tasks, usually of a household nature, regularly performed by the decedent that will be a necessary expense to the survivors of the decedent. These services may vary according to the identity of the decedent and survivor and shall be determined under the particular facts of each case.

(2)(5) "Net accumulations" means the part of the decedent's expected net business or salary income, including pension benefits, that the decedent probably would have retained as savings and left as part of her or his estate if the decedent had lived her or his normal life expectancy. "Net business or salary income" is the part of the decedent's probable gross income after taxes, excluding income from investments continuing beyond death, that remains after deducting the decedent's personal expenses and support of survivors, excluding contributions in kind.

(6) "Unborn child" means a member of the species *Homo sapiens*, at any stage of development, who is carried in the womb.

Section 2. Section 768.19, Florida Statutes, is amended to read:

768.19 Right of action.—

(1) When the death of a person is caused by the wrongful act, negligence, default, or breach of contract or warranty of any person, including those occurring on navigable waters, and the event would have entitled the person injured to maintain an

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action and recover damages if death had not ensued, the person or watercraft that would have been liable in damages if death had not ensued shall be liable for damages as specified in this act notwithstanding the death of the person injured, although death was caused under circumstances constituting a felony.

(2) Notwithstanding any other provision of this act, a wrongful death action for the death of an unborn child may not be brought against the mother of the unborn child or against a medical provider for lawful medical care provided in compliance with the applicable standard of care, including, but not limited to, care related to assisted reproductive technologies as defined in s. 742.13, provided with the consent of the mother.

Section 3. Subsection (4) and paragraph (a) of subsection (6) of section 768.21, Florida Statutes, are amended 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:

(4) Each parent of a deceased minor child or an unborn child may also recover for mental pain and suffering from the date of injury. Each parent of an adult child may also recover for mental pain and suffering if there are no other survivors.

(6) The decedent's personal representative may recover for the decedent's estate the following:

(a) Loss of earnings of the deceased from the date of injury to the date of death, less lost support of survivors excluding contributions in kind, with interest. Loss of the prospective net accumulations of an estate, which might reasonably have been expected but for the wrongful death,

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reduced to present money value, may also be recovered:

1. If the decedent's survivors include a surviving spouse or lineal descendants; or

2. If the decedent is not a minor child or an unborn child as those terms are defined in s. 768.18 ~~s. 768.18(2)~~, there are no lost support and services recoverable under subsection (1), and there is a surviving parent.

Evidence of remarriage of the decedent's spouse is admissible.

Section 4. This act shall take effect July 1, 2026.

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



The Florida Senate

Committee Agenda Request

To: Senator Clay Yarborough, Chair
Committee on Judiciary

Subject: Committee Agenda Request

Date: October 21, 2025

I respectfully request that **Senate Bill #164**, relating to Civil Liability for the Wrongful Death of an Unborn Child, be placed on the:

- ☒ committee agenda at your earliest possible convenience.
- ☐ next committee agenda.

A handwritten signature in blue ink that reads "Erin K. Grall".

Senator Erin Grall
Florida Senate, District 29

The Florida Senate
APPEARANCE RECORD

11-4-2025

Meeting Date

SB 164

Bill Number or Topic

Judiciary Committee

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Andrew Shirvell

Phone

(850) 404-3414

Address

P.O. Box 12152

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andrew@Floridavoice
Fortheunborn.com

Street

Tallahassee FL 32317

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 Voice For the Unborn, Inc.

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

11/4/25

Meeting Date

Judiciary

Committee

SB 164

Bill Number or Topic

Amendment Barcode (if applicable)

Name Madeline Bowman

Phone 941-587-0469

Address ~~1750 FL~~ 622 W 10th Ave
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Email madelinejb Bowman@gmail.com

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 \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

11/4/25

Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

164

Bill Number or Topic

Judiciary
Committee

Amendment Barcode (if applicable)

Name

Dominic Nance

Phone

773 504 5492

Address

1328 Stiles Road Ct

Email

llama1989@aol.com

Street

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

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 \(flsenate.gov\)](#)

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S-001 (08/10/2021)

4 NOV 2025

Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 164

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

BILL SNYDER

Phone

850 242 2632

Address

HIAWATHA FARM ROAD

Email

Street

MONTICELLO FL 32344

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

11/4/2025

Meeting Date

SB/64

Bill Number or Topic

Judiciary

Committee

Amendment Barcode (if applicable)

Name

Harrison Lundy

Phone

813-998-5928

Address

12010 Streambed Drive

Email

harrison@voicesofflorida.org

Street

Riverview

City

FL

State

33579

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:

Voices of Florida

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

11-4-2025

Meeting Date

Judiciary

Committee

SB 164

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Mark Delegal

Phone

850 583-2400

Address

215 S. Monroe St. #200

Email

mark@dacl.com

Street

TLH

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:

The Doctors 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 \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

11.4.2025

Meeting Date

SB164

Bill Number or Topic

Judiciary

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Gri "Gree"

Phone

Address

Street

Tallahassee

City

FL

State

32304

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)

11.4.25

Meeting Date

Judiciary

Committee

Name **Kara Gross**

Phone **786-363-4436**

Address **4343 West Flagler St.**

Email **kgross@aclufl.org**

Street

Miami

City

FL

State

33134

Zip

SB 164

Bill Number or Topic

Amendment Barcode (if applicable)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

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 Civil Liberties Union 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 \(flsenate.gov\)](#)

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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

11-4-25

Meeting Date

Judiciary

Committee

SB 164

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Devon Graham
w American Atheists

Phone

Address

Street

Email

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:

☐

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

11/4/2025
Meeting Date

Judiciary
Committee

164
Bill Number or Topic

Amendment Barcode (if applicable)

Name John Labriola

Phone 954-515-2084

Address PO Box 650216

Email John.Labriola@cfeflorida.net

Street

Miami

City

FL

State

33265

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:

Christian Family Coalition 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 \(flsenate.gov\)](#)

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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

NOV 4, 2025

Meeting Date

JUDICIARY

Committee

164

Bill Number or Topic

Amendment Barcode (if applicable)

Name KATHLEEN MURRAY

Phone 757 438 6790

Address 11674 GRAN CRIQUE CT N
Street

Email kmurray@ccdfusa.com

JACKSONVILLE FL 32223
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 \(flsenate.gov\)](#)

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S-001 (08/10/2021)

11/04/25

Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 164

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Judiciary
Committee

Amendment Barcode (if applicable)

Name

Ryan Kennedy

Phone

239-671-5733

Address

5572 Cobalto way

Email

ryan@gotlca.org

Street

Ave Maria

FL

34142

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 Citizens
Alliance

☐ 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

11/4/25

Meeting Date

S - Judiciary

Committee

164

Bill Number or Topic

Amendment Barcode (if applicable)

Name Joseph Harmon

Phone 850-205-6826

Address 201 W Park Ave
Street

Email jharmon@flaccb.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 Conference of Catholic Bishops

☐ 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

11/04/2025

Meeting Date

SB 164

Bill Number or Topic

Judiciary

Committee

Amendment Barcode (if applicable)

Name Jorge Arias

Phone 786-447-3959

Address 1144 Greentree Ct

Email jca25ar@fsr.edu

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

Bill Number or Topic

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 \(flsenate.gov\)](#)

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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

11/04/2025

Meeting Date

Judiciary

Committee

SB 164

Bill Number or Topic

Amendment Barcode (if applicable)

Name Melanie Williams

Phone _____

Address _____
Street

Email Williams@FloridaHealthJustice.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:

Florida Health Justice

☐ 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

11/4/2025

Meeting Date

SB 164

Bill Number or Topic

Judiciary

Committee

Amendment Barcode (if applicable)

Name Empress X

Phone (850) 443-7759

Address 101 N Monroe 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:

☐ 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

11/4/2025

Meeting Date

S. Judiciary

Committee

SB 164

Bill Number or Topic

Amendment Barcode (if applicable)

Name Quinn Diaz

Phone 215-272-8353

Address P.O. Box 13184

Street

Email quinn.diaz@equalityflorida.org

St. Petersburg FL 33733

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:

Equality 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

11-04-2025

Meeting Date

Judiciary

Committee

SB 164

Bill Number or Topic

Amendment Barcode (if applicable)

Name Trenee Robertson

Phone _____

Address _____

Email _____

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:

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 164

Bill Number or Topic

Amendment Barcode (if applicable)

11/04/2025
Meeting Date
Judiciary
Committee

Name Michelle Grimsley Shindano 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: FL Alliance
of Planned Parenthood
Affiliates

☐ 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

11/4/26

Meeting Date

Judiciary

Committee

SB 164

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Nolan Wilson

Phone

Address

2100 Corning Street

Email

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:

☐

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)

11.04.25

Meeting Date

Judiciary

Committee

Name

William Large

Phone

8502220170

Address

215 South Monroe Street - Ste 140

Email

William@fljustice.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 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

164

Bill Number or Topic

Amendment Barcode (if applicable)

Deliver both copies of this form to
Senate professional staff conducting the meeting



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Appropriations Committee on Transportation, Tourism,
and Economic Development, *Chair*
Governmental Oversight and Accountability, *Vice Chair*
Appropriations
Appropriations Committee on Agriculture, Environment,
and General Government
Commerce and Tourism
Environment and Natural Resources
Judiciary
Rules

SELECT COMMITTEE:

Joint Select Committee on Collective Bargaining

SENATOR NICK DICEGLIE

18th District

October 28, 2025

The Honorable Clay Yarborough
Chair, Committee on Judiciary
308 Senate Building
404 South Monroe Street
Tallahassee, FL 32399-1100

REF: EXCUSAL LETTER

Chair Yarborough,

Please excuse my absence from the Committee on Judiciary on **November 4, 2025**.

Thank you for your understanding. Please don't hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Nick DiCeglie".

Nick DiCeglie
State Senator, District 18

CC:

Tom Cibula, Staff Director
Lisa Larson, Committee Administrative Assistant
Alejandro Quintero, Legislative Aide

REPLY TO:

- ☐ 9800 4th Street North, #200, St. Petersburg, Florida 33702 (727) 563-1910
- ☐ 414 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5018

Senate's Website: www.flsenate.gov

BEN ALBRITTON
President of the Senate

JASON BRODEUR
President Pro Tempore



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

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Civil Justice
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Judiciary
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JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

SENATOR ROSALIND OSGOOD

32nd District

October 28th, 2025

Dear Chair Yarborough,

I hope you are doing well. I am writing to formally request that I be excused from the Judiciary Committee meeting scheduled for Tuesday, November 4th, 2025, due to an unmovable commitment. While I regret missing the discussions and any important matters on the agenda, this prior commitment requires my attention.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink that reads "Rosalind Osgood". The signature is fluid and cursive, with the first name "Rosalind" and last name "Osgood" clearly distinguishable.

Senator Rosalind Osgood

REPLY TO:

- ☐ 8491 West Commercial Boulevard, Tamarac, Florida 33351 (954) 321-2705
- ☐ 213 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5032

Senate's Website: www.flsenate.gov

BEN ALBRITTON
President of the Senate

JASON BRODEUR
President Pro Tempore

CourtSmart Tag Report

Room: SB 110

Case No.:

Type:

Caption: Senate Judiciary Committee

Judge:

Started: 11/4/2025 1:03:10 PM

Ends: 11/4/2025 2:53:51 PM **Length:** 01:50:42

1:03:10 PM Chair Yarborough calls meeting to order
1:03:13 PM Roll call, Quorum present
1:03:31 PM Chair Yarborough makes opening remarks
1:04:13 PM Tab 1: SB 98 by Sen. Harrell; Self-storage Spaces
1:04:16 PM Sen. Harrell explains the bill
1:06:24 PM Public testimony:
1:06:40 PM Sam Morley, Florida Press Association
1:10:02 PM Emerald Greene
1:13:40 PM Emily Walsh, President of Observer Media Group
1:16:52 PM Carolyn Nolte, President and CEO of Florida Press Association
1:19:12 PM William Snowden, Editor, Wakulla Sun
1:19:24 PM Chair Yarborough reads waive in support and opposition
1:20:42 PM Debate:
1:20:49 PM Sen. Berman
1:22:04 PM Chair recognizes Sen. Harrell to close on the bill
1:22:08 PM Sen. Harrell closes on the bill
1:24:10 PM Roll call
1:24:39 PM Chair reports the bill
1:24:53 PM Tab 2: SB 164 by Sen. Grall; Civil Liability for the Wrongful Death of an Unborn Child
1:24:56 PM Sen. Grall explains the bill
1:25:18 PM Questions:
1:25:25 PM Sen. Berman
1:25:35 PM Sen. Grall
1:25:39 PM Sen. Berman
1:25:58 PM Sen. Grall
1:26:35 PM Sen. Berman
1:26:45 PM Sen. Grall
1:27:05 PM Sen. Berman
1:27:24 PM Sen. Grall
1:27:57 PM Sen. Berman
1:28:13 PM Sen. Grall
1:28:54 PM Sen. Berman
1:28:56 PM Sen. Grall
1:29:32 PM Sen. Berman
1:29:39 PM Sen. Grall
1:29:52 PM Sen. Berman
1:30:06 PM Sen. Grall
1:31:33 PM Sen. Berman
1:31:41 PM Sen. Grall
1:32:20 PM Sen. Berman
1:32:38 PM Sen. Grall
1:32:48 PM Sen. Berman

1:32:56 PM Sen. Grall
1:33:05 PM Sen. Berman
1:33:07 PM Sen. Grall
1:33:27 PM Sen. Berman
1:33:38 PM Sen. Grall
1:34:31 PM Sen. Berman
1:35:07 PM Sen. Grall
1:35:49 PM Sen. Berman
1:36:17 PM Sen. Grall
1:36:23 PM Sen. Berman
1:36:52 PM Sen. Grall
1:37:30 PM Sen. Berman
1:37:47 PM Sen. Grall
1:38:32 PM Sen. Berman
1:38:52 PM Sen. Grall
1:39:30 PM Sen. Polsky
1:40:10 PM Sen. Grall
1:40:25 PM Sen. Polsky
1:40:36 PM Sen. Grall
1:41:19 PM Sen. Polsky
1:41:29 PM Sen. Grall
1:41:49 PM Sen. Polsky
1:42:22 PM Sen. Grall
1:44:08 PM Sen. Polsky
1:45:08 PM Sen. Grall
1:47:30 PM Sen. Polsky
1:48:08 PM Sen. Grall
1:49:16 PM Sen. Polsky
1:49:46 PM Sen. Grall
1:50:40 PM Sen. Polsky
1:50:47 PM Sen. Grall
1:51:12 PM Sen. Polsky
1:52:10 PM Sen. Grall
1:54:30 PM Sen. Polsky
1:55:03 PM Sen. Grall
1:55:59 PM Sen. Polsky
1:57:06 PM Sen. Grall
1:59:29 PM Sen. Polsky
1:59:59 PM Sen. Grall
2:00:56 PM Public testimony:
2:01:06 PM Andrew Shirvell, Founder and Executive Director Florida Voice for the Unborn
2:03:36 PM Madeline Bowman
2:06:38 PM Dorinda Nance
2:11:59 PM Leslie Worster
2:14:20 PM Bill Snyder
2:17:18 PM Harrison Lundy, Policy Director Voices of Florida
2:19:22 PM Mark Delegal, The Doctors' Company
2:24:02 PM Gi
2:24:49 PM Kara Gross, Legislative Director and Senior Policy Counsel ACLU of Florida
2:29:05 PM Devon Graham, American Atheists
2:30:41 PM John Labriola, Christian Family Coalition of Florida
2:32:20 PM Chair Yarborough reads waive in support and against

2:32:42 PM Debate:
2:32:47 PM Sen. Berman
2:36:38 PM Sen. Polsky reads a statement on the bill for Sen. Osgood
2:38:41 PM Sen. Polsky
2:43:06 PM Vice Chair Burton
2:46:46 PM Sen. Gaetz
2:47:45 PM Chair Yarborough recognizes Sen. Grall to close on the bill
2:47:48 PM Sen. Grall closes on the bill
2:52:57 PM Roll call
2:53:26 PM Chair reports the bill
2:53:45 PM Meeting adjourned