Tab 1	**CS/SB 42** by **AHS, Sharief (CO-INTRODUCERS) Rouson, Grall, Bernard, Garcia;** Similar to CS/CS/H 00047 Specific Medical Diagnoses in Child Protective Investigations

544198	D	S	RCS	FP, Sharief	Delete everything after	03/03 08:57 AM

Tab 2	**CS/CS/SB 182** by **AED, ED, Jones (CO-INTRODUCERS) Yarborough, Osgood, Massullo;** Similar to CS/H 00157 School Teacher Training and Mentoring Program

Tab 3	**CS/SB 214** by **ATD, McClain;** Compare to CS/H 00273 Special District Funding

659650	A	S	RS	FP, McClain	Delete L.33 - 39:	03/03 10:47 AM
951808	SA	S	RCS	FP, McClain	Delete L.28 - 43:	03/03 10:47 AM

Tab 4	**CS/CS/SB 536** by **ACJ, CJ, Martin;** Identical to CS/H 00429 Criteria for Determining Criminal Gang Membership

Tab 5	**CS/CS/SB 598** by **AEG, BI, Truenow;** Compare to CS/H 01231 Funeral, Cemetery, and Consumer Services

Tab 6	**CS/CS/SB 654** by **ATD, TR, DiCeglie;** Compare to H 00521 Traffic Infraction Enforcement

Tab 7	**CS/CS/SB 682** by **ACJ, CJ, Calatayud (CO-INTRODUCERS) Berman;** Similar to CS/CS/H 00277 Domestic Violence and Protective Injunctions

Tab 8	**SB 688** by **Rodriguez;** Similar to CS/H 00223 Naturopathic Medicine

558882	D	S	RCS	FP, Rodriguez	Delete everything after	03/03 09:00 AM

Tab 9	**CS/CS/SB 762** by **ACJ, JU, Martin (CO-INTRODUCERS) Rouson;** Similar to CS/CS/H 00177 Offices of Criminal Conflict and Civil Regional Counsel

Tab 10	**CS/CS/SB 794** by **AHS, CF, Jones (CO-INTRODUCERS) Garcia;** Similar to CS/CS/H 00565 Agency for Persons with Disabilities

Tab 11	**CS/SB 1168** by **HP, Grall;** Compare to CS/CS/1ST ENG/H 01069 Background Screenings

128520	D	S	RCS	FP, Grall	Delete everything after	03/03 01:00 PM

Tab 12	**CS/SB 1296** by **GO, Martin;** Similar to CS/CS/H 00995 Public Employees Relations Commission

323952	A	S	RCS	FP, Simon	Delete L.1014 - 1204:	03/03 01:38 PM

Tab 13	**CS/SB 1298** by **GO, Martin;** Compare to CS/CS/H 00995 Public Records/Public Employees Relations Commission

Tab 14	**SB 1300** by **Calatayud;** Compare to CS/CS/H 00325 Education and Workforce Development for Current and Former Inmates

Tab 15	**SB 1318** by **Rodriguez;** Identical to H 06025 Florida Tax Credit Scholarship Program

Tab 16	**SB 1332** by **Martin;** Similar to CS/CS/H 00931 Career Offender Registration

229088	A	S	RCS	FP, Martin	Delete L.268:	03/03 09:09 AM

Tab 17	**CS/SB 1376** by **HE, Burgess (CO-INTRODUCERS) Sharief, Berman;** Similar to CS/1ST ENG/H 01115 Grants for Genetic Counseling Education

Tab 18	**CS/CS/SB 1510** by **AEG, EN, Massullo;** Compare to H 00193 Department of Environmental Protection

376678 A S RCS FP, Massullo btw L.1707 - 1708: 03/03 01:45 PM

Tab 19	**SB 1548** by **Calatayud;** Compare to CS/CS/H 00837 Affordable Housing

Tab 20	**SB 1570** by **Gaetz (CO-INTRODUCERS) Berman;** Identical to H 01405 Statewide Project for Missing Persons with Special Needs

Tab 21	**SB 1574** by **Bracy Davis (CO-INTRODUCERS) Sharief;** Similar to H 01335 Newborn Screenings

Tab 22	**CS/CS/SB 1632** by **ACJ, JU, Grall;** Identical to CS/CS/H 01471 Ideologies Inconsistent with American Principles

Tab 23	**CS/CS/SB 1634** by **ACJ, JU, Grall;** Identical to CS/CS/H 01473 Public Records/Chief of Domestic Security

Tab 24	**CS/CS/SB 1742** by **ACJ, CJ, Martin;** Similar to CS/CS/H 01525 Indecent Exposure of Sexual Organs While Observing a Child

Tab 25	**CS/SB 1750** by **ACJ, Martin;** Compare to CS/CS/H 01159 Sexual Offenses

The Florida Senate

COMMITTEE MEETING EXPANDED AGENDA

FISCAL POLICY
Senator Gruters, Chair
Senator Osgood, Vice Chair

MEETING DATE: Monday, March 2, 2026
TIME: 12:00 noon—6:00 p.m.
PLACE: *Pat Thomas Committee Room,* 412 Knott Building

MEMBERS: Senator Gruters, Chair; Senator Osgood, Vice Chair; Senators Arrington, Avila, Bernard, Boyd, Bracy Davis, Bradley, Burton, Calatayud, Davis, Gaetz, Jones, Leek, Mayfield, Passidomo, Rodriguez, Simon, Truenow, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	**CS/SB 42** Appropriations Committee on Health and Human Services / Sharief (Similar CS/CS/H 47)	Specific Medical Diagnoses in Child Protective Investigations; Providing an exception to the requirement that the Department of Children and Families immediately forward certain allegations to a law enforcement agency; requiring a child protective investigator to inform the subject of an investigation of a certain duty; requiring Child Protection Teams to consult with a licensed physician or advanced practice registered nurse with specified pediatric experience when evaluating certain reports; authorizing a parent or legal custodian of a child who is the subject of certain orders to request specified medical examinations of the child within a specified timeframe, etc. CF 01/12/2026 Favorable AHS 02/18/2026 Fav/CS FP 03/02/2026 Fav/CS	Fav/CS Yeas 18 Nays 0
2	**CS/CS/SB 182** Appropriations Committee on Pre-K - 12 Education / Education Pre-K - 12 / Jones (Similar CS/H 157)	School Teacher Training and Mentoring Program; Establishing the School Teacher Training and Mentoring Program within the Department of Education; providing the purpose of the program; authorizing school districts and charter schools to place certain classroom teachers as teacher mentors in specified schools for specified purposes; providing requirements for teacher mentors and mentees; authorizing teacher mentors to receive a stipend, etc. ED 02/10/2026 Fav/CS AED 02/25/2026 Fav/CS FP 03/02/2026 Favorable	Favorable Yeas 18 Nays 0
3	**CS/SB 214** Appropriations Committee on Transportation, Tourism, and Economic Development / McClain (Compare CS/H 273)	Special District Funding; Revising agency agreements that provide state financial assistance to recipients or subrecipients to include specified special districts as an entity to which such agency may provide for the payment of invoices under specified circumstances; revising the definition of “rural community” to include specified special districts, etc. CM 01/21/2026 Favorable ATD 02/04/2026 Fav/CS FP 03/02/2026 Fav/CS	Fav/CS Yeas 18 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	**CS/CS/SB 536** Appropriations Committee on Criminal and Civil Justice / Criminal Justice / Martin (Identical CS/H 429)	Criteria for Determining Criminal Gang Membership; Revising the definition of the term “criminal gang member”; defining the term “gang-related language”, etc. CJ 01/12/2026 Fav/CS ACJ 02/25/2026 Fav/CS FP 03/02/2026 Favorable	Favorable Yeas 12 Nays 6
5	**CS/CS/SB 598** Appropriations Committee on Agriculture, Environment, and General Government / Banking and Insurance / Truenow (Compare CS/H 1231)	Funeral, Cemetery, and Consumer Services; Prohibiting a licensee of funeral or cemetery services from entering into certain contracts, agreements, or arrangements; revising the requirements for an applicant seeking licensure by endorsement to be an embalmer; deleting an exception to the educational requirements for an applicant seeking licensure to be a funeral director; authorizing a licensee or a licensed facility to dispose of human remains in a specified manner if the legally authorized person of the decedent fails, neglects, or refuses to direct the disposition, etc. BI 02/11/2026 Fav/CS AEG 02/25/2026 Fav/CS FP 03/02/2026 Favorable	Favorable Yeas 18 Nays 0
6	**CS/CS/SB 654** Appropriations Committee on Transportation, Tourism, and Economic Development / Transportation / DiCeglie (Compare H 521, CS/CS/CS/H 543)	Traffic Infraction Enforcement; Revising the periods during which a county or municipality may enforce school zone speed limits, and the violations for which such enforcement is authorized, through the use of a speed detection system; prohibiting the use of a traffic infraction detector for remote surveillance; requiring district school board authorization and a public hearing process before a school district may place or install, or contract with a vendor to install, operate, and maintain, school bus infraction detection systems; revising the periods for which a county or municipality may authorize a traffic infraction enforcement officer to issue certain uniform traffic citations, etc. TR 01/20/2026 Fav/CS ATD 01/28/2026 Fav/CS FP 03/02/2026 Temporarily Postponed	Temporarily Postponed

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
7	**CS/CS/SB 682** Appropriations Committee on Criminal and Civil Justice / Criminal Justice / Calatayud (Similar CS/CS/H 277, Compare H 1105, S 1280, S 1644)	Domestic Violence and Protective Injunctions; Providing enhanced penalties for committing a domestic violence offense if a person has a prior conviction for domestic violence; authorizing, and in certain circumstances requiring, a court to order electronic monitoring in domestic violence cases; revising the information contained in a petition for injunction for protection against domestic violence; increasing the maximum payment amounts for relocation assistance for victims of domestic violence, etc. CJ 01/20/2026 Fav/CS ACJ 02/18/2026 Fav/CS FP 03/02/2026 Favorable	Favorable Yeas 18 Nays 0
8	**SB 688** Rodriguez (Similar CS/H 223, Compare S 542)	Naturopathic Medicine; Creating the Board of Naturopathic Medicine within the Department of Health; prohibiting unlicensed persons from practicing naturopathic medicine or promoting, identifying, or describing themselves using specified titles or abbreviations; providing for licensure by examination of naturopathic doctors; providing for licensure by endorsement of naturopathic doctors; revising continuing education requirements for naturopathic doctors, etc. HP 02/11/2026 Favorable AHS 02/25/2026 Favorable FP 03/02/2026 Fav/CS	Fav/CS Yeas 18 Nays 0
9	**CS/CS/SB 762** Appropriations Committee on Criminal and Civil Justice / Judiciary / Martin (Similar CS/CS/H 177)	Offices of Criminal Conflict and Civil Regional Counsel; Requiring that an office of criminal conflict and civil regional counsel provide a certain written notice to the court under specified conditions; authorizing the court to appoint an office of criminal conflict and civil regional counsel in another region for certain cases in certain circumstances; requiring the court to consider judicial economy and geographic proximity when making certain appointments; requiring such appointed counsel to provide certain documentation to the Justice Administrative Commission for reimbursement, subject to legislative appropriation, etc. JU 01/12/2026 Fav/CS ACJ 02/25/2026 Fav/CS FP 03/02/2026 Favorable	Favorable Yeas 17 Nays 1

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
10	**CS/CS/SB 794** Appropriations Committee on Health and Human Services / Children, Families, and Elder Affairs / Jones (Similar CS/CS/H 565)	Agency for Persons with Disabilities; Requiring level 2 employment screening for all employees of residential facilities and adult day training programs; providing background screening requirements for such employees; requiring the agency to solicit input and conduct publicly noticed hearings for a specified purpose in each service region; requiring the agency to use certain information to identify certain core competencies and performance metrics and make recommendations for standardizing assessments, etc. CF 02/10/2026 Fav/CS AHS 02/25/2026 Fav/CS FP 03/02/2026 Favorable	Favorable Yeas 18 Nays 0
11	**CS/SB 1168** Health Policy / Grall (Compare CS/CS/H 1069, S 1438)	Background Screenings; Specifying additional disqualifying offenses under the background screening requirements for certain persons; requiring the Agency for Health Care Administration, beginning on a specified date or as soon as practicable thereafter, to review and determine eligibility for all criminal history checks submitted to the Care Provider Background Screening Clearinghouse by specified agencies; providing that, beginning on a specified date, an independent sanctioning authority is considered a qualified entity for the purpose of participating in the clearinghouse; requiring qualified entities conducting background criminal history checks to designate a user administrator for a specified purpose, etc. HP 01/26/2026 Fav/CS AHS 02/18/2026 Favorable FP 03/02/2026 Fav/CS	Fav/CS Yeas 18 Nays 0
12	**CS/SB 1296** Governmental Oversight and Accountability / Martin (Similar CS/CS/H 995, Compare H 997, Linked CS/S 1298)	Public Employees Relations Commission; Authorizing subpoenas to be served by certified mail, return receipt requested, or by personal service; revising application requirements for employee organization registration and renewal of registration; providing that a petition to clarify the composition of a bargaining unit may be filed with the commission under certain circumstances; providing that implementation of appropriations from the Legislature which are specifically directed to be disbursed as salaries for employees of local governments are considered a financial urgency; authorizing certain public employers, public employees, and employee organizations, or combinations thereof, to file certain charges with the commission, etc. GO 02/02/2026 Temporarily Postponed GO 02/11/2026 Fav/CS FP 03/02/2026 Fav/CS	Fav/CS Yeas 10 Nays 8

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
13	**CS/SB 1298** Governmental Oversight and Accountability / Martin (Compare CS/CS/H 995, H 997, Linked CS/S 1296)	Public Records/Public Employees Relations Commission; Providing an exemption from public records requirements for a showing of interest signed by the employees or the group of employees who no longer desire to be represented by a certified bargaining agent; providing for future legislative review and repeal of the exemption; providing for the reversion of specified statutory text under certain conditions; providing statements of public necessity, etc. GO 02/02/2026 Temporarily Postponed GO 02/11/2026 Fav/CS FP 03/02/2026 Unfavorable	Unfavorable Yeas 8 Nays 10
14	**SB 1300** Calatayud (Compare CS/CS/H 325)	Education and Workforce Development for Current and Former Inmates; Authorizing the Department of Transportation to expend certain funds for all workforce development programs, rather than only construction workforce development programs; authorizing the department to use workforce development funds for certain certification and training opportunities; authorizing employers to apply to the Department of Financial Services for reimbursement of the cost of certain workers' compensation and automobile liability premiums, subject to appropriation; providing requirements and restrictions for reimbursement, etc. CJ 02/11/2026 Favorable AEG 02/25/2026 Favorable FP 03/02/2026 Favorable	Favorable Yeas 16 Nays 0
15	**SB 1318** Rodriguez (Identical H 6025)	Florida Tax Credit Scholarship Program; Removing language requiring certain program funds to revert to the state, etc. ED 02/10/2026 Favorable AED 02/25/2026 Favorable FP 03/02/2026 Favorable	Favorable Yeas 18 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
16	**SB 1332** Martin (Similar CS/CS/H 931)	Career Offender Registration; Requiring a certain driver license or identification marking for a career offender; requiring a career offender to report to the Department of Highway Safety and Motor Vehicles in a certain month to obtain an updated or renewed driver license or identification card; providing that if a sanction is not imposed upon a career offender, such offender is deemed to have been released upon conviction; requiring certain career offenders to report to the Department of Highway Safety and Motor Vehicles and obtain a driver license or identification card containing a required marking within a certain period of time; authorizing the Department of Highway Safety and Motor Vehicles to release certain images to the Department of Law Enforcement for purposes of public notification, etc. CJ 01/26/2026 Favorable ACJ 02/18/2026 Favorable FP 03/02/2026 Fav/CS	Fav/CS Yeas 18 Nays 0
17	**CS/SB 1376** Education Postsecondary / Burgess (Similar CS/H 1115)	Grants for Genetic Counseling Education; Creating the Genetic Counseling Education Enhancement Grant Program within the State University System; requiring the Board of Governors, subject to legislative appropriation, to award grant funds to state universities for specified purposes; requiring the program to reward excellence among genetic counseling programs based on specified criteria; prohibiting such funds from being used for specified purposes, etc. HE 01/28/2026 Fav/CS AHE 02/25/2026 Favorable FP 03/02/2026 Favorable	Favorable Yeas 18 Nays 0
18	**CS/CS/SB 1510** Appropriations Committee on Agriculture, Environment, and General Government / Environment and Natural Resources / Massullo (Compare H 193, CS/CS/CS/H 1417, S 200)	Department of Environmental Protection; Deleting provisions creating the Environmental Regulation Commission; requiring that residential properties of a specified size located in a certain area connect to a central sewer system or upgrade to a specified type of nutrient-reducing wastewater treatment system; authorizing remediation plans for certain properties to have certain requirements related to existing conventional onsite sewage treatment and disposal systems; revising legislative findings and intent for the Florida Communities Trust; revising the approval criteria for certain onsite sewage treatment and disposal systems, etc. EN 02/03/2026 Fav/CS AEG 02/25/2026 Fav/CS FP 03/02/2026 Fav/CS	Fav/CS Yeas 18 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
19	**SB 1548** Calatayud (Compare CS/CS/H 837, CS/CS/H 1389, S 962)	Affordable Housing; Requiring counties and municipalities, respectively, to authorize certain residential use on property owned by a county, municipality, or school district under certain circumstances; revising the definition of the term "person"; revising a prohibition on discriminatory practices in land use decisions and in permitting of development to include housing that is affordable; waiving the state's sovereign immunity for certain causes of action based upon housing discrimination, etc. CA 02/03/2026 Favorable FP 03/02/2026 Favorable RC	Favorable Yeas 18 Nays 0
20	**SB 1570** Gaetz (Identical H 1405)	Statewide Project for Missing Persons with Special Needs; Amending a provision relating to the missing persons with special needs statewide project; providing that the project is created through the centers for autism and related disabilities; requiring that participants for the project be selected based on certain criteria, etc. HE 01/28/2026 Favorable AHE 02/25/2026 Favorable FP 03/02/2026 Favorable	Favorable Yeas 18 Nays 0
21	**SB 1574** Bracy Davis (Similar H 1335)	Newborn Screenings; Citing this act as "Mattie's Law"; requiring that newborns, beginning on a specified date, be screened for biliary atresia; requiring the Department of Health to consult with the Genetics and Newborn Screening Advisory Council before adopting certain rules; requiring hospitals that provide birthing services to screen for biliary atresia in a specified manner, etc. HP 02/11/2026 Favorable AHS 02/25/2026 Favorable FP 03/02/2026 Favorable	Favorable Yeas 17 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
22	**CS/CS/SB 1632** Appropriations Committee on Criminal and Civil Justice / Judiciary / Grall (Identical CS/CS/H 1471, Compare CS/CS/H 1473, Linked CS/CS/S 1634) **(If Received)**	Ideologies Inconsistent with American Principles; Prohibiting the application of certain law in adjudicatory proceedings; providing that the Department of State may administratively dissolve a corporation that has been designated as a terrorist organization in certain situations; defining the term "domestic terrorist organization"; providing that a person who receives military training from a domestic terrorist organization in certain situations commits a specified crime; providing a person who knowingly provides or attempts or conspires to provide material support or resources to a domestic terrorist organization commits a specified crime, etc. JU 02/03/2026 Fav/CS ACJ 02/18/2026 Temporarily Postponed ACJ 02/25/2026 Fav/CS	Not Received
23	**CS/CS/SB 1634** Appropriations Committee on Criminal and Civil Justice / Judiciary / Grall (Identical CS/CS/H 1473, Compare CS/CS/H 1471, Linked CS/CS/S 1632) **(If Received)**	Public Records/Chief of Domestic Security; Providing an exemption from public records requirements for certain information relating to the designation of an organization as a domestic terrorist organization or a foreign terrorist organization by the Chief of Domestic Security; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. JU 02/03/2026 Fav/CS ACJ 02/18/2026 Temporarily Postponed ACJ 02/25/2026 Fav/CS	Not Received
24	**CS/CS/SB 1742** Appropriations Committee on Criminal and Civil Justice / Criminal Justice / Martin (Similar CS/CS/H 1525)	Indecent Exposure of Sexual Organs While Observing a Child; Repealing a provision relating to unnatural and lascivious acts; prohibiting a person from, for a specified purpose, intentionally exposing his or her sexual organs in a lewd or lascivious manner or intentionally performing specified sexual acts while observing a child under 16 years of age; providing criminal penalties; specifying what does not constitute a defense to committing such offense, etc. CJ 01/26/2026 Fav/CS ACJ 02/25/2026 Fav/CS FP 03/02/2026 Favorable	Favorable Yeas 18 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
25	**CS/SB 1750** Appropriations Committee on Criminal and Civil Justice / Martin (Compare CS/CS/H 1159)	Sexual Offenses; Revising a criteria related to the reclassification of specified offenses; revising mandatory minimum sentences for certain sexual offenses by persons previously convicted of sexual offenses; increasing the criminal penalties for a person who is guilty of the use of a child in a sexual performance under certain circumstances; prohibiting a person from employing, authorizing, or inducing a child younger than 12 years of age to engage in a sexual performance; providing criminal penalties for a person transmitting child pornography to another person, etc. CJ 01/26/2026 Pending reconsideration (Favorable) CJ 02/02/2026 Reconsidered (Favorable) ACJ 02/25/2026 Fav/CS FP 03/02/2026 Favorable	Favorable Yeas 18 Nays 0

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 42
INTRODUCER:	Fiscal Policy Committee; Appropriations Committee on Health and Human Services Committee; and Senator Sharief and others
SUBJECT:	Specific Medical Diagnoses in Child Protective Investigations
DATE:	March 3, 2026
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Rao	Tuszynski	CF	**Favorable**
2.	Sneed	McKnight	AHS	**Fav/CS**
3.	Rao	Siples	FP	**Fav/CS**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 42 requires child abuse investigators to consider and rule out certain preexisting diseases and medical conditions that are often mistaken as evidence of child abuse or neglect before involving law enforcement agencies or filing a petition to find the child dependent under state law.

Under the bill, if a parent or legal custodian alleges the child has a preexisting condition known to be misdiagnosed as abuse, or requests an examination of the child, the Department of Children and Families (DCF or department) is not required to immediately forward allegations of criminal conduct to a law enforcement agency; rather, the DCF may wait to forward such allegations until the child abuse investigation is complete and the preexisting diagnoses have been ruled out as a potential cause of the alleged abuse. The bill requires child protective investigators to remind parents being investigated of their duty to report their child's preexisting medical conditions and the name and contact information of the health care practitioner that diagnosed or treated the child within ten days after being informed of such duty.

The bill expands the consultation requirements for the Child Protection Teams (CPTs) that operate within the Department of Health (DOH) to consult with licensed physicians or advanced practice registered nurses (APRNs) who have relevant experience when evaluating a child with certain preexisting medical conditions.

Additionally, the bill allows a parent or legal custodian from whom a child has been removed to request additional medical examinations in certain cases, provided the parent or legal custodian pay for such examinations. The bill requires the physician or APRN that conducted such additional examinations to submit a written report with their findings and conclusions within ten days after the examination. If the findings of the additional examination conflict with the initial examination, the DCF must convene a case staffing to reach a consensus regarding the differences in the medical opinions.

The bill requires patient records the DCF requests pursuant to a child protective investigation to be furnished by the health care practitioner, without written authorization from the patient, within 14 days of the request.

The bill has a significant, negative fiscal impact on state expenditures. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2026.

II. Present Situation:

Chapter 39, F.S., creates Florida's dependency system charged with protecting children who have been abused, abandoned, or neglected.[1] Florida's child welfare system identifies children and families in need of services through reports to the central abuse hotline and child protective investigations.[2] The DCF and community-based care (CBC) lead agencies[3] work with those families to address the problems endangering children, if possible. If the problems cannot be addressed, the child welfare system finds safe out-of-home placements for these children.[4]

The department's practice model for child and family well-being is a safety-focused, trauma-informed, and family-centered approach. It is implemented to ensure:

- *Permanency*: Florida's children should enjoy long-term, secure relationships within strong families and communities.
- *Child Well-Being*: Florida's children should be physically and emotionally healthy and socially competent.
- *Safety*: Florida's children should live free from maltreatment.
- *Family Well-Being*: Florida's families should nurture, protect, and meet the needs of their children, and should be well integrated into their communities.[5]

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[1] Chapter 39, F.S.
[2] *See generally* s. 39.101, F.S. (establishing the central abuse hotline and timeframes for initiating investigations).
[3] *See* s. 409.986(1)(a), F.S. (finding that it is the intent of the Legislature that the Department of Children and Families "provide child protection and child welfare services to children through contracting with CBC lead agencies"). A "community-based care lead agency" or "lead agency" means a single entity with which the DCF has a contract for the provision of care for children in the child protection and child welfare system, in a community that is no smaller than a county and no larger than two contiguous judicial circuits. Section 409.986(3)(d), F.S. The secretary of DCF may authorize more than one eligible lead agency within a single county if doing so will result in more effective delivery of services to children. *Id.*
[4] Chapter 39, F.S.
[5] *See generally* Department of Children and Families (DCF), *Florida's Child Welfare Practice Model,* available at: https://www.myflfamilies.com/sites/default/files/2022-12/FLCSPracticeModel_0.pdf (last visited 11/6/25).

The department contracts with CBC lead agencies for case management, out-of-home services, and related services for children and families.[6] The outsourced provision of child welfare services is intended to increase local community ownership of the services provided and their design. Lead agencies contract with many subcontractors for case management and direct-care services to children and their families.[7] There are 18 lead agencies statewide that serve the state's 20 judicial circuits.[8] Ultimately, the DCF remains responsible for the operation of the central abuse hotline and investigations of abuse, abandonment, and neglect.[9] Additionally, the department is responsible for all program oversight and the overall performance of the child welfare system.[10]

Dependency System Process

In some instances, services may not be enough to maintain a safe environment for a child. When child welfare necessitates that the DCF remove a child from the home to ensure his or her safety, a series of dependency court proceedings must occur to place and temporarily maintain the child in an out-of-home placement, adjudicate the child dependent, and if necessary, terminate parental rights and free the child for adoption. This process is typically triggered by a report to the central abuse hotline and a child protective investigation that makes a safety determination as to whether the child should remain in his or her home, notwithstanding provided DCF services. Generally, the dependency process includes, but is not limited to:

- A report to the central abuse hotline.
- A child protective investigation to determine the safety of the child.
- In-home services or a shelter of the child and an out-of-home placement.
- A court finding that the child is dependent.[11]
- Case planning to address the problems that resulted in the child's dependency.
- Reunification with the child's parent or other appropriate permanency option, such as adoption.[12]

Mandatory Reporting

Florida law requires *any* person who knows, or has reasonable cause to suspect, that a child is being abused, abandoned, or neglected to report the knowledge or suspicion to the department's

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[6] Section 409.986(3)(e), F.S.; *see generally* Part V, Chapter 409, F.S. (regulating community-based child welfare).
[7] Department of Children and Families, *About Community-Based Care (CBC),* available at: https://www.myflfamilies.com/services/child-and-family-well-being/community-based-care/about (last visited 11/6/25).
[8] Department of Children and Families, *Lead Agency Information,* available at: https://www.myflfamilies.com/services/child-family/child-and-family-well-being/community-based-care/lead-agency-information (last visited 11/6/25).
[9] Section 39.101, F.S.
[10] *Id.*
[11] A "child who is found to be dependent" refers to a child who is found by the court: to have been abandoned, abused, or neglected by the child's parents or legal custodians; to have been surrendered to the DCF or licensed child-placing agency for adoption; to have parents or legal custodians that failed to substantially comply with the requirements of a case plan for reunification; to have been voluntarily placed with a licensed child-placing agency for subsequent adoption; to have no parent or legal custodians capable of providing supervision and care; to be at substantial risk of imminent abuse, abandonment, or neglect; or to have been sexually exploited and to have no parent, legal custodian, or responsible adult relative available to provide the necessary and appropriate supervision. Section 39.01(15), F.S.
[12] Office of the State Courts Administrator, The Office of Family Courts, *A Caregiver's Guide to Dependency Court,* available at: https://flcourts-media.flcourts.gov/content/download/218185/file/Web-Caregivers-Guide-Final-09.pdf (last visited 1/7/26); *see also* ch. 39, F.S.

central abuse hotline.[13] A person from the general public, while a mandatory reporter, may make a report anonymously.[14] However, persons having certain occupations such as physician, nurse, teacher, law enforcement officer, or judge must provide their name to the central abuse hotline when making the report.[15]

Central Abuse Hotline and Investigations

The department is statutorily required to operate and maintain a central abuse hotline to receive reports of known or suspected instances of child abuse,[16] abandonment,[17] or neglect,[18] or instances when a child does not have a parent, legal custodian, or adult relative available to provide supervision and care.[19] The hotline must operate 24 hours a day, 7 days a week, and accept reports through a single statewide toll-free telephone number or through electronic reporting.[20]

If the hotline counselor determines a report meets the definition of abuse, abandonment, or neglect, the report is accepted for a protective investigation.[21] Based on the report, the department makes a determination regarding when to initiate a protective investigation:

- An investigation must be immediately initiated if:
  - It appears the child's immediate safety or well-being is endangered;
  - The family may flee or the child will be unavailable for purposes of conducting a child protective investigation; or
  - The facts otherwise warrant; or
- An investigation must be initiated within 24 hours in all other cases of child abuse, abandonment, or neglect.[22]

If there is reason to believe criminal conduct[23] has occurred, the DCF is required to immediately forward allegations of criminal conduct to the municipal or county law enforcement agency of

[13] Section 39.201(1)(a), F.S.
[14] Section 39.201(1)(b)1., F.S.
[15] Section 39.201(1)(b)2., F.S.
[16] Section 39.01(2), F.S., defines "abuse" as any willful or threatened act that results in any physical, mental, or sexual abuse, injury, or harm that causes or is likely to cause the child's physical, mental, or emotional health to be significantly impaired.
[17] Section 39.01(1), F.S., defines "abandoned" or "abandonment" as a situation in which the parent or legal custodian of a child of, in the absence of a parent or legal custodian, the caregiver, while being able, has made no significant contribution to the child's care and maintenance or has made no significant contribution to the child's care and maintenance or has failed to establish or maintain a substantial and positive relationship with the child, or both. "Establish or maintain a substantial and positive relationship" means, in part, frequent and regular contact with the child, and the exercise of parental rights and responsibilities.
[18] Section 39.01(53), F.S., states "neglect" occurs when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired, except when such circumstances are caused primarily by financial inability unless services have been offered and rejected by such person.
[19] Section 39.201(1), F.S.
[20] *Id.*
[21] Section 39.201(4)(a), F.S.
[22] Section 39.101(2), F.S.
[23] "Criminal conduct" refers to situations in which a child is known or suspected to be the victim of child abuse or neglect, is known or suspected to have died as a result of such abuse or neglect, known or suspected to be the victim of aggravated child abuse, sexual battery, sexual abuse, institutional child abuse or neglect, or human trafficking. *See* Section 39.301(2)(b), F.S.

the municipality or county in which the alleged conduct occurred.[24] Upon receiving the report of an allegation of criminal conduct, the law enforcement agency determines whether a criminal investigation is warranted. This criminal investigation is done concurrently with the child welfare investigation run by the DCF.

Once the DCF assigns a child protective investigator (CPI) to complete the child welfare investigation, the CPI assesses the safety and perceived needs of the child and family; whether in-home services are needed to stabilize the family; and whether the safety of the child necessitates removal and the provision of out-of-home services.[25]

Medical Examination

A child protective investigator (CPI) may refer a child to a licensed physician or a hospital's emergency department without the consent of the child's parent or legal custodian if the child has visible trauma or if the child verbally complains or appears to be in distress due to injuries caused by suspected child abuse, abandonment, or neglect. The examination may be performed by any licensed physician or an advanced practice registered nurse.[26]

Consent for medical treatment must be obtained from a parent or legal custodian of the child, if available; otherwise, the department must obtain a court order for medical treatment.[27] If the child's parent or legal custodian is unavailable and a court order cannot reasonably be obtained due to working hours, the department may consent to necessary medical treatment for the child.[28]

Florida Department of Health and Children's Medical Services (CMS)

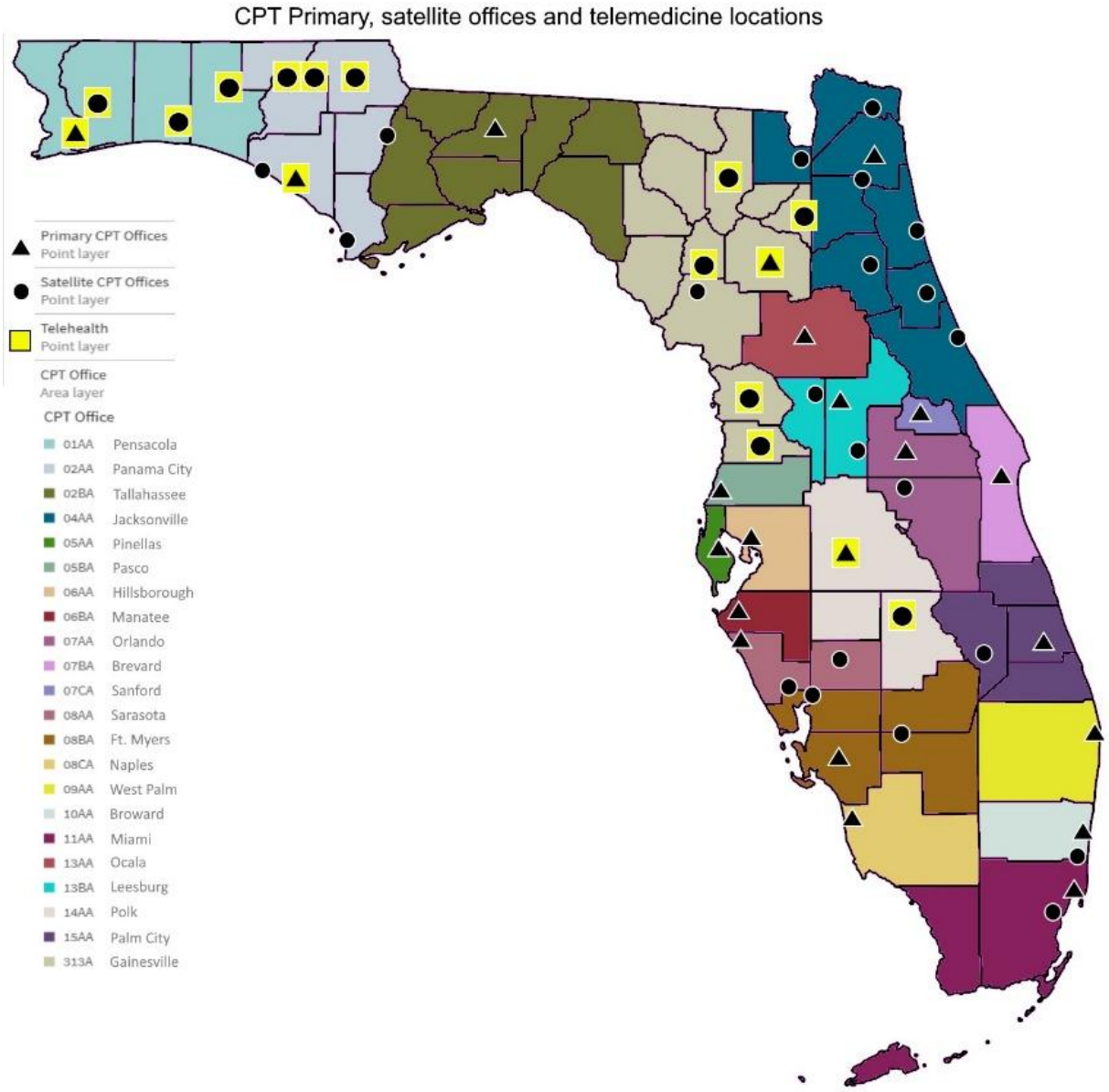
The Florida Department of Health (DOH) is responsible for administering the state's public health system designed to promote, protect, and improve the health of all people in the state.[29] The Division of Children's Medical Services (CMS) is housed within the DOH and provides a family-centered, comprehensive, and coordinated statewide managed system of care for children and youth with special health care needs.[30]

Child Protection Teams

Child Protection Teams (CPTs) are medically directed, multidisciplinary teams that have been utilized in Florida since 1984 as a mechanism to support children that have been abused, abandoned, or neglected.[31] CPTs provide expertise in evaluating alleged child abuse and neglect, assessing risk and protective factors, and providing recommendations for interventions.[32] The Statewide Medical Director for Child Protection oversees the CPT program, which aims to

[24] Section 39.301(2)(a), F.S.
[25] *See generally* s. 39.301, F.S. and Part IV, Chapter 39, F.S. (regulating taking children into custody and shelter hearings).
[26] Section 39.304(1)(b), F.S.
[27] Section 39.304(2)(a), F.S.
[28] Section 39.304(2)(b), F.S.
[29] Section 381.001, F.S.
[30] Section 391.016, F.S.
[31] Chapter 84-226, L.O.F.
[32] Florida Department of Health, Child Abuse Protection, available at: https://www.floridahealth.gov/individual-family-health/child-infant-youth/child-protection/ (last visited 1/6/26).

protect children and enhance caregivers' capacity to provide safer environments whenever possible.[33] Currently, there are 22 local CPTs, displayed on the map below.[34]



Each local CPT is under the direction of a Medical Director that must be a Child Abuse Pediatrician (CAP) certified by the American Board of Pediatrics, or has passed the Florida Certification Board's Child Abuse and Neglect Examination (CAAN).[35] CPT personnel must complete preliminary training curriculum determined by the CMS Deputy Secretary and the

[33] Florida Department of Health, *2026 Agency Analysis, SB 42 – Specific Medical Diagnoses in Child protective Investigations*, pg. 2 (on file with the Senate Committee on Children, Families, and Elder Affairs).
[34] E-mail with Jessica Costello, Department of Health Deputy Legislative Affairs Director (on file with the Senate Committee on Children, Families, and Elder Affairs).
[35] *Supra note* 33.

Statewide Medical Director, as well as complete eight hours of continuing education on child abuse and neglect annually.[36]

CPTs supplement a CPI's efforts by reviewing all abuse and neglect cases screened in by the Florida abuse hotline.[37] CPTs take photographs of visible trauma of the subject of the report and may refer the child to a medical professional for treatment.[38] In cases where medical neglect is reported, the DCF assigns CPIs with specialized training in medical neglect/medically complex children, and the CPI works with the CPT; if the CPT deems that medical neglect is substantiated, the DCF convenes a case staffing[39] to determine what services will address the child's needs.

Certain reports of child abuse, abandonment, and neglect to the hotline must be referred to a CPT, including:

- Injuries to the head, bruises to the neck or head, burns, or fractures in a child of any age.
- Bruises anywhere on a child 5 years of age or under.
- Any report alleging sexual abuse of a child.
- Any sexually transmitted disease in a prepubescent child.
- Reported malnutrition of a child and failure of a child to thrive.
- Reported medical neglect of a child.
- Any family in which one or more children have been pronounced dead on arrival at a hospital or other health care facility, or have been injured and later died, as a result of suspected abuse, abandonment, or neglect.
- Symptoms of serious emotional problems in a child when emotional or other abuse, abandonment, or neglect is suspected.
- A child who does not live in this state who is currently being evaluated in a medical facility in this state.[40]

CPTs are required to have the capacity to provide services that include, but are not limited to, the following:

- Medical diagnosis and evaluation.
- Telephone consultation services in emergencies or other situations.
- Medical evaluation related to abuse, abandonment, or neglect.
- Psychological and psychiatric diagnoses and evaluations.
- Expert court testimony.[41]

[36] Florida Department of Health, *2026 Agency Analysis, SB 42 – Specific Medical Diagnoses in Child protective Investigations*, pg. 2.
[37] Rule 64C-8.003, F.A.C.
[38] Section 39.304, F.S.
[39] Case staffing must include, at a minimum: the CPI; DCF legal staff; representatives from the CPT that evaluated the child; Children's Medical Services; AHCA (if the child is Medicaid eligible); and the CBC lead agency. *See* Section 39.3068(3), F.S.
[40] Section 39.303(4), F.S.
[41] Section 39.303(3), F.S.

The following chart demonstrates the number of medical consultations and examinations conducted between 2022 and 2024.[42]

Child Protection Team Consultations and Examinations					
	2024	**2023**	**2022**	**Total**	**Average**
Medical Consultations	3,453	3,563	4,060	11,076	3,692
Medical Exams	14,320	13,966	14,113	42,399	14,133

Confidentiality of Medical Records

CPT Records and Reports

Current law establishes that all records and reports of the CPT are confidential and exempt from the provisions of ss. 119.07(1)[43] and 456.057, F.S.[44] Records and reports of the CPT shall not be disclosed, except to the following entities:[45]

- The state attorney;
- Law enforcement;
- The DCF;
- Necessary professionals that require such records and reports in furtherance of the treatment or additional evaluative needs of the child;
- By order of the court; or
- To health plan payors, limited to the information used for insurance reimbursement purposes.

Thus, under current law, if a parent or legal custodian who has had a child removed from his or her care wishes to view the CPT's findings, they must file a court order for the release of such reports and records.

Patient Records

Health care practitioners that generate medical records after examining an individual are prohibited from furnishing records to any person other than the patient, the patient's legal representative, or other health care practitioners involved in the patient's care or treatment without written authorization from the patient.[46] However, current law allows a health care practitioner to furnish records without written authorization of the patient to the DCF, its agent, or its contracted entity for the purpose of investigations of or services for cases of abuse, neglect, or exploitation of children or vulnerable adults.

[42] Florida Department of Health, *2026 Agency Analysis, SB 42 – Specific Medical Diagnoses in Child protective Investigations*, pg. 2.
[43] *See* Section 119.07, F.S. (inspection and copying of public records)
[44] *See* Section 456.057, F.S. (ownership and control of patient records)
[45] Section 39.202(6), F.S.
[46] Section 456.057(7)(a), F.S.

III. Effect of Proposed Changes:

Section 1 amends s. 39.301, F.S., regarding child protective investigations, to allow the Department of Children and Families (DCF) to delay forwarding allegations of criminal conduct to law enforcement pending the outcome of the child protective investigation if the parent or legal custodian of the child:

- Has alleged that the child has a preexisting diagnosis of Rickets,[47] Ehlers-Danlos syndrome,[48] Osteogenesis imperfecta,[49] or Vitamin D deficiency;[50] or
- Requests the child have an examination under s. 39.304(1)(c), F.S.

The bill requires allegations of criminal conduct that have not been immediately forwarded to law enforcement for the above reasons to be immediately forwarded upon completion of the investigation if criminal conduct is still alleged.

The bill also amends s. 39.301(5)(a), F.S., regarding the duties of child protective investigators (CPIs), to require a CPI who has commenced an investigation to inform the parent or legal custodian being investigated of his or her duty to:

- Report a preexisting diagnosis for the child of Rickets, Ehlers-Danlos syndrome, Osteogenesis imperfecta, or Vitamin D deficiency; and
- Provide the name and contact information of the licensed health care professional who made such diagnosis or treated the child for the diagnosed condition to the DCF within ten days after being informed of such duty.

The bill requires the DCF to request the relevant medical records of a child with a preexisting condition listed in s. 39.303(4), F.S., from a licensed health care professional who diagnosed or treated the child for that condition as part of the child protective investigation.

Section 2 amends s. 39.303, F.S., regarding Child Protection Teams (CPTs) and sexual abuse treatment programs, to expand existing consultation requirements.

Under current law, CPTs evaluating a report of medical neglect and assessing the health care needs of a medically complex child must consult with a physician who has experience in treating children with the same condition.

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[47] A child born with rickets may have weak or softened bones due to a lack of sufficient calcium or phosphorous. John Hopkins Medicine, *Metabolic Bone Disease: Osteomalacia,* available at: https://www.hopkinsmedicine.org/health/conditions-and-diseases/metabolic-bone-disease (last visited 11/5/25).

[48] A child born with Ehlers-Danlos syndrome may have overly flexible joints and stretchy, fragile skin. Mayo Clinic, *Ehlers-Danlos syndrome,* available at: https://www.mayoclinic.org/diseases-conditions/ehlers-danlos-syndrome/symptoms-causes/syc-20362125 (last visited 11/5/25).

[49] A child born with Osteogenesis imperfecta (also referred to as brittle bone disease) may have soft bones that fracture easily or bones that are not formed normally. Johns Hopkins Medicine, *Osteogenesis Imperfecta,* available at: https://www.hopkinsmedicine.org/health/conditions-and-diseases/osteogenesis-imperfecta (last visited 11/5/25).

[50] Having inadequate amounts of Vitamin D in your body may cause health problems like brittle bones and muscle weakness. Yale Medicine, *Vitamin D Deficiency,* available at: https://www.yalemedicine.org/conditions/vitamin-d-deficiency (last visited 11/5/25).

The bill requires CPTs to consult with a licensed physician[51] or a licensed advanced practice registered nurse (APRN)[52] having experience in treating children with the following conditions:

- Rickets
- Ehlers-Danlos syndrome
- Osteogenesis imperfecta; or
- Vitamin D deficiency.

Section 3 amends s. 39.304, F.S., to allow a parent or legal custodian from whom a child was removed to request additional medical examinations of the child in certain cases.

Under the bill, if an examination is performed on a child under existing law, other than for purposes of determining whether a child has been sexually abused, the parent or legal custodian of the child who is the subject of a protective investigation or shelter order may request an examination by:

- A CPT if the team did not perform the initial examination that led to the allegations of abuse, abandonment, or neglect;
- A licensed physician or licensed APRN of the parent or legal custodian's choosing who routinely provides medical care to pediatric patients, if the initial examination was performed by the CPT and the parent or legal custodian would like a second opinion on diagnosis or treatment; or
- A licensed physician or a licensed APRN of the parent or legal custodian's choosing who routinely provides a diagnosis of, and medical care to pediatric patients, to rule out a differential diagnosis of Rickets, Ehlers-Danlos syndrome, Osteogenesis imperfecta, or Vitamin D deficiency.

The bill requires a parent or legal custodian to request such additional examinations no later than ten days after the initial examination that led to allegations of abuse, abandonment, or neglect.

The bill requires the requesting parent or legal custodian to pay for medical examinations that are intended to procure a second opinion or differential diagnosis. Examinations may also be paid through the requesting parent or legal custodian's health care coverage, if applicable.

The bill requires the physician or APRN that conducted the additional examination to submit a written report that details the findings and conclusions of the examination to the parent or legal custodian within ten days of the examination. The bill exempts the provisions in s. 39.202(6), F.S. that requires CPT records be confidential, allowing parents and legal custodians to receive the physician or APRN's written report without having to file a court order to view the records and reports.

The bill requires the DCF to immediately convene a case staffing if the findings and conclusions of the initial examination and the additional examination differ for the purpose of reaching a consensus. The bill requires the case staffing to include the following individuals:

- The CPI;
- The CPI's supervisor;

[51] *See* chs. 458 and 459, F.S. (regulating medical practice and osteopathic medicine).
[52] *See* ch. 464, F.S. (regulating nursing).

- DCF legal staff;
- CPT representatives; and
- The CBC lead agency.

The bill requires the following individuals to attend the case staffing, if possible:
- Any health care practitioners who previously treated the child;
- Any health care practitioners who are currently treating the child; and
- The physician or APRN who conducted the additional examination.

Section 4 amends s. 456.057, F.S., to require records requested by the DCF pursuant to s. 39.301(9)(a), F.S. to be furnished to the DCF within 14 days after the request. Such records may be furnished without written authorization.

The bill takes effect July 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:

None.

C. Government Sector Impact:

The bill is anticipated to have a significant negative fiscal impact on state expenditures. According to the Department of Health (DOH), based on data from 2022-2024, Child Protection Teams (CPTs) provided an average of 14,133 medical examinations and 3,692 medical consultations annually. [53] The DOH anticipates the provisions of this bill would require CPTs to provide additional medical specialist consultative services for up to 472 additional cases annually. Thus, applying an average physician rate of $100 per case, the DOH projects the provisions of the bill will cost $577,600 annually. This includes $530,400 for an additional 5,304 CPT case staffings and $47,200 for an estimated 472 additional medical consultations.[54]

Additionally, the DOH anticipates implementation of the bill would require revisions to the CPT Information System, but estimates such costs can be absorbed within existing resources.[55]

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 39.301, 39.303, 39.304, and 456.057.

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 Committee on March 2, 2026:
The committee substitute makes technical changes that do not change the substantive policy addressed by the bill.

CS by Appropriations Committee on Health and Human Services on February 18, 2026:
The committee substitute

- Removes the requirement for the Department of Children and Families (DCF) to delay forwarding allegations of criminal conduct to law enforcement if the parent or legal custodian alleges the child has a preexisting medical condition that is "known to

[53] Florida Department of Health, *2026 Agency Analysis, SB 42 – Specific Medical Diagnoses in Child protective Investigations*, pg. 5.
[54] *Id.*
[55] *Id.*

appear to be caused by, or known to be misdiagnosed as, abuse." The DCF may only delay forwarding allegations of criminal conduct to law enforcement if the parent or legal custodian alleges the child has Rickets, Ehlers-Danlos syndrome, Osteogenesis imperfecta, or Vitamin D deficiency.

- Requires the parent or legal custodian to provide the name and contact information of the practitioner who diagnosed or treated the child with one of the specified conditions to the DCF within ten days of being informed of such duty.
- Requires the DCF to request the relevant medical records from a licensed health care professional who diagnosed or treated the child with a specified preexisting condition.
- Narrows the focus of Child Protection Teams (CPT) by requiring a CPT to consult with a physician or licensed advanced practice registered nurse (APRN) when evaluating a child with Rickets, Ehlers-Danlos syndrome, Osteogenesis imperfecta, or Vitamin D deficiency. Removes the catch-all that requires CPTs to consult with a physician or APRN for "any other medical condition known to appear to be caused by, or known to be misdiagnosed as, abuse."
- Requires the physician or APRN who conducted the additional examinations pursuant to s. 39.304(1)(c), F.S. to submit a written report with their findings and conclusions to the DCF and the parent or legal custodian within ten days of such examination. Exempts s. 39.202(6), F.S., relating to the confidentiality of records and reports of the CPTs, to allow parents and legal custodians to receive the written reports of the physician or APRN without obtaining a court order.
- Requires the DCF to immediately convene a case staffing to reach a consensus if the initial examination and additional examination findings and conclusions contradict one another. Establishes the required case staffing members, and members who should attend the case staffing, if possible.
- Requires health care practitioners to furnish records to the DCF, its agent, or its contracted entity without written authorization from the patient within 14 days after the request, if the request was made as part of a child protective investigation.

B. Amendments:

None.

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

544198

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/03/2026	.	
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	.	

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

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (2), paragraph (a) of subsection (5), paragraph (a) of subsection (9), and paragraph (c) of subsection (14) of section 39.301, Florida Statutes, are amended to read:

39.301 Initiation of protective investigations.—

(2)(a) The department shall immediately forward allegations

544198

of criminal conduct to the municipal or county law enforcement agency of the municipality or county in which the alleged conduct has occurred. However, the department may delay forwarding allegations of criminal conduct to the appropriate law enforcement agency if the parent or legal custodian:

1. Has alleged that the child has a preexisting medical diagnosis specified in s. 39.303(4); or

2. Is requesting that the child have a medical examination under s. 39.304(1)(c).

Allegations of criminal conduct which are not immediately forwarded to the law enforcement agency pursuant to subparagraph 1. or subparagraph 2. must be immediately forwarded to the law enforcement agency upon completion of the investigation under this part if criminal conduct is still alleged.

(5)(a) Upon commencing an investigation under this part, the child protective investigator shall inform any subject of the investigation of the following:

1. The names of the investigators and identifying credentials from the department.

2. The purpose of the investigation.

3. The right to obtain his or her own attorney and ways that the information provided by the subject may be used.

4. The possible outcomes and services of the department's response.

5. The right of the parent or legal custodian to be engaged to the fullest extent possible in determining the nature of the allegation and the nature of any identified problem and the remedy.

544198

6. The duty of the parent or legal custodian to report any change in the residence or location of the child to the investigator and that the duty to report continues until the investigation is closed.

7. The duty of the parent or legal custodian to immediately report any preexisting medical diagnosis for the child specified in s. 39.303(4) and to provide the name and contact information of the licensed health care professional who made such diagnosis or treated the child for the diagnosed condition to the department within 10 days after being informed of such duty.

(9)(a) For each report received from the central abuse hotline and accepted for investigation, the department shall perform the following child protective investigation activities to determine child safety:

1. Conduct a review of all relevant, available information specific to the child, family, and alleged maltreatment; family child welfare history; local, state, and federal criminal records checks; and requests for law enforcement assistance provided by the abuse hotline. Based on a review of available information, including the allegations in the current report, a determination must ~~shall~~ be made as to whether immediate consultation should occur with law enforcement, the Child Protection Team, a domestic violence shelter or advocate, or a substance abuse or mental health professional. Such consultations should include discussion as to whether a joint response is necessary and feasible. A determination must ~~shall~~ be made as to whether the person making the report should be contacted before the face-to-face interviews with the child and family members.

544198

2. Conduct face-to-face interviews with the child; other siblings, if any; and the parents, legal custodians, or caregivers.

3. Assess the child's residence, including a determination of the composition of the family and household, including the name, address, date of birth, social security number, sex, and race of each child named in the report; any siblings or other children in the same household or in the care of the same adults; the parents, legal custodians, or caregivers; and any other adults in the same household.

4. Determine whether there is any indication that any child in the family or household has been abused, abandoned, or neglected; the nature and extent of present or prior injuries, abuse, or neglect, and any evidence thereof; and a determination as to the person or persons apparently responsible for the abuse, abandonment, or neglect, including the name, address, date of birth, social security number, sex, and race of each such person.

5. Complete assessment of immediate child safety for each child based on available records, interviews, and observations with all persons named in subparagraph 2. and appropriate collateral contacts, which may include other professionals, and continually assess the child's safety throughout the investigation. The department's child protection investigators are hereby designated a criminal justice agency for the purpose of accessing criminal justice information to be used for enforcing this state's laws concerning the crimes of child abuse, abandonment, and neglect. This information must ~~shall~~ be used solely for purposes supporting the detection, apprehension,

544198

prosecution, pretrial release, posttrial release, or rehabilitation of criminal offenders or persons accused of the crimes of child abuse, abandonment, or neglect and may not be further disseminated or used for any other purpose.

6. For a child who has a preexisting medical diagnosis specified in s. 39.303(4), as reported by the parent or legal custodian of the child, request the relevant medical records from the licensed health care professional who diagnosed or treated the child for such medical diagnosis.

7.~~6.~~ Document the present and impending dangers to each child based on the identification of inadequate protective capacity through utilization of a standardized safety assessment instrument. If present or impending danger is identified, the child protective investigator must implement a safety plan or take the child into custody. If present danger is identified and the child is not removed, the child protective investigator must ~~shall~~ create and implement a safety plan before leaving the home or the location where there is present danger. If impending danger is identified, the child protective investigator must ~~shall~~ create and implement a safety plan as soon as necessary to protect the safety of the child. The child protective investigator may modify the safety plan if he or she identifies additional impending danger.

a. If the child protective investigator implements a safety plan, the plan must be specific, sufficient, feasible, and sustainable in response to the realities of the present or impending danger. A safety plan may be an in-home plan or an out-of-home plan, or a combination of both. A safety plan may include tasks or responsibilities for a parent, caregiver, or

544198

legal custodian. However, a safety plan may not rely on promissory commitments by the parent, caregiver, or legal custodian who is currently not able to protect the child or on services that are not available or will not result in the safety of the child. A safety plan may not be implemented if for any reason the parents, guardian, or legal custodian lacks the capacity or ability to comply with the plan. If the department is not able to develop a plan that is specific, sufficient, feasible, and sustainable, the department must ~~shall~~ file a shelter petition. A child protective investigator must ~~shall~~ implement separate safety plans for the perpetrator of domestic violence, if the investigator, using reasonable efforts, can locate the perpetrator to implement a safety plan, and for the parent who is a victim of domestic violence as defined in s. 741.28. Reasonable efforts to locate a perpetrator include, but are not limited to, a diligent search pursuant to the same requirements as in s. 39.503. If the perpetrator of domestic violence is not the parent, guardian, or legal custodian of any child in the home and if the department does not intend to file a shelter petition or dependency petition that will assert allegations against the perpetrator as a parent of a child in the home, the child protective investigator must ~~shall~~ seek issuance of an injunction authorized by s. 39.504 to implement a safety plan for the perpetrator and impose any other conditions to protect the child. The safety plan for the parent who is a victim of domestic violence may not be shared with the perpetrator. If any party to a safety plan fails to comply with the safety plan resulting in the child being unsafe, the department must ~~shall~~ file a shelter petition.

544198

b. The child protective investigator shall collaborate with the community-based care lead agency in the development of the safety plan as necessary to ensure that the safety plan is specific, sufficient, feasible, and sustainable. The child protective investigator shall identify services necessary for the successful implementation of the safety plan. The child protective investigator and the community-based care lead agency shall mobilize service resources to assist all parties in complying with the safety plan. The community-based care lead agency shall prioritize safety plan services to families who have multiple risk factors, including, but not limited to, two or more of the following:

(I) The parent or legal custodian is of young age;

(II) The parent or legal custodian, or an adult currently living in or frequently visiting the home, has a history of substance abuse, mental illness, or domestic violence;

(III) The parent or legal custodian, or an adult currently living in or frequently visiting the home, has been previously found to have physically or sexually abused a child;

(IV) The parent or legal custodian, or an adult currently living in or frequently visiting the home, has been the subject of multiple allegations by reputable reports of abuse or neglect;

(V) The child is physically or developmentally disabled; or

(VI) The child is 3 years of age or younger.

c. The child protective investigator shall monitor the implementation of the plan to ensure the child’s safety until the case is transferred to the lead agency at which time the lead agency shall monitor the implementation.

d. The department may file a petition for shelter or dependency without a new child protective investigation or the concurrence of the child protective investigator if the child is unsafe but for the use of a safety plan and the parent or caregiver has not sufficiently increased protective capacities within 90 days after the transfer of the safety plan to the lead agency.

(14)

(c) The department, in consultation with the judiciary, shall adopt by rule:

1. Criteria that are factors requiring that the department take the child into custody, petition the court as provided in this chapter, or, if the child is not taken into custody or a petition is not filed with the court, conduct an administrative review. Such factors must include, but are not limited to, noncompliance with a safety plan or the case plan developed by the department, and the family under this chapter, and prior abuse reports with findings that involve the child, the child's sibling, or the child's caregiver.

2. Requirements that if after an administrative review the department determines not to take the child into custody or petition the court, the department must ~~shall~~ document the reason for its decision in writing and include it in the investigative file. For all cases that were accepted by the local law enforcement agency for criminal investigation pursuant to subsection (2), the department must include in the file written documentation that the administrative review included input from law enforcement. In addition, for all cases that must be referred to Child Protection Teams pursuant to s. 39.303(5)

544198

and (6) ~~s. 39.303(4) and (5)~~, the file must include written documentation that the administrative review included the results of the team's evaluation.

Section 2. Present subsections (4) through (10) of section 39.303, Florida Statutes, are redesignated as subsections (5) through (11), respectively, a new subsection (4) is added to that section, and present subsections (5) and (6) of that section are amended, to read:

39.303 Child Protection Teams and sexual abuse treatment programs; services; eligible cases.—

(4) A Child Protection Team shall consult with a physician licensed under chapter 458 or chapter 459 or an advanced practice registered nurse licensed under chapter 464 who has experience treating children with the medical conditions specified in this subsection when evaluating a child with a reported preexisting medical diagnosis of any of the following:

(a) Rickets.

(b) Ehlers-Danlos syndrome.

(c) Osteogenesis imperfecta.

(d) Vitamin D deficiency.

(6)~~(5)~~ All abuse and neglect cases transmitted for investigation to a circuit by the hotline must be simultaneously transmitted to the Child Protection Team for review. For the purpose of determining whether a face-to-face medical evaluation by a Child Protection Team is necessary, all cases transmitted to the Child Protection Team which meet the criteria in subsection (5) ~~(4)~~ must be timely reviewed by:

(a) A physician licensed under chapter 458 or chapter 459 who holds board certification in pediatrics and is a member of a

Child Protection Team;

(b) A physician licensed under chapter 458 or chapter 459 who holds board certification in a specialty other than pediatrics, who may complete the review only when working under the direction of the Child Protection Team medical director or a physician licensed under chapter 458 or chapter 459 who holds board certification in pediatrics and is a member of a Child Protection Team;

(c) An advanced practice registered nurse licensed under chapter 464 who has a specialty in pediatrics or family medicine and is a member of a Child Protection Team;

(d) A physician assistant licensed under chapter 458 or chapter 459, who may complete the review only when working under the supervision of the Child Protection Team medical director or a physician licensed under chapter 458 or chapter 459 who holds board certification in pediatrics and is a member of a Child Protection Team; or

(e) A registered nurse licensed under chapter 464, who may complete the review only when working under the direct supervision of the Child Protection Team medical director or a physician licensed under chapter 458 or chapter 459 who holds board certification in pediatrics and is a member of a Child Protection Team.

(7)~~(6)~~ A face-to-face medical evaluation by a Child Protection Team is not necessary when:

(a) The child was examined for the alleged abuse or neglect by a physician who is not a member of the Child Protection Team, and a consultation between the Child Protection Team medical director or a Child Protection Team board-certified

544198

pediatrician, advanced practice registered nurse, physician assistant working under the supervision of a Child Protection Team medical director or a Child Protection Team board-certified pediatrician, or registered nurse working under the direct supervision of a Child Protection Team medical director or a Child Protection Team board-certified pediatrician, and the examining physician concludes that a further medical evaluation is unnecessary;

(b) The child protective investigator, with supervisory approval, has determined, after conducting a child safety assessment, that there are no indications of injuries as described in paragraphs (5)(a)-(h) ~~(4)(a)-(h)~~ as reported; or

(c) The Child Protection Team medical director or a Child Protection Team board-certified pediatrician, as authorized in subsection (6) ~~(5)~~, determines that a medical evaluation is not required.

Notwithstanding paragraphs (a), (b), and (c), a Child Protection Team medical director or a Child Protection Team pediatrician, as authorized in subsection (6) ~~(5)~~, may determine that a face-to-face medical evaluation is necessary.

Section 3. Paragraphs (c), (d), and (e) are added to subsection (1) of section 39.304, Florida Statutes, to read:

39.304 Photographs, medical examinations, X rays, and medical treatment of abused, abandoned, or neglected child.—

(1)

(c) If a medical examination is performed on a child under paragraph (b), other than a medical examination for purposes of determining whether a child has been sexually abused, the parent

544198

or legal custodian of the child who is the subject of a protective investigation or shelter order may request of the department, no later than 10 days after such medical examination, that the child be examined by:

1. A Child Protection Team if the medical examination under paragraph (b) was not performed by a Child Protection Team;

2. A physician licensed under chapter 458 or chapter 459 or an advanced practice registered nurse licensed under chapter 464 of the parent's or legal custodian's choosing who routinely provides medical care to pediatric patients, if the medical examination under paragraph (b) was performed by a Child Protection Team, for the purpose of obtaining a second opinion on diagnosis or treatment; or

3. A physician licensed under chapter 458 or chapter 459 or an advanced practice registered nurse licensed under chapter 464 of the parent's or legal custodian's choosing who routinely provides diagnosis of and medical care to pediatric patients for the conditions specified in s. 39.303(4) to consider a differential diagnosis.

The cost of a medical examination under subparagraph 2. or subparagraph 3. must be borne by the parent or legal custodian, including through his or her health care coverage, if applicable.

(d) Notwithstanding s. 39.202(6), for all medical examinations performed pursuant to paragraph (c), the physician or advanced practice registered nurse must submit within 10 days after the medical examination a written report that details the findings and conclusions of the medical examination to the

544198

department and the parent or legal custodian.

(e) If the findings and conclusions of the medical examination conducted under paragraph (b) and the medical examination conducted under paragraph (c) differ, the department must immediately convene a case staffing to reach a consensus regarding the differences in the medical opinions. The case staffing must include the child protective investigator, the investigator's supervisor, legal staff of the department, representatives from a Child Protection Team, and the community-based care lead agency. If possible, the case staffing must also include any health care practitioners who previously treated the child, any health care practitioners who are currently treating the child, and the physician or advanced practice registered nurse who conducted the medical examination under paragraph (c).

Section 4. Paragraph (a) of subsection (7) of section 456.057, Florida Statutes, is amended to read:

456.057 Ownership and control of patient records; report or copies of records to be furnished; disclosure of information.—

(7)(a) Except as otherwise provided in this section and in s. 440.13(4)(c), such records may not be furnished to, and the medical condition of a patient may not be discussed with, any person other than the patient, the patient's legal representative, or other health care practitioners and providers involved in the patient's care or treatment, except upon written authorization from the patient. However, such records may be furnished without written authorization under the following circumstances:

1. To any person, firm, or corporation that has procured or furnished such care or treatment with the patient's consent.

544198

2. When compulsory physical examination is made pursuant to Rule 1.360, Florida Rules of Civil Procedure, in which case copies of the medical records shall be furnished to both the defendant and the plaintiff.

3. In any civil or criminal action, unless otherwise prohibited by law, upon the issuance of a subpoena from a court of competent jurisdiction and proper notice to the patient or the patient's legal representative by the party seeking such records.

4. For statistical and scientific research, provided the information is abstracted in such a way as to protect the identity of the patient or provided written permission is received from the patient or the patient's legal representative.

5. To a regional poison control center for purposes of treating a poison episode under evaluation, case management of poison cases, or compliance with data collection and reporting requirements of s. 395.1027 and the professional organization that certifies poison control centers in accordance with federal law.

6. To the Department of Children and Families, its agent, or its contracted entity, for the purpose of investigations of or services for cases of abuse, neglect, or exploitation of children or vulnerable adults. Records requested by the Department of Children and Families pursuant to s. 39.301(9)(a) must be furnished to the Department of Children and Families within 14 days after such request.

Section 5. This act shall take effect July 1, 2026.

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

544198

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to specific medical diagnoses in child protective investigations; amending s. 39.301, F.S.; providing an exception to the requirement that the Department of Children and Families immediately forward certain allegations to a law enforcement agency; requiring that such allegations be immediately forwarded to a law enforcement agency upon completion of the department's investigation under certain circumstances; requiring a child protective investigator to inform the subject of an investigation of a certain duty; requiring the department to request relevant medical records from a licensed health care professional for certain children who are the subject of a central abuse hotline report; conforming a cross-reference; amending s. 39.303, F.S.; requiring Child Protection Teams to consult with a licensed physician or advanced practice registered nurse with specified experience when evaluating certain reports; amending s. 39.304, F.S.; authorizing a parent or legal custodian of a child who is the subject of certain orders to request specified medical examinations of the child within a specified timeframe; requiring that such medical examinations be paid for by the parent or legal custodian making the request or as otherwise covered by insurance; requiring the physician or

544198

advanced practice registered nurse who performed certain medical examinations to submit a written report to the department and certain persons within a specified timeframe; requiring the department to immediately convene a case staffing with specified persons under certain circumstances; amending s. 456.057, F.S.; requiring that certain patient records be furnished to the Department of Children and Families within a specified timeframe; providing an effective date.

By the Appropriations Committee on Health and Human Services; and Senators Sharief, Rouson, Grall, Bernard, and Garcia

603-02958-26 202642c1

A bill to be entitled

An act relating to specific medical diagnoses in child protective investigations; amending s. 39.301, F.S.; providing an exception to the requirement that the Department of Children and Families immediately forward certain allegations to a law enforcement agency; requiring that such allegations be immediately forwarded to a law enforcement agency upon completion of the department's investigation under certain circumstances; requiring a child protective investigator to inform the subject of an investigation of a certain duty; requiring the department to request relevant medical records from a licensed health care professional for certain children who are the subject of a central abuse hotline report; conforming a cross-reference; amending s. 39.303, F.S.; requiring Child Protection Teams to consult with a licensed physician or advanced practice registered nurse with specified pediatric experience when evaluating certain reports; amending s. 39.304, F.S.; authorizing a parent or legal custodian of a child who is the subject of certain orders to request specified medical examinations of the child within a specified timeframe; requiring that such medical examinations be paid for by the parent or legal custodian making the request or as otherwise covered by insurance; requiring the physician or advanced practice registered nurse who performed certain medical examinations to submit a written report to the

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603-02958-26 202642c1

department and certain persons within a specified timeframe; requiring the department to immediately convene a case staffing with specified persons under certain circumstances; amending s. 456.057, F.S.; requiring that certain patient records be furnished to the Department of Children and Families or its agent or contracted entity within a specified timeframe; providing an effective date.

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

Section 1. Paragraph (a) of subsection (2), paragraph (a) of subsection (5), paragraph (a) of subsection (9), and paragraph (c) of subsection (14) of section 39.301, Florida Statutes, are amended to read:

39.301 Initiation of protective investigations.—

(2)(a) The department shall immediately forward allegations of criminal conduct to the municipal or county law enforcement agency of the municipality or county in which the alleged conduct has occurred. However, the department may delay forwarding allegations of criminal conduct to the appropriate law enforcement agency if the parent or legal custodian:

1. Has alleged that the child has a preexisting medical diagnosis specified in s. 39.303(4); or

2. Is requesting that the child have a medical examination under s. 39.304(1)(c).

Allegations of criminal conduct which are not immediately forwarded to the law enforcement agency pursuant to subparagraph

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1. or subparagraph 2. must be immediately forwarded to the law enforcement agency upon completion of the investigation under this part if criminal conduct is still alleged.

(5)(a) Upon commencing an investigation under this part, the child protective investigator shall inform any subject of the investigation of the following:

1. The names of the investigators and identifying credentials from the department.

2. The purpose of the investigation.

3. The right to obtain his or her own attorney and ways that the information provided by the subject may be used.

4. The possible outcomes and services of the department's response.

5. The right of the parent or legal custodian to be engaged to the fullest extent possible in determining the nature of the allegation and the nature of any identified problem and the remedy.

6. The duty of the parent or legal custodian to report any change in the residence or location of the child to the investigator and that the duty to report continues until the investigation is closed.

7. The duty of the parent or legal custodian to immediately report any preexisting medical diagnosis for the child specified in s. 39.303(4) and to provide the name and contact information of the practitioner who made such diagnosis or treated the child for the diagnosed condition to the department within 10 days after being informed of such duty.

(9)(a) For each report received from the central abuse hotline and accepted for investigation, the department shall

perform the following child protective investigation activities to determine child safety:

1. Conduct a review of all relevant, available information specific to the child, family, and alleged maltreatment; family child welfare history; local, state, and federal criminal records checks; and requests for law enforcement assistance provided by the abuse hotline. Based on a review of available information, including the allegations in the current report, a determination must ~~shall~~ be made as to whether immediate consultation should occur with law enforcement, the Child Protection Team, a domestic violence shelter or advocate, or a substance abuse or mental health professional. Such consultations should include discussion as to whether a joint response is necessary and feasible. A determination must ~~shall~~ be made as to whether the person making the report should be contacted before the face-to-face interviews with the child and family members.

2. Conduct face-to-face interviews with the child; other siblings, if any; and the parents, legal custodians, or caregivers.

3. Assess the child's residence, including a determination of the composition of the family and household, including the name, address, date of birth, social security number, sex, and race of each child named in the report; any siblings or other children in the same household or in the care of the same adults; the parents, legal custodians, or caregivers; and any other adults in the same household.

4. Determine whether there is any indication that any child in the family or household has been abused, abandoned, or

neglected; the nature and extent of present or prior injuries, abuse, or neglect, and any evidence thereof; and a determination as to the person or persons apparently responsible for the abuse, abandonment, or neglect, including the name, address, date of birth, social security number, sex, and race of each such person.

5. Complete assessment of immediate child safety for each child based on available records, interviews, and observations with all persons named in subparagraph 2. and appropriate collateral contacts, which may include other professionals, and continually assess the child's safety throughout the investigation. The department's child protection investigators are hereby designated a criminal justice agency for the purpose of accessing criminal justice information to be used for enforcing this state's laws concerning the crimes of child abuse, abandonment, and neglect. This information must ~~shall~~ be used solely for purposes supporting the detection, apprehension, prosecution, pretrial release, posttrial release, or rehabilitation of criminal offenders or persons accused of the crimes of child abuse, abandonment, or neglect and may not be further disseminated or used for any other purpose.

6. For a child with a preexisting condition listed in s. 39.303(4), as reported by the parent or legal custodian, request the relevant medical records from a licensed health care professional who diagnosed or treated the child for that condition.

7. Document the present and impending dangers to each child based on the identification of inadequate protective capacity through utilization of a standardized safety assessment

instrument. If present or impending danger is identified, the child protective investigator must implement a safety plan or take the child into custody. If present danger is identified and the child is not removed, the child protective investigator must ~~shall~~ create and implement a safety plan before leaving the home or the location where there is present danger. If impending danger is identified, the child protective investigator must ~~shall~~ create and implement a safety plan as soon as necessary to protect the safety of the child. The child protective investigator may modify the safety plan if he or she identifies additional impending danger.

a. If the child protective investigator implements a safety plan, the plan must be specific, sufficient, feasible, and sustainable in response to the realities of the present or impending danger. A safety plan may be an in-home plan or an out-of-home plan, or a combination of both. A safety plan may include tasks or responsibilities for a parent, caregiver, or legal custodian. However, a safety plan may not rely on promissory commitments by the parent, caregiver, or legal custodian who is currently not able to protect the child or on services that are not available or will not result in the safety of the child. A safety plan may not be implemented if for any reason the parents, guardian, or legal custodian lacks the capacity or ability to comply with the plan. If the department is not able to develop a plan that is specific, sufficient, feasible, and sustainable, the department must ~~shall~~ file a shelter petition. A child protective investigator must ~~shall~~ implement separate safety plans for the perpetrator of domestic violence, if the investigator, using reasonable efforts, can

locate the perpetrator to implement a safety plan, and for the parent who is a victim of domestic violence as defined in s. 741.28. Reasonable efforts to locate a perpetrator include, but are not limited to, a diligent search pursuant to the same requirements as in s. 39.503. If the perpetrator of domestic violence is not the parent, guardian, or legal custodian of any child in the home and if the department does not intend to file a shelter petition or dependency petition that will assert allegations against the perpetrator as a parent of a child in the home, the child protective investigator must ~~shall~~ seek issuance of an injunction authorized by s. 39.504 to implement a safety plan for the perpetrator and impose any other conditions to protect the child. The safety plan for the parent who is a victim of domestic violence may not be shared with the perpetrator. If any party to a safety plan fails to comply with the safety plan resulting in the child being unsafe, the department must ~~shall~~ file a shelter petition.

b. The child protective investigator shall collaborate with the community-based care lead agency in the development of the safety plan as necessary to ensure that the safety plan is specific, sufficient, feasible, and sustainable. The child protective investigator shall identify services necessary for the successful implementation of the safety plan. The child protective investigator and the community-based care lead agency shall mobilize service resources to assist all parties in complying with the safety plan. The community-based care lead agency shall prioritize safety plan services to families who have multiple risk factors, including, but not limited to, two or more of the following:

(I) The parent or legal custodian is of young age;

(II) The parent or legal custodian, or an adult currently living in or frequently visiting the home, has a history of substance abuse, mental illness, or domestic violence;

(III) The parent or legal custodian, or an adult currently living in or frequently visiting the home, has been previously found to have physically or sexually abused a child;

(IV) The parent or legal custodian, or an adult currently living in or frequently visiting the home, has been the subject of multiple allegations by reputable reports of abuse or neglect;

(V) The child is physically or developmentally disabled; or

(VI) The child is 3 years of age or younger.

c. The child protective investigator shall monitor the implementation of the plan to ensure the child's safety until the case is transferred to the lead agency at which time the lead agency shall monitor the implementation.

d. The department may file a petition for shelter or dependency without a new child protective investigation or the concurrence of the child protective investigator if the child is unsafe but for the use of a safety plan and the parent or caregiver has not sufficiently increased protective capacities within 90 days after the transfer of the safety plan to the lead agency.

(14)

(c) The department, in consultation with the judiciary, shall adopt by rule:

1. Criteria that are factors requiring that the department take the child into custody, petition the court as provided in

this chapter, or, if the child is not taken into custody or a petition is not filed with the court, conduct an administrative review. Such factors must include, but are not limited to, noncompliance with a safety plan or the case plan developed by the department, and the family under this chapter, and prior abuse reports with findings that involve the child, the child's sibling, or the child's caregiver.

2. Requirements that if after an administrative review the department determines not to take the child into custody or petition the court, the department shall document the reason for its decision in writing and include it in the investigative file. For all cases that were accepted by the local law enforcement agency for criminal investigation pursuant to subsection (2), the department shall ~~must~~ include in the file written documentation that the administrative review included input from law enforcement. In addition, for all cases that must be referred to Child Protection Teams pursuant to s. 39.303(5) and (6) ~~s. 39.303(4) and (5)~~, the file must include written documentation that the administrative review included the results of the team's evaluation.

Section 2. Present subsections (4) through (10) of section 39.303, Florida Statutes, are redesignated as subsections (5) through (11), respectively, a new subsection (4) is added to that section, and present subsections (5) and (6) of that section are amended, to read:

39.303 Child Protection Teams and sexual abuse treatment programs; services; eligible cases.—

(4) When evaluating a child with a reported preexisting medical diagnosis of any of the following conditions, a Child

Protection Team shall consult with a physician licensed under chapter 458 or chapter 459 or an advanced practice registered nurse licensed under chapter 464 who has experience treating children with such condition:

(a) Rickets.

(b) Ehlers-Danlos syndrome.

(c) Osteogenesis imperfecta.

(d) Vitamin D deficiency.

(6) ~~(5)~~ All abuse and neglect cases transmitted for investigation to a circuit by the hotline must be simultaneously transmitted to the Child Protection Team for review. For the purpose of determining whether a face-to-face medical evaluation by a Child Protection Team is necessary, all cases transmitted to the Child Protection Team which meet the criteria in subsection (5) ~~(4)~~ must be timely reviewed by:

(a) A physician licensed under chapter 458 or chapter 459 who holds board certification in pediatrics and is a member of a Child Protection Team;

(b) A physician licensed under chapter 458 or chapter 459 who holds board certification in a specialty other than pediatrics, who may complete the review only when working under the direction of the Child Protection Team medical director or a physician licensed under chapter 458 or chapter 459 who holds board certification in pediatrics and is a member of a Child Protection Team;

(c) An advanced practice registered nurse licensed under chapter 464 who has a specialty in pediatrics or family medicine and is a member of a Child Protection Team;

(d) A physician assistant licensed under chapter 458 or

chapter 459, who may complete the review only when working under the supervision of the Child Protection Team medical director or a physician licensed under chapter 458 or chapter 459 who holds board certification in pediatrics and is a member of a Child Protection Team; or

(e) A registered nurse licensed under chapter 464, who may complete the review only when working under the direct supervision of the Child Protection Team medical director or a physician licensed under chapter 458 or chapter 459 who holds board certification in pediatrics and is a member of a Child Protection Team.

(7) ~~(6)~~ A face-to-face medical evaluation by a Child Protection Team is not necessary when:

(a) The child was examined for the alleged abuse or neglect by a physician who is not a member of the Child Protection Team, and a consultation between the Child Protection Team medical director or a Child Protection Team board-certified pediatrician, advanced practice registered nurse, physician assistant working under the supervision of a Child Protection Team medical director or a Child Protection Team board-certified pediatrician, or registered nurse working under the direct supervision of a Child Protection Team medical director or a Child Protection Team board-certified pediatrician, and the examining physician concludes that a further medical evaluation is unnecessary;

(b) The child protective investigator, with supervisory approval, has determined, after conducting a child safety assessment, that there are no indications of injuries as described in paragraphs (5)(a)-(h) ~~(4)(a)-(h)~~ as reported; or

(c) The Child Protection Team medical director or a Child Protection Team board-certified pediatrician, as authorized in subsection (6) ~~(5)~~, determines that a medical evaluation is not required.

Notwithstanding paragraphs (a), (b), and (c), a Child Protection Team medical director or a Child Protection Team pediatrician, as authorized in subsection (6) ~~(5)~~, may determine that a face-to-face medical evaluation is necessary.

Section 3. Paragraphs (c), (d), and (e) are added to subsection (1) of section 39.304, Florida Statutes, to read:

39.304 Photographs, medical examinations, X rays, and medical treatment of abused, abandoned, or neglected child.—

(1)

(c) If a medical examination is performed on a child under paragraph (b), other than an examination for purposes of determining whether a child has been sexually abused, the parent or legal custodian of the child who is the subject of a protective investigation or shelter order may request of the department, no later than 10 days after such medical examination, that the child be examined by:

1. A Child Protection Team if the medical examination under paragraph (b) was not performed by a Child Protection Team;

2. A physician licensed under chapter 458 or chapter 459 or an advanced practice registered nurse licensed under chapter 464 of the parent's or legal custodian's choosing who routinely provides medical care to pediatric patients, if the medical examination pursuant to paragraph (b) was performed by a Child Protection Team, for the purpose of obtaining a second opinion

on diagnosis or treatment; or

3. A physician licensed under chapter 458 or chapter 459 or an advanced practice registered nurse licensed under chapter 464 of the parent's or legal custodian's choosing who routinely provides diagnosis of and medical care to pediatric patients for the conditions specified in s. 39.303(4) to consider a differential diagnosis.

The cost of a medical examination under subparagraph 2. or subparagraph 3. must be borne by the parent or legal custodian, including through his or her health care coverage, if applicable.

(d) Notwithstanding s. 39.202(6), for all medical examinations performed pursuant to paragraph (c), the physician or advanced practice registered nurse must submit within 10 days after the medical examination a written report that details the findings and conclusions of the medical examination to the department and the parent or legal custodian.

(e) If the findings and conclusions of the medical examination conducted under paragraph (b) and the medical examination conducted under paragraph (c) differ, the department must immediately convene a case staffing to reach a consensus regarding the differences in the medical opinions. The case staffing must include the child protective investigator, the investigator's supervisor, legal staff of the department, representatives from a Child Protection Team, and the community-based care lead agency. If possible, the case staffing must also include any health care practitioners who previously treated the child, any health care practitioners who are currently treating

the child, and the physician or advanced practice registered nurse who conducted the medical examination under paragraph (c).

Section 4. Paragraph (a) of subsection (7) of section 456.057, Florida Statutes, is amended to read:

456.057 Ownership and control of patient records; report or copies of records to be furnished; disclosure of information.—

(7)(a) Except as otherwise provided in this section and in s. 440.13(4)(c), such records may not be furnished to, and the medical condition of a patient may not be discussed with, any person other than the patient, the patient's legal representative, or other health care practitioners and providers involved in the patient's care or treatment, except upon written authorization from the patient. However, such records may be furnished without written authorization under the following circumstances:

1. To any person, firm, or corporation that has procured or furnished such care or treatment with the patient's consent.

2. When compulsory physical examination is made pursuant to Rule 1.360, Florida Rules of Civil Procedure, in which case copies of the medical records shall be furnished to both the defendant and the plaintiff.

3. In any civil or criminal action, unless otherwise prohibited by law, upon the issuance of a subpoena from a court of competent jurisdiction and proper notice to the patient or the patient's legal representative by the party seeking such records.

4. For statistical and scientific research, provided the information is abstracted in such a way as to protect the identity of the patient or provided written permission is

received from the patient or the patient's legal representative.

5. To a regional poison control center for purposes of treating a poison episode under evaluation, case management of poison cases, or compliance with data collection and reporting requirements of s. 395.1027 and the professional organization that certifies poison control centers in accordance with federal law.

6. To the Department of Children and Families, its agent, or its contracted entity, for the purpose of investigations of or services for cases of abuse, neglect, or exploitation of children or vulnerable adults. Records requested by the Department of Children and Families pursuant to s. 39.301(9)(a) must be furnished within 14 days after receipt of the request.

Section 5. This act shall take effect July 1, 2026.

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

The Florida Senate

APPEARANCE RECORD

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3/2/26
Meeting Date

Fiscal Policy
Committee

42
Bill Number or Topic

Amendment Barcode (if applicable)

Name Aaron DiPietro

Phone 904-608-4471

Address on file
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: Florida Family Voice

☐ 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
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3/2/26
Meeting Date

Fiscal
Committee

SB 42
Bill Number or Topic

Amendment Barcode (if applicable)

Name Christy Lee

Phone 813 784-4235

Address 6006 N Florida Ave #1506
Street

Tampa FL 33604
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:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/2/24
Meeting Date

SB42
Bill Number or Topic

Fiscal
Committee

Amendment Barcode (if applicable)

Name Kierra Buchanan

Phone 352-470-8443

Address 9467 NW 30th ave
Street

Email

Ocala FL 34475
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)

The Florida Senate

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 42
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jessica McClain Office of Criminal Conflict & Civil Regional Council

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City State Zip

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

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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

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3/2/2026
Meeting Date

Fiscal
Committee

SB42
Bill Number or Topic

Amendment Barcode (if applicable)

Name Darryl Buchanan Phone 352 421 8668

Address 18868 NW 53rd crt Road Email
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Orange Lake FL 32686
City State Zip

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

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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 182
INTRODUCER:	Appropriations Committee on Pre-K -12 Education; Education Pre-K - 12 Committee; and Senator Jones and others
SUBJECT:	School Teacher Training and Mentoring Program
DATE:	February 27, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	ED	**Fav/CS**
2.	Gray	Elwell	AED	**Fav/CS**
3.	Jahnke	Siples	FP	**Favorable**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 182 establishes the School Teacher Training and Mentoring Program within the Department of Education (DOE) to improve teacher effectiveness and student outcomes in Florida's public schools. The bill authorizes school districts, charter schools, and charter management organizations to place retired or current classroom teachers as mentors in schools earning a grade of "D" or "F", to support new classroom teachers, teachers rated as needs improvement, developing, or unsatisfactory on the prior year's performance evaluation, and teachers identified by a school administrator as struggling with classroom behavior management.

The bill establishes eligibility requirements for teacher mentors, including a minimum of three years of teaching experience and a highly effective rating on the most recent performance evaluation. The bill adds limitations on the number of mentees a retired teacher mentor and a classroom teacher mentor may have. Mentor teachers may receive a stipend of up to $3,000.

The bill requires the DOE to establish program standards and a standard mentor-mentee contract outlining responsibilities and program goals. The bill authorizes the State Board of Education to adopt rules to administer the program.

The bill also amends the Florida Education Finance Program (FEFP) to authorize the use of Educational Enrichment Allocation funds to support the program.

There may be a fiscal impact on school districts that elect to establish this program. **See Section V., Fiscal Impact Statement.**

The bill takes effect on July 1, 2026.

II. Present Situation:

Teacher Mentorship and Induction Programs

Professional Learning Certification Programs

Professional learning certification programs must include a teacher mentorship and induction component.[1] Such programs are cohesive, competency-based professional preparation certification programs offered by school districts, charter schools, and charter management organizations, through which instructional staff can demonstrate mastery of professional preparation and education competence requirements to earn a professional educator certificate.[2] In addition to completing the district program, candidates must demonstrate mastery of general knowledge[3] and subject area knowledge.[4] Professional learning certification programs may be developed by the Department of Education (DOE) or by a school district, charter school, or charter management organization and approved by the DOE.[5]

The teacher mentorship and induction component must, at a minimum, provide routine opportunities for mentoring and induction activities, including:

- Ongoing professional learning[6] targeted to a teacher's needs;
- Opportunities for a teacher to observe other teachers;
- Co-teaching experiences; and
- Reflection and follow-up discussions.[7]

Mentorship and induction activities must be provided to an applicant during the applicant's first year in the program and may continue until the applicant attains his or her professional certificate.

To serve as a teacher mentor in a professional learning certification program, a mentor:

- Must hold a valid professional certificate;
- Must have at least 3 years of teaching experience in prekindergarten through grade 12;

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[1] Section 1012.56(8)(a)1., F.S.
[2] Section 1012.56(8)(a), F.S.; Florida Department of Education. *Professional Learning Certification Programs,* https://www.fldoe.org/teaching/preparation/plcp.stml (last visited Feb. 16, 2026). Participants must hold a state-issued temporary certificate. *See* s. 1012.56(8)(a), F.S.
[3] *See* Florida Department of Education, *General Knowledge*, https://www.fldoe.org/teaching/certification/general-cert-requirements/general-knowledge.stml (last visited Feb. 16, 2026).
[4] *See* Florida Department of Education, *Subject Area Knowledge*, https://www.fldoe.org/teaching/certification/general-cert-requirements/subject-area-knowledge.stml (last visited Feb. 16, 2026).
[5] Section 1012.56(8)(a) and (c), F.S.; *See* Rule 6A-5.066, F.A.C.
[6] *See* s. 1012.98, F.S. Professional learning must meet the criteria established in s. 1012.98(3), F.S. *See* s. 1012.56(8)(a)3., F.S.
[7] Section 1012.56(8)(a)1., F.S.

- Must have completed training in clinical supervision and participate in ongoing mentor training provided through the coordinated system of professional learning;
- Must have earned an effective or highly effective rating on the prior year's performance evaluation; and
- May be a peer evaluator under the district's evaluation system.[8]

Teacher Apprenticeship Program

In 2023, the Legislature created the Teacher Apprenticeship Program (TAP) as an alternative pathway for an individual to enter the teaching profession.[9] As a condition of participating in the TAP, an apprentice teacher must be appointed by the district school board as an education paraprofessional and must commit to spending the first two years in the classroom of a mentor teacher using team teaching strategies as specified in law[10] and fulfilling the on-the-job training component of the registered apprenticeship and its associated standards.[11]

A teacher who serves as a mentor to an apprentice teacher in the TAP must:
- Have at least 5 years of teaching experience in this state.
- Be rated as highly effective in the three most recent value-added model (VAM) scores or on the three most recent available performance evaluations if the teacher does not generate a state VAM score.
- Satisfy any other requirements established by the DOE.[12]

Other Mentorship and Induction Supports

A person issued a temporary certificate must be assigned a teacher mentor for at least two school years after commencing employment. Each teacher mentor must hold a valid professional certificate, have earned at least three years of teaching experience in prekindergarten through grade 12, and have earned an effective or highly effective rating on the prior year's performance evaluation.[13]

As part of statewide efforts to recruit and retain qualified teachers, school boards are required to adopt policies relating to mentors and support for first-time teachers, which may include guidelines issued by the DOE.[14]

The DOE administers professional learning programs with mentoring components to support educators' development as leaders and mentors, including the Florida Teacher Lead Network[15]

[8] *Id.*
[9] Chapter 2023-38, s. 6, Laws of Fla., *codified at* s. 1012.555, F.S.; *see also* Rule 6A-5.067, F.A.C.
[10] Section 1003.03(5)(c), F.S.
[11] Section 1012.555(2)(c) and (d), F.S.
[12] Section 1012.555(3), F.S.
[13] Section 1012.56(7)(e), F.S.
[14] Section 1012.05(3)(a), F.S.
[15] Florida Department of Education, *Florida Teacher Lead Network*, https://www.floridateacherslead.org/aboutftln (last visited Feb. 16, 2026).

and the High Impact Teacher Corps,[16] which is reserved for exceptional educators working at low-performing schools.

Educational Enrichment Allocation

The educational enrichment allocation is added to the base funding provided to districts through the Florida Education Finance Program (FEFP). This allocation helps school districts provide educational enrichment activities and services that support and improve students' academic achievement from kindergarten through grade 12. Activities and services may be provided in any manner and at any time, during or beyond the regular 180-day term, in the manner the school district identifies as the most effective and efficient way to best help the student progress from grade to grade and graduate from high school.[17]

An additional supplement of $500 per full-time equivalent student, or as provided in the General Appropriations Act, is allocated to district-managed turnaround schools, schools that earn three consecutive grades below a "C," and schools that have improved to a "C" and are no longer in turnaround status[18] to implement intervention and support strategies. Services may include tutorial and after-school programs, student counseling, nutrition education, parental counseling, and an extended school day and year. Services may also include models that develop a culture that encourages students to complete high school and attend college or career training, sets high academic expectations, and inspires character development. A school district may partner with a nonprofit organization to implement an integrated student support service model that provides students and families with access to wrap-around services, including, but not limited to, health services, after-school programs, drug prevention programs, college and career readiness programs, and food and clothing banks.[19]

For Fiscal Year 2025-26, the educational enrichment allocation is $848.2 million.[20]

III. Effect of Proposed Changes:

This bill creates s. 1012.988, F.S., to establish the School Teacher Training and Mentoring Program within the Department of Education (DOE) to increase the effectiveness and involvement of classroom teachers and improve student achievement, classroom management, and excellence in the state's public schools.

The bill authorizes school districts, charter schools, and charter management organizations to place retired or current classroom teachers in schools earning a grade of "D" or "F" to act as teacher mentors to support new classroom teachers; classroom teachers rated as needs

[16] Florida Department of Education, *High Impact Teacher Corps*, https://www.floridateacherslead.org/high-impact-teacher-corps (last visited Feb. 16, 2026).
[17] Section 1011.62(7), F.S. In 2023, the Supplemental Academic Instruction and Turnaround Supplemental Services allocation were combined and renamed the Educational Enrichment Allocation.
[18] *See* s. 1008.33(4), F.S.
[19] Section 1011.62(7), F.S.
[20] Florida Department of Education, Office of Funding and Financial Reporting, School Business Services, Florida Education Finance Program (FEFP), *Fiscal Year 2025-2026, First Calculation* (June 13, 2025), at 29, *available at* https://www.flsenate.gov/PublishedContent/Session/2025/Conference/9/RelatedDocument/Florida%20Education%20Finance%20Program%20(FEFP)%206-13-25_1582.pdf (last visited Feb. 16, 2026).

improvement, developing, or unsatisfactory on the prior year's performance evaluation; or classroom teachers identified by the school administrator as struggling with classroom behavior management.

The bill requires mentors to have at least three years of teaching experience in prekindergarten through grade 12 and must have earned a highly effective rating on the most recent performance evaluation. The bill allows a teacher mentor to receive a stipend of up to $3,000. The bill specifies that each teacher mentor and mentee relationship through the program be for one grading system.

The bill provides limitations on the number of mentees a teacher mentor may have. Specifically, a retired classroom teacher serving as a teacher mentor may not have more than five mentees at a time and a classroom teacher serving as a teacher mentor may not have more than one mentee at a time.

The bill requires the DOE to establish program standards and a standard contract for the teacher mentor and mentee that outlines each person's responsibilities and establishes the program's framework and goals.

The bill requires that each teacher mentor:

- Present significant historical events with accuracy and integrity, grounded in verifiable evidence and scholarly rigor.
- If a curriculum is used, use a curriculum that affirms the principles of fairness and equal opportunity reflected in the Florida Educational Equity Act and encourages respectful dialogue across diverse perspectives.
- Maintain confidentiality, unless prohibited by law.
- Have no personal agenda other than assisting his or her mentee in developing and reaching the mentee's goals.
- Help his or her mentee in developing skills and expertise, including by drawing upon the mentor's own personal experiences.

The bill authorizes the State Board of Education to adopt rules to administer the program.

The bill amends s. 1011.62, F.S., to authorize the use of Educational Enrichment Allocation funds under the Florida Education Finance Program (FEFP), if such funds are available, to support the School Teacher Training and Mentoring Program.

The bill takes effect on July 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.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

There may be a fiscal impact on school districts that elect to establish this program. The bill allows funds to be used from the educational enrichment allocation in the Florida Education Finance Program (FEFP) and, if used, will reduce the funds available to school districts for other purposes.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 1012.988 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 Appropriations Committee on Pre-K – 12 Education on February 25, 2026:

The committee substitute maintains the bill's provisions and adds additional requirements. Specifically, the committee substitute:

- Adds the requirement that each mentor and mentee relationship through the program is for one grading period.
- Adds limitations on the number of mentees a retired teacher mentor and a classroom teacher mentor may have at a time.
- Modifies the teacher mentor requirements to specify that each teacher mentor:
  - Present historical events with accuracy and integrity, grounded in verifiable evidence and scholarly rigor.
  - If using curriculum, use a curriculum that affirms the principles of fairness and equal opportunity reflected in the Florida Educational Equity Act and encourages respectful dialogue across diverse perspectives.
  - Maintains confidentiality unless prohibited by law.
  - Not have a personal agenda other than assisting his or her mentee.
  - Help his or her mentee in developing skills and expertise.

CS by Education Pre-K – 12 on February 3, 2026:

The committee substitute retains the program title and general purpose while removing and replacing provisions relating to mentor stipends, program structure, and implementation requirements. Specifically, the committee substitute:

- Authorizes school districts, charter schools, and charter management organizations to place retired or current classroom teachers as mentors, but specifies placement in schools earning a grade of "D" or "F";
- Maintains from the bill the purpose for mentors to support new classroom teachers, teachers rated as needs improvement, developing, or unsatisfactory, and teachers identified by a school administrator as struggling with classroom behavior management;
- Establishes eligibility requirements for mentors, including a minimum of three years of teaching experience and a most recent performance evaluation rating of highly effective;
- Authorizes mentors to work with multiple classroom teachers and to receive a stipend of up to $3,000, rather than $2,000;
- Directs the Department of Education to establish program standards and a standard mentor–mentee contract outlining responsibilities and program goals, without requiring the use of the University College London Mentoring Handbook.
- Removes prescriptive statutory requirements relating to program duration, meeting frequency, and session content; and
- Authorizes the use of Educational Enrichment Allocation funds under the Florida Education Finance Program to support the program.

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 the Appropriations Committee on Pre-K - 12 Education; the Committee on Education Pre-K - 12; and Senators Jones, Yarborough, Osgood, and Massullo

602-03206-26 2026182c2

A bill to be entitled

An act relating to the School Teacher Training and Mentoring Program; creating s. 1012.988, F.S.; establishing the School Teacher Training and Mentoring Program within the Department of Education; providing the purpose of the program; authorizing school districts and charter schools to place certain classroom teachers as teacher mentors in specified schools for specified purposes; providing requirements for teacher mentors and mentees; authorizing teacher mentors to receive a stipend; providing the time period for each mentor and mentee relationship through the program; providing limitations on the number of mentees teacher mentors may work with; providing department and teacher mentor responsibilities; authorizing the State Board of Education to adopt rules; amending s. 1011.62, F.S.; authorizing specified funds to be used for the School Teacher Training and Mentoring Program; providing an effective date.

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

Section 1. Section 1012.988, Florida Statutes, is created to read:

1012.988 School Teacher Training and Mentoring Program.—

(1) The School Teacher Training and Mentoring Program is established within the Department of Education. The purpose of the program is to increase the effectiveness and involvement of

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

602-03206-26 2026182c2

classroom teachers and improve student achievement, classroom management, and excellence in the state's public schools.

(2)(a) School districts and charter schools may place retired classroom teachers or current classroom teachers in schools earning a grade of "D" or "F" to act as teacher mentors to:

1. New classroom teachers;

2. Classroom teachers who are rated as needs improvement, developing, or unsatisfactory on the prior year's performance evaluation under s. 1012.34; or

3. Classroom teachers identified by the school administrator as struggling with behavior management within the classroom.

(b) Each teacher mentor selected by the school district, charter school, or charter management organization must have:

1. At least 3 years of teaching experience in prekindergarten through grade 12.

2. Earned a highly effective rating on his or her most recent performance evaluation under s. 1012.34.

(c) Each teacher mentor may receive a stipend of up to $3,000.

(d) Each mentor and mentee relationship through the program shall be for one grading period.

(e)1. A retired classroom teacher serving as a teacher mentor may not have more than five mentees at a time.

2. A classroom teacher serving as a teacher mentor may not have more than one mentee at a time.

(3) The Department of Education shall establish program standards and a standard contract template for the teacher

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

mentor and mentee which outlines the responsibilities of each person and establishes the framework and goals of the program.

(4) Each teacher mentor must:

(a) Present significant historical events with accuracy and integrity, grounded in verifiable evidence and scholarly rigor.

(b) If a curriculum is used, use a curriculum that affirms the principles of fairness and equal opportunity reflected in the Florida Educational Equity Act and encourages respectful dialogue across diverse perspectives.

(c) Maintain confidentiality, unless prohibited by law.

(d) Not have a personal agenda other than assisting his or her mentee in developing and reaching the mentee's goals.

(e) Help his or her mentee in developing skills and expertise, including drawing upon the teacher mentor's own personal experiences.

(5) The State Board of Education may adopt rules to administer this section.

Section 2. Paragraph (a) of subsection (7) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(7) EDUCATIONAL ENRICHMENT ALLOCATION.—

(a) The educational enrichment allocation is created to assist school districts in providing educational enrichment activities and services that support and increase the academic

achievement of students in grades kindergarten through 12. Educational enrichment activities and services may be provided in a manner and at any time during or beyond the regular 180-day term identified by the school district as being the most effective and efficient way to best help the student progress from grade to grade and graduate from high school. Funds from the educational enrichment allocation may be used for the School Teacher Training and Mentoring Program under s. 1012.988 if funds are available. For fiscal year 2023-2024, the educational enrichment allocation shall consist of a base amount as specified in the General Appropriations Act. Beginning in fiscal year 2024-2025, the educational enrichment allocation shall consist of the base amount that includes a workload adjustment based on changes in the unweighted full-time equivalent membership. Beginning in fiscal year 2025-2026, and each year thereafter, the statewide average base amount as specified in the General Appropriations Act shall be used for any new educational entity funded in the Florida Education Finance Program.

Section 3. This act shall take effect July 1, 2026.

The Florida Senate

APPEARANCE RECORD

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3-2-2026
Meeting Date

Fiscal Policy
Committee

SB 182
Bill Number or Topic

Amendment Barcode (if applicable)

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

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing: Equal Ground Action Fund

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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 214
INTRODUCER:	Fiscal Policy Committee; Appropriations Committee on Transportation, Tourism, and Economic Development Committee; and Senator McClain
SUBJECT:	Special District Funding
DATE:	March 3, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Renner	McKay	CM	**Favorable**
2.	Griffin	Nortelus	ATD	**Fav/CS**
3.	Renner	Siples	FP	**Fav/CS**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 214 amends s. 215.971, F.S., to require agency agreements that provide state or federal financial assistance to special districts located entirely within a county or municipality, or to an independent special district that provides water and wastewater services within a rural area of opportunity, to include a provision allowing the agency to provide for the payment of invoices for verified and eligible performance that has been completed in accordance with the terms and conditions of the agreement. This provision is not intended to require reimbursement to a county, municipality, or special district, but to allow the agency to pay invoices as they become due and to expedite payment requests.

The bill amends s. 288.0656, F.S., to revise the definition of "rural community" for the purposes of the Rural Economic Development Initiative to include special districts located in rural counties, as well as to include independent special districts that provide water and wastewater services within a rural area of opportunity. This inclusion will allow these special and independent districts to participate in state financial assistance programs.

This bill may have an indeterminate impact on state expenditures. See Section V., Fiscal Impact Statement.

The bill takes effect July 1, 2026.

II. Present Situation:

Rural Economic Development Initiative (REDI)

The Rural Economic Development Initiative (REDI) was established by the Legislature to encourage and facilitate the location and expansion of major economic development projects of significant scale in rural communities.[1] Today, the REDI operates as a statewide initiative led by the Department of Commerce (FloridaCommerce) to better serve Florida's rural communities by providing a more focused and coordinated effort among state and regional agencies to improve the fiscal, economic, and community viability of these areas.[2]

Specified agencies and organizations[3] are required to designate a high-level staff person to serve as their REDI representative. Each REDI representative is responsible for ensuring that their agency or organization is informed about the REDI and helps to identify opportunities to accommodate or include rural local governments in their agency programs.

The REDI is required to review and evaluate the impact of statutes and rules on rural communities and work to minimize any adverse impact and undertake outreach and capacity-building efforts.[4] Under the REDI statute, a rural community is defined as:

- A county with a population of 75,000 or fewer;
- A county with a population of 125,000 or fewer, if the county is contiguous to a county with a population of 75,000 or fewer;
- Any municipality in a county that meets the above criteria; or
- An unincorporated federal enterprise community or an incorporated rural city with a population of 25,000 or fewer, with an employment base focused on traditional agriculture or resource-based industries, located in a county not defined as rural, and which has at least three or more economic distress factors.[5]

Each REDI member agency is required to review financial match requirements for projects in rural areas and develop a proposal to waive or reduce match requirements, and such proposals must be submitted to the REDI.[6] The REDI must call a meeting within 30 days of receipt of such proposals for comment and recommendation.[7] Waivers and reductions must be requested by the county or community, and to the fullest extent possible member organizations must expedite rule and amendment adoption to incorporate the reduction in match by rural areas in financial distress.[8] The REDI must prepare an annual report as a supplement to Florida Commerce's

[1] Section 288.0656(1)(a), F.S.
[2] Section 288.0656(3), F.S.
[3] The Department of Transportation, Department of Environmental Protection, Department of Agriculture and Consumer Services, Department of State, Department of Health, Department of Children and Families, Department of Corrections, Department of Education, Department of Juvenile Justice, Fish and Wildlife Conservation Commission, each water management district, CareerSource Florida, Inc., VISIT Florida, the Florida Regional Planning Council Association, Agency for Health Care Administration, the Institute of Food and Agricultural Sciences (IFAS). *See* s. 288.0656(6)(a), F.S.
[4] Section 288.0656(4), F.S.
[5] Section 288.0656(2)(e), F.S.
[6] Section 288.06561, F.S.
[7] Section 288.06561(3), F.S.
[8] Section 288.06561(4) and (7), F.S.

annual report, which includes an evaluation on the status of changes to rules, the number of awards made with waivers, and recommendations for future changes.[9]

Based on the REDI's recommendations, the Governor may designate up to three rural areas of opportunity (RAOs) by executive order,[10] which establishes certain local governments as a priority for the department. The orders also permit all state agencies and departments to use all available tools and resources to the extent permissible by law to promote the creation and development of projects designated by the RAO that have been recommended by the department.[11]

Rural Area of Opportunity

A RAO is a rural community,[12] or region comprised of rural communities, designated by the Governor, that has been adversely affected by an extraordinary economic event, severe or chronic distress, or a natural disaster.[13] An area may also be designated as an RAO if it presents a unique economic development opportunity of regional impact.[14] The designation of an RAO must be agreed upon by the Department of Commerce, as well as the county and municipal governments, to be included in the RAO.[15]

This designation establishes these areas as priority assignments for the REDI and allows the Governor, acting through the REDI, to waive criteria, requirements, or similar provisions of any economic development initiative. Such incentives include, but are not limited to, the Quick Response Training Program[16], the Quick Response Training Program for participants in the welfare transition program[17], transportation projects,[18] the brownfield redevelopment bonus refund[19], and the rural job tax credit program.[20]

Currently, there are three designated RAO areas:[21]

- **Northwest RAO:** Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Liberty, Wakulla, and Washington counties, and portions of Bay, Okaloosa, and Walton Counties.

[9] Section 288.06561(8), F.S.
[10] Section 288.0656(7)(a), F.S.
[11] Executive Orders 20-170, 21-149, and 23-132 and 25-141 available at https://www.flgov.com/eog/sites/default/files/executive-orders/2024/EO_20-170.pdf, https://www.flgov.com/eog/sites/default/files/executive-orders/2024/EO_21-149.pdf, and https://www.flgov.com/eog/sites/default/files/executive-orders/2024/EO-23-132.pdf and https://www.flgov.com/eog/sites/default/files/executive-orders/2025/EO%2025-141.pdf (last visited Jan. 20, 2026)
[12] Section 288.0656(2)(e), F.S.
[13] Section 288.0656(2)(d), F.S.
[14] *Id.*
[15] Section 288.0656(7)(b), F.S.
[16] Section 288.047, F.S.
[17] Section 288.047(8), F.S.
[18] Section 339.2821, F.S.
[19] Section 288.107, F.S.
[20] Sections 212.098 and 220.1895, F.S.
[21] Florida Department of Commerce, Office of Rural Initiatives, available at https://www.floridajobs.org/community-planning-and-development/office-of-rural-initiatives (last visited Jan. 20, 2026).

- **South Central RAO:** DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee counties, and the communities of Pahokee, Belle Glade, and South Bay in Palm Beach County and Immokalee in Collier County.[22]
- **North Central RAO:** Baker, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison, Putnam, Suwannee, Taylor, and Union counties.[23]

Agreements Funded with Federal or State Assistance

Current law requires an agency agreement that provides state financial assistance to a recipient or subrecipient,[24] or that provides federal financial assistance to a subrecipient, to include the following:

- A provision specifying scope of work that clearly establishes the tasks the recipient or subrecipient is required to perform;
- A provision dividing the agreement into quantifiable units of deliverables that must be received and accepted in writing by the agency before payment. Each deliverable must be directly related to the scope of work and must specify the required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable;
- A provision specifying the financial consequences that apply if the recipient or subrecipient fails to perform the minimum level of service required in the agreement. The provision can be excluded in specified situations;
- A provision specifying that a recipient or subrecipient of federal or state financial assistance may expend funds only for allowable costs resulting from obligations incurred during the specified agreement period;
- A provision specifying that any balance of unobligated funds which has been advanced or paid must be refunded to the state agency;
- A provision specifying that any funds paid in excess of the amount to which the recipient or subrecipient is entitled must be refunded to the state agency; and
- Any additional information required pursuant to the Florida Single Audit Act.[25]

Current law prohibits an agency agreement that provides state or federal financial assistance to local government entities within an RAO from requiring those entities to expend funds to be reimbursed. For these local government entities, an agency is authorized to advance funding based on an analysis of estimated costs, to pay service providers and vendors directly, or to pursue other options to meet the requirements of the agreement, allowing local governments in rural areas to be paid without first spending their own capital first.[26]

The Chief Financial Officer establishes and disseminates uniform procedures for grant management to ensure that services have been rendered in accordance with agreement terms

[22] The economic development organization for this RAO is Florida's Heartland Regional Economic Development Initiative, Inc. *See* https://flaheartland.com/ (last visited Jan. 20, 2026).
[23] The economic development organization for this RAO is the North Florida Economic Development Partnership. *See* https://nflp.org/ (last visited Jan. 20, 2026).
[24] Section 215.97(2)(y), F.S., defines a "subrecipient" as a nonstate entity that receives state financial assistance through another nonstate entity.
[25] Section 215.971(1)(a)-(g), F.S.
[26] Section 215.971(1) (h) F.S.

before the agency processes an invoice for payment.[27] The procedures include, but are not limited to, monitoring and documenting recipient performance, reviewing and documenting deliverables for payment requested by recipients, and providing written certification by the grant manager of the agency's receipt of goods and services.[28] The grant manager must reconcile and verify all funds received against all funds expended during the grant agreement period and produce a final report that identifies any funds paid in excess by the recipient.[29]

Special Districts

A "special district" is a unit of local government created for a particular purpose, with jurisdiction to operate within a limited geographic boundary.[30] Special districts are created by general law, special act, local ordinance, or rule of the Governor and Cabinet.[31] A special district has only those powers expressly provided by, or reasonably implied from, the authority provided in the district's charter. Special districts provide specific municipal services in addition to, or in place of, those provided by a municipality or county.[32] Special districts are funded through the imposition of ad valorem taxes, fees, or charges on the users of those services authorized by law.[33]

Special districts may be classified as dependent or independent based on their relationship with local general-purpose governments. A special district is classified as "dependent" if the governing body of a single county or municipality:

- Serves as governing body of the district;
- Appoints the governing body of the district;
- May remove members of the district's governing body at-will during their unexpired terms; or
- Approves or can veto the budget of the district.[34]

A district is classified as "independent" if it does not meet any of the above criteria or is located in more than one county, unless the district lies entirely within the boundaries of a single municipality.[35]

Currently, there are 103 special districts within the Northwest RAO counties, 44 within the North Central RAO counties, and 57 within the South Central RAO counties.[36]

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[27] Section 215.971(2)(b), F.S.
[28] *Id.*
[29] Section 214.971(2)(c), F.S.
[30] *See Halifax Hospital Medical Center v. State of Fla., et al.,* 278 So. 3d 545, 547 (Fla. 2019).
[31] *See* ss. 189.02, 189.031(3), and 190.005(1), F.S. *See generally* s. 189.012(6), F.S.
[32] Florida House of Representatives, Intergovernmental Affairs Subcommittee, *Local Government Formation Manual*, pg. 56, available at https://www.flhouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3304&Session=2025&DocumentType=General+Publications&FileName=Local+Government+Formation+Manual+%5b2024-2026%5d.pdf (last visited Jan. 20, 2026).
[33] The method of financing a district must be stated in its charter. Sections 189.02(4)(g) and 189.031(3), F.S.
[34] Section 189.012(2), F.S.
[35] Section 189.012(3), F.S.
[36] *See* Florida Department of Commerce, Official List of Special Districts, https://www.floridajobs.org/community-planning-and-development/special-districts/special-district-accountability-program/official-list-of-special-districts (last visited Jan. 20,

III. Effect of Proposed Changes:

CS/CS/SB 214 amends s. 215.971, F.S., to require agency agreements that provide state or federal financial assistance to special districts located entirely within a county or municipality, or to an independent special district that provides water and wastewater services within a RAO, to include a provision allowing the agency to provide for the payment of invoices for verified and eligible performance that has been completed in accordance with the terms and conditions of the agreement. This provision is not intended to require reimbursement to a county, municipality, or special district, but to allow the agency to pay invoices as they become due and to expedite payment requests.

The bill amends s. 288.0656, F.S., to revise the definition of "rural community" for the REDI to include special districts located in rural counties as well as independent special districts that provide water and wastewater services within a rural area of opportunity. This inclusion will allow these special and independent districts to participate in state financial assistance programs.

The bill takes effect July 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.

2026). Some of these districts may lie outside of the portions of counties listed in the Northwest RAO and the South Central RAO.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Expanding the eligibility for invoice payments to include these special and independent districts may have an indeterminate negative fiscal impact on agencies administering financial assistance programs. Similarly, expanding the definition of rural community to include these special and independent districts may alter which projects located in an RAO receive economic development funding.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 215.971 and 288.0656.

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 2, 2026:
The committee substitute:

- Specifies that special districts must be located entirely within a county or municipality in order to receive financial assistance through an agency agreement.
- Clarifies provisions regarding the payment of invoices due under agreements funded with federal or state assistance, and requires agencies to expedite such payment requests for local governments or special districts.

CS by Appropriations Committee on Transportation, Tourism, and Economic Development on February 4, 2026:
The committee substitute authorizes independent special districts that provide water and wastewater services within a rural area of opportunity to receive payment of invoices

under state or federally funded agreements and expands the statutory definition of "rural community" to include those independent districts.

B. Amendments:

None.

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

659650

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
03/03/2026	.	
	.	
	.	
	.	

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

Senate Amendment (with title amendment)

Delete lines 33 - 39

and insert:

the agency to provide for the payment of invoices to such ~~the~~ county, municipality, or special district ~~rural area of opportunity as that term is defined in s. 288.0656(2),~~ for verified and eligible performance that has been completed in accordance with the terms and conditions set forth in the agreement. The provision is not intended to require

659650

reimbursement to such county, municipality, or special district for invoices paid, but to allow the agency to provide for the payment of invoices due. The agency shall expedite payment requests in order to facilitate the timely payment of invoices received by the such county, municipality, or special district. This provision is included to alleviate the financial hardships that such ~~certain rural~~ counties, ~~and~~ municipalities, or special

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

And the title is amended as follows:

Delete line 8

and insert:

providing construction; requiring state agencies to expedite payment requests from certain counties, municipalities, and special district for a specified purpose; amending s. 288.0656, F.S.;

951808

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/03/2026	.	
	.	
	.	
	.	

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

Senate Substitute for Amendment (659650) (with title amendment)

Delete lines 28 - 43
and insert:
defined in s. 288.0656(2) or a special district located entirely within such county or municipality or an independent special district that provides water and wastewater services within a rural area of opportunity as that term is defined in s. 288.0656(2), a provision allowing the agency to provide for the

951808

payment of invoices to such ~~the~~ county, municipality, or special district ~~rural area of opportunity as that term is defined in s. 288.0656(2),~~ for verified and eligible performance that has been completed in accordance with the terms and conditions set forth in the agreement. The provision is not intended to require reimbursement to such county, municipality, or special district for invoices paid, but to allow the agency to provide for the payment of invoices due. The agency shall expedite payment requests in order to facilitate the timely payment of invoices received by such county, municipality, or special district. This provision is included to alleviate the financial hardships that such ~~certain rural~~ counties, ~~and~~ municipalities, or special districts encounter when administering agreements, and must be exercised by the agency if ~~when~~ a county, ~~or~~ municipality, or special district located entirely within such county or municipality or an independent special

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

And the title is amended as follows:

Delete line 8

and insert:

providing construction; requiring state agencies to expedite payment requests from certain counties, municipalities, and special districts for a specified purpose; amending s. 288.0656, F.S.;

By the Appropriations Committee on Transportation, Tourism, and Economic Development; and Senator McClain

606-02504-26 2026214c1

A bill to be entitled

An act relating to special district funding; amending s. 215.971, F.S.; revising agency agreements that provide state financial assistance to recipients or subrecipients to include specified special districts as an entity to which such agency may provide for the payment of invoices under specified circumstances; providing construction; amending s. 288.0656, F.S.; revising the definition of "rural community" to include specified special districts; providing an effective date.

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

Section 1. Paragraph (h) of subsection (1) of section 215.971, Florida Statutes, is amended to read:

215.971 Agreements funded with federal or state assistance.—

(1) An agency agreement that provides state financial assistance to a recipient or subrecipient, as those terms are defined in s. 215.97, or that provides federal financial assistance to a subrecipient, as defined by applicable United States Office of Management and Budget circulars, must include all of the following:

(h) If the agency agreement provides federal or state financial assistance to a county or municipality that is a rural community or rural area of opportunity as those terms are defined in s. 288.0656(2) or a special district whose geographic area, in whole or in part, is located in such county or

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

606-02504-26 2026214c1

municipality or an independent special district that provides water and wastewater services within a rural area of opportunity as that term is defined in s. 288.0656(2), a provision allowing the agency to provide for the payment of invoices to the county, municipality, ~~or~~ rural area of opportunity as that term is defined in s. 288.0656(2), or special district, for verified and eligible performance that has been completed in accordance with the terms and conditions set forth in the agreement. This provision is included to alleviate the financial hardships that such ~~certain~~ rural counties, ~~and~~ municipalities, or special districts encounter when administering agreements, and must be exercised by the agency if ~~when~~ a county, ~~or~~ municipality, or special district whose geographic area, in whole or in part, is located in such county or municipality or an independent special district that provides water and wastewater services within a rural area of opportunity as that term is defined in s. 288.0656(2), demonstrates financial hardship, to the extent that federal or state law, rule, or other regulation allows such payments. This paragraph may not be construed to alter or limit any other provisions of federal or state law, rule, or other regulation.

Section 2. Paragraph (e) of subsection (2) of section 288.0656, Florida Statutes, is amended to read:

288.0656 Rural Economic Development Initiative.—

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

(e) "Rural community" means:

1. A county with a population of 75,000 or fewer.

2. A county with a population of 125,000 or fewer which is contiguous to a county with a population of 75,000 or fewer.

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

3. A municipality or special district within a county described in subparagraph 1. or subparagraph 2.

4. An unincorporated federal enterprise community or an incorporated rural city with a population of 25,000 or fewer and an employment base focused on traditional agricultural or resource-based industries, located in a county not defined as rural, which has at least three or more of the economic distress factors identified in paragraph (c) and verified by the department.

5. An independent special district that provides water and wastewater services within a rural area of opportunity.

For purposes of this paragraph, population shall be determined in accordance with the most recent official estimate pursuant to s. 186.901.

Section 3. This act shall take effect July 1, 2026.

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

The Florida Senate

APPEARANCE RECORD

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

March 2, 2026
Meeting Date

Fiscal Policy
Committee

214
Bill Number or Topic

Amendment Barcode (if applicable)

Name Edgar G. Fernandez

Phone (786) 255-5755

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Email egfernandez.arrow@gunster.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:
W3C
(Water & Wastewater Coooperative)

☐ 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

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 536
INTRODUCER:	Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senator Martin
SUBJECT:	Criteria for Determining Criminal Gang Membership
DATE:	February 27, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Cellon	Stokes	CJ	**Fav/CS**
2.	Atchley	Harkness	ACJ	**Fav/CS**
3.	Cellon	Siples	FP	**Favorable**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 536 amends s. 874.03, F.S., to modify the definition of a "criminal gang member" as it pertains to criminal investigations, charges against suspected gang members, and the sentencing of criminal gang members, and creates a definition for the term "gang-related language."

The bill may have a positive indeterminate fiscal impact (an unquantifiable increase in prison bed needs) on the Department of Corrections. See Section V., Fiscal Impact Statement.

The bill takes effect on July 1, 2026.

II. Present Situation:

Recent Criminal Gang Activity in Florida

Following a multi-year investigation, 10 suspected senior members of a violent, criminal enterprise were arrested in May 2025, on charges related to racketeering that include underlying offenses of conspiracy to commit homicide, directing activities of a criminal gang, and money laundering. Additionally, detectives discovered a kill list of the gang members' intended victims

and notified them before the crimes occurred. Arrest warrants were filed in March, and in April, a coordinated and sweeping statewide operation resulted in 10 arrests.[1]

The Polk County Sheriff's Office arrested five men for organized theft crimes that they say also had ties to the Venezuelan gang Tren De Aragua. The five men are all accused of trying to steal about $3,200 in liquor from a Sam's Club store in north Lakeland. All of the men are linked to over three dozen retail thefts across the area, according to the sheriff's office. The robbery charges have been upgraded to a first-degree felony because the sheriff's office says two of the men are known members of the Tren De Aragua gang, and the other three are associates. The suspects are believed to be linked to over three dozen retail thefts across the central part of Florida.[2]

Criminal Gangs

"Criminal gang"[3] means a formal or informal ongoing organization, association, or group[4] that has as one of its primary activities[5] the commission of criminal or delinquent acts, and that consists of three or more persons who have a common name or common identifying signs, colors, or symbols, including, but not limited to, terrorist organizations,[6] transnational crime organizations,[7] and hate groups.[8]

A "criminal gang associate"[9] is a person who:
- Admits to criminal gang association; or
- Meets any single defining criterion for criminal gang membership.[10]

A "criminal gang member" is a person who meets *two or more* of the following criteria:
- Admits to criminal gang membership.

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[1] Broward County Sherriff's Office, *Investigation Topples Leadership of Notorious Sex, Money, Murder Blood Gang*, reported by Miranda Grossman/PIO 5/2/2025 1400; available at https://www.sheriff.org/PIO/BSONews/Pages/BSO-INVESTIGATION-TOPPLES-LEADERSHIP-OF-NOTORIOUS-SEX,-MONEY,-MURDER-BLOOD-GANG-.aspx? (last visited January 6, 2026).

[2] News 6, *Robbery Suspects Were Linked to Venezuelan Gang, Polk County Sheriff Says, Christie Zizo*, April 18, 2025; available at https://www.clickorlando.com/news/local/2025/04/18/5-robbery-suspects-were-linked-to-venezuelan-gang-polk-county-sheriff-says/ (last visited January 6, 2026).

[3] Section 874.03(1), F.S.

[4] "Ongoing" means that the organization was in existence during the time period charged in a petition, information, indictment, or action for civil injunctive relief. s. 874.03(1)(a), F.S.

[5] "Primary activities" means that a criminal gang spends a substantial amount of time engaged in such activity, although such activity need not be the only, or even the most important, activity in which the criminal gang engages. Section 874.03(1)(b), F.S.

[6] "Terrorist organization" means any organized group engaged in or organized for the purpose of engaging in terrorism as defined in s. 775.30, F.S. This definition shall not be construed to prevent prosecution under this chapter of individuals acting alone. Section 874.03(7), F.S.

[7] "Transnational crime organization" means any group, network, or association of persons, at least one of which is an unauthorized alien as defined in s. 908.111, F.S., that routinely facilitates the international trafficking of drugs, humans, or weapons or the international smuggling of humans. Section 874.03(8), F.S.

[8] "Hate group" means an organization whose primary purpose is to promote animosity, hostility, and malice against a person or persons or against the property of a person or persons because of race, religion, disability, sexual orientation, ethnicity, or national origin. Section 874.03(6), F.S.

[9] Section 874.03(2), F.S.

[10] Section 874.03(3), F.S.

- Is identified as a criminal gang member by a parent or guardian.
- Is identified as a criminal gang member by a documented reliable informant.
- Adopts the style of dress of a criminal gang.
- Adopts the use of a hand sign identified as used by a criminal gang.
- Has a tattoo identified as used by a criminal gang.
- Associates with one or more known criminal gang members.
- Is identified as a criminal gang member by an informant of previously untested reliability and such identification is corroborated by independent information.
- Is identified as a criminal gang member by physical evidence.
- Has been observed in the company of one or more known criminal gang members four or more times. Observation in a custodial setting requires a willful association. It is the intent of the Legislature to allow this criterion to be used to identify gang members who recruit and organize in jails, prisons, and other detention settings.
- Has authored any communication indicating responsibility for the commission of any crime by the criminal gang.

Where a single act or factual transaction satisfies the requirements of more than one of the criteria listed above, each of those criteria has thereby been satisfied for the purposes of the statute.[11]

A person who intentionally causes, encourages, solicits, or recruits another person to become a criminal gang member where a condition of membership or continued membership is the commission of any crime commits a third degree felony.[12] It is a second degree felony for a person to commit this crime if the person recruited to become a gang member is *under the age of 13* and where a condition of membership or continued membership is the commission of any crime.[13] Enhanced penalties are provided for second or subsequent offenses.

All profits, proceeds, and instrumentalities of criminal gang activity or criminal gang recruitment and all property used or intended or attempted to be used to facilitate the criminal activity of any criminal gang, criminal gang member, or criminal gang recruitment, are subject to seizure and forfeiture under the Florida Contraband Forfeiture Act.[14]

Any person who knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity commits a first degree felony.[15] "Criminal gang-related activity" is an activity:

- Committed with the intent to benefit, promote, or further the interests of a criminal gang, or for the purposes of increasing a person's own standing or position within a criminal gang;

[11] Section 874.03(3)(a)-(k), F.S.
[12] Section 874.05(1)(a), F.S., A third degree felony is punishable by up to 5 years imprisonment and a $5,000 fine. Sections 775.082 and 775.083, F.S.
[13] Section 874.05(2)(a), F.S., A second degree felony is punishable by up to 15 years imprisonment and a $10,000 fine. Sections 775.082 and 775.03, F.S.
[14] Section 932.704, F.S.
[15] Section 874.10, F.S.; a first degree felony is punishable by imprisonment for a term of years not exceeding 30 years and up to a $10,000 fine. Sections 775.082, 775.083, and 775.084, F.S.

- In which the participants are identified as criminal gang members or criminal gang associates acting individually or collectively to further any criminal purpose of the gang;
- That is defined as criminal gang activity by a documented reliable informant; or
- That is identified as criminal gang activity by an informant of previously untested reliability and such identification is corroborated by independent information.[16]

Any person possessing or manufacturing any blank, forged, stolen, fictitious, fraudulent, counterfeit, or otherwise unlawfully issued identification document for the purpose of benefiting, promoting, or furthering the interests of a criminal gang commits a second degree felony.[17]

Enhanced Penalties

Section 874.04, F.S., provides for enhanced penalties for a crime committed for the purpose of benefiting, promoting, or furthering the interests of a criminal gang.[18] If the factfinder determines beyond a reasonable doubt that the defendant committed the offense charged for the purpose of benefiting, promoting, or furthering the interests of a criminal gang, the penalty may be enhanced to the penalty of a crime one degree higher than that committed.

III. Effect of Proposed Changes:

The bill amends s. 874.03(4), F.S., to revise the definition of a criminal gang member as it pertains to criminal investigations of or charges brought against suspected gang members. Although the defendant charged with a criminal offense does not necessarily have to meet the criminal gang member definition to be charged with any criminal offense, meeting the definition does often provide enhanced penalties for a criminal conviction.[19]

The definition of a "criminal gang member," including the list of criteria, is amended to mean a person who meets two or more specified criteria. Criteria added or amended by the bill includes that the person:

- Admits in person or on an online platform or social media that he or she is a criminal gang member.
- Is identified or claimed by a criminal gang as one of its members.
- Is identified as a criminal gang member by a parent, guardian, or spouse living with the person.
- Has been observed in the company of one or more known criminal gang members two or more times; observation in a custodial setting requires a willful association. It is the intent of the Legislature to allow this criterion to be used to identify gang members who recruit and organize in jails, prisons, and other detention settings.

[16] Section 874.03(4)(a)-(d), F.S.
[17] Section 874.12, F.S.; a second degree felony is punishable by up to 15 years imprisonment and a $10,000 fine. Sections 775.082 and 775.03, F.S.
[18] Section 874.04, F.S.; "Enhanced penalties" means that a misdemeanor of the second degree may be punished *as if it were* a misdemeanor of the first degree; a misdemeanor of the first degree may be punished *as if it were* a felony of the third degree; a felony of the third degree may be punished *as if it were* a felony of the second degree; a felony of the second degree may be punished *as if it were* a felony of the first degree; and a felony of the first degree may be punished *as if it were* a life felony.
[19] *See* ss. 874.04, 874.05, and 921.0024(1)(b), F.S.

- Has authored any communication indicating gang affiliation or gang activity or accepting responsibility for the commission of any crime by a criminal gang member.
- Uses gang-related language in furtherance of criminal gang-related activity on an online platform or social media.

The bill defines "gang-related language" in s. 874.03(3), F.S., as any verbal or written statement that signals gang affiliation, supports gang activity, or uses recognized gang codes, symbols, or terminology associated with criminal organizations. Written statements include any digital or electronic statements, including statements made on any online platform or social media.

The bill takes effect on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Art. VII, s., of the State Constitution.

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:

None.

C. Government Sector Impact:

The Legislature's Office of Economic and Demographic Research (EDR) and the Criminal Justice Impact Conference, which provides the final, official estimate of the prison bed impact, if any, of legislation, has determined that the bill may have a positive indeterminate impact on Department of Corrections prison bed needs. The EDR provides the following additional information regarding its estimate:

- Per the FDLE, there were no arrests or convictions/adjudications withheld under s. 874.04, F.S. in Fiscal Year (FY) 2024-2025. Per DOC, in FY 2024-2025, there were no new commitments under s. 874.04, F.S. The lack of data is likely due to the statute enhancing other offenses, so the number of offenders is not known. Per FDLE, for the remaining felonies under ch. 874, F.S., in FY 2024-2025, there were 15 arrests and no convictions/adjudications withheld. Per DOC, there was one new commitment in FY 2024-2025. Furthermore, there were 6 new commitments for possessing a weapon as a convicted felon (s. 790.23(4), F.S.) and one for registration of a convicted felon (s. 775.13(4)(b), F.S.).
- Per the DOC, five inmates were admitted to the prison system in FY 2024-2025 with a death sentence and 469 inmates were admitted with a life sentence. For those admitted with a death sentence, one was listed as a gang member, and for those admitted with life sentences, 67 were listed as gang members and 25 were listed as associates. It is not known how many of these life sentences were given instead of a death sentence. Furthermore, those inmates executed in FY 2024-2025 averaged 27 years in prison, with the shortest time between initial incarceration and execution being 22 years. Assuming that future inmates on death row would have similar time in prison, any impact on prison beds should not be felt for at least a decade and would have no impact within the forecast window.
- Although, few offenders are currently arriving as new commitments for most felonies impacted by this bill, it is not known how many are impacted by the penalty enhancements under s. 874.04, F.S. Therefore, the magnitude of the impact cannot be quantified.[20]

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 874.03, 823.05, 921.141, and 951.23.

[20] Office of Economic and Demographic Research, *SB 536 – Criminal Gang Members* (on file with the Senate Appropriations Committee on Criminal and Civil Justice)

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 Appropriations Committee on Criminal and Civil Justice on February 25, 2026

The committee substitute clarifies one of the criteria for a person to be considered a criminal gang member is that they use gang-related language in furtherance of criminal gang-related activity on an online platform or social media.

CS by Criminal Justice on January 12, 2026

The committee substitute:

- Changes the definition of the term "criminal gang member" to provide that a person must meet two or more criteria to be considered a gang member and revises such criteria.
- Provides a definition for the term "gang-related language."

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 the Appropriations Committee on Criminal and Civil Justice; the Committee on Criminal Justice; and Senator Martin

604-03221-26 2026536c2

A bill to be entitled

An act relating to criteria for determining criminal gang membership; amending s. 874.03, F.S.; revising the definition of the term "criminal gang member"; defining the term "gang-related language"; reenacting ss. 823.05(2)(a), 921.141(6)(n), and 951.23(11), F.S., all relating to the definition of the term "criminal gang member," to incorporate the amendment made to s. 874.03, F.S., in references thereto; providing an effective date.

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

Section 1. Present subsections (6), (7), and (8) of section 874.03, Florida Statutes, are redesignated as subsections (7), (8), and (9), respectively, a new subsection (6) is added to that section, and subsection (3) of that section is amended, to read:

874.03 Definitions.—As used in this chapter:

(3) "Criminal gang member" means ~~is~~ a person who meets two or more of the following criteria:

(a) Admits in person or on an online platform or social media that he or she is a criminal gang member.

(b) ~~(a)~~ Is identified or claimed by a ~~Admits to~~ criminal gang as one of its members ~~membership~~.

(c) ~~(b)~~ Is identified as a criminal gang member by a parent, ~~or~~ guardian, or spouse living with the person.

(d) ~~(c)~~ Is identified as a criminal gang member by a documented reliable informant.

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

604-03221-26 2026536c2

(e) ~~(d)~~ Adopts the style of dress of a criminal gang.

(f) ~~(e)~~ Adopts the use of a hand sign identified as used by a criminal gang.

(g) ~~(f)~~ Has a tattoo identified as used by a criminal gang.

(h) ~~(g)~~ Associates with one or more known criminal gang members.

(i) ~~(h)~~ Is identified as a criminal gang member by an informant of previously untested reliability and such identification is corroborated by independent information.

(j) ~~(i)~~ Is identified as a criminal gang member by physical evidence.

(k) ~~(j)~~ Has been observed in the company of one or more known criminal gang members two ~~four~~ or more times. Observation in a custodial setting requires a willful association. It is the intent of the Legislature to allow this criterion to be used to identify gang members who recruit and organize in jails, prisons, and other detention settings.

(l) ~~(k)~~ Has authored any communication indicating gang affiliation or gang activity or accepting responsibility for the commission of any crime by a ~~the~~ criminal gang member.

(m) Uses gang-related language in furtherance of criminal gang-related activity on an online platform or social media.

Where a single act or factual transaction satisfies the requirements of more than one of the criteria in this subsection, each of those criteria has thereby been satisfied for the purposes of this subsection ~~the statute~~.

(6) "Gang-related language" means any verbal or written statement that signals gang affiliation, supports gang activity,

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

or uses recognized gang codes, symbols, or terminology associated with criminal organizations. Written statements include any digital or electronic statements, including statements made on any online platform or social media.

Section 2. For the purpose of incorporating the amendment made by this act to section 874.03, Florida Statutes, in a reference thereto, paragraph (a) of subsection (2) of section 823.05, Florida Statutes, is reenacted to read:

823.05 Places and groups engaged in certain activities declared a nuisance; abatement and enjoinment.—

(2)(a) As used in this subsection, the terms "criminal gang," "criminal gang member," "criminal gang associate," and "criminal gang-related activity" have the same meanings as provided in s. 874.03.

Section 3. For the purpose of incorporating the amendment made by this act to section 874.03, Florida Statutes, in a reference thereto, paragraph (n) of subsection (6) of section 921.141, Florida Statutes, is reenacted to read:

921.141 Sentence of death or life imprisonment for capital felonies; further proceedings to determine sentence.—

(6) AGGRAVATING FACTORS.—Aggravating factors shall be limited to the following:

(n) The capital felony was committed by a criminal gang member, as defined in s. 874.03.

Section 4. For the purpose of incorporating the amendment made by this act to section 874.03, Florida Statutes, in a reference thereto, subsection (11) of section 951.23, Florida Statutes, is reenacted to read:

951.23 County and municipal detention facilities;

definitions; administration; standards and requirements.—

(11) GANG STATUS OF INMATES.—A county or municipal detention facility may designate an individual to be responsible for assessing whether each current inmate is a criminal gang member or associate using the criteria in s. 874.03. The individual should at least once biweekly transmit information on inmates believed to be criminal gang members or associates to the arresting law enforcement agency.

Section 5. This act shall take effect October 1, 2026.

The Florida Senate

APPEARANCE RECORD

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

3/2/26
Meeting Date

Educ Policy
Committee

536
Bill Number or Topic

Amendment Barcode (if applicable)

Name Clark Smith/Florida Sheriffs Assoc. Phone 850-251-3218

Address 123 South Adams St Email contact@flsheriffs.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. 2020-2022JointRules.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
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3/2/26
Meeting Date

SB536
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Erin Ballas

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Address 730 E. Park Ave
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Email erinballas@paconsultants.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: Miami Dade Sheriff's Office

☐ 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

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 598
INTRODUCER:	Appropriations Committee on Agriculture, Environment, and General Government; Banking and Insurance Committee; and Senator Truenow
SUBJECT:	Funeral, Cemetery, and Consumer Services
DATE:	February 27, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Knudson	Knudson	BI	**Fav/CS**
2.	Sanders	Betta	AEG	**Fav/CS**
3.	Knudson	Siples	FP	**Favorable**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 598 revises chapter 497, Florida Statutes, the Florida Funeral, Cemetery, and Consumer Services Act (Act), which provides for the regulation of funeral and cemetery services.

The bill prohibits licensees from contracting to become the exclusive or sole provider of funeral, cremation, refrigeration, or removal services for any entity that provides medical, palliative, or other end-of-life care and services to the general public.

The bill allows licensees to dispose of human remains that have been in their lawful possession for at least 90 days if the legally authorized person of the decedent fails, neglects, or refuses to direct the disposition. The bill also provides that if, after 90 days (current law is 120 days) from the time of cremation the cremated remains have not been claimed, the funeral or direct disposal establishment may dispose of the cremated remains.

The bill provides that the minimum acreage of a cemetery must be contiguous, except that parcels of land divided solely by a public right-of-way or public road may be considered contiguous, provided the parcels are in close geographic proximity and form a unified cemetery property.

To attract new practitioners of funeral and cemetery services in Florida, the bill revises licensure requirements under the Act, providing that:

- A licensure by endorsement as an embalmer, funeral director, or a combination funeral director and embalmer for an applicant that holds a valid license in another state and has at least five years' experience of licensed practice in that state does not require educational or testing requirements other than passage of the examination on local, state, and federal laws and rules relating to the disposition of dead human bodies.
- The educational requirements that a funeral director licensure applicant who has not completed the educational credentials required for the license are revised to remove passage of a college course in mortuary or funeral service law.
- Licensure as a combination funeral director and embalmer intern, a licensure that is available to applicants who have not completed the educational credentials required for a combination license as both a funeral director and embalmer, requires either an associate degree or higher from an accredited college or university or current enrollment in an accredited college in an accredited course of study in mortuary science.

The bill exempts prepaid funeral contracts from the insurable interest requirements of the Florida Insurance Code. The bill also allows a preneed licensee to send written notice to the last known e-mail or mailing address of the purchaser or beneficiary's legally authorized person that the preneed licensee intends to distribute funds related to unfulfilled services.

The bill does not impact state revenues and expenditures. *See* **Section V., Fiscal Statement below**.

The bill's effective date is July 1, 2026.

II. Present Situation:

Funeral, Cemetery, and Consumer Services

Chapter 497, F.S., known as the Florida Funeral, Cemetery, and Consumer Services Act (Act), provides for the regulation of funeral and cemetery services.[1] The Act authorizes the Board of Funeral, Cemetery, and Consumer Services (Board) within the Department of Financial Services (DFS) to regulate cemeteries, columbaria, cremation services and practices, cemetery companies, dealers and monument builders, funeral directors, and funeral establishments.[2]

Section 20.121(4), F.S., creates the Board of Funeral, Cemetery, and Consumer Services (Board) within the Division of Funeral, Cemetery, and Consumer Services of the DFS. The Board acts as the licensing and rulemaking authority for certain matters related to examinations and other substantive requirements for licensure within the death care industry under ch. 497, F.S., including facility requirements;[3]

[1] *See* Section 497.001, F.S.
[2] Sections 497.101 and 497.103, F.S.
[3] *See* s. 497.103(1)(a)-(cc), F.S. Licenses available to natural persons include: embalmer apprentice and intern; funeral directors and intern; funeral director and embalmer, direct disposer, monument establishment sales agent, and preneed sales agent. Section 497.141(12)(a), F.S. Licenses available to natural persons, corporations, limited liability companies, and partnerships include: funeral establishment, centralized embalming facility, refrigeration facility, direct disposal

The Board has broad authority over licensure and examination of applicants for various licenses including:

- Authority to determine any and all criteria for licensure;
- Authority to specify who may conduct practical examination;
- Authority to specify the content of examinations for licensure, both written and practical, and the relative weighting of areas examined, and grading criteria, and determination of what constitutes a passing grade;
- Authority to strike any examination question determined before or after an examination to be inappropriate for any reason;
- Authority to specify which national examinations or parts thereof shall or shall not be required or accepted regarding Florida licensure;
- Authority to determine time limits and substantive requirements regarding reexamination of applicants who fail any portion of a licensing examination; and
- Authority to determine substantive requirements and conditions relating to apprenticeships and internships, and temporary licensure pending examination.[4]

The Board must have 10 members, nine of whom are to be appointed by the Chief Financial Officer (CFO) and confirmed by the Senate and one member must be the State Health Officer, or his or her designee.[5] The composition of the Board must be as follows:

- The State Health Officer;
- Two funeral directors who are:
  - Licensed under part III of ch. 497, F.S., as funeral directors, and
  - Associated with a funeral establishment;
- One funeral director who is:
  - Licensed under part III of ch. 497, F.S., and
  - Associated with a funeral establishment licensed under part III of ch. 497, F.S., that has a valid preneed license issued pursuant to ch. 497, F.S.;
- Two persons whose primary occupation is associated with a licensed cemetery;
- Three consumers who:
  - Are residents of Florida;
  - Have never been licensed funeral directors or embalmers;
  - Are not connected with a cemetery or licensed cemetery company;
  - Are not connected to the death care industry or the practice of embalming, funeral directing, or direct disposition;
  - At least one of which is at least 60 years of age; and
  - At least one of which is a licensed certified public accountant; and
- One principal of a monument establishment licensed under ch. 497, F.S., as a monument builder.[6]

establishment, monument establishment, cinerator facility, removal service, preneed sales business under s. 497.453, F.S., and cemetery. Section 497.141(12)(b)-(c), F.S.

[4] Section 497.103(1)(a)-(g), F.S.

[5] Section 497.101(1), F.S.

[6] Section 497.101(2), F.S.

Two or more members may not be principals or employees of the same company or partnership, or group of companies or partnerships under common control.[7] Board members are appointed for a four-year term; however, a member may not serve for more than eight consecutive years (except for the State Health Officer, who serves so long as he or she holds the office).[8]

Funeral Director and Embalmer Licensure

The practice of funeral services is divided into three relevant licenses. A person may be licensed as a funeral director,[9] an embalmer,[10] or with a combination license for the practice of funeral directing and embalming.[11]

Applicants for an embalmer license must take courses in mortuary science, complete a one-year internship, and pass an examination on the subjects of the theory and practice of embalming, restorative art, pathology, anatomy, microbiology, chemistry, hygiene, public health and sanitation, and local, state, and federal laws and rules relating to the disposition of dead human bodies.[12] Applicants for a combination funeral directing and embalmer license must meet the requirements for an embalmer's license, as well as take approved courses in funeral service arts, and pass the funeral services arts section of the national board examination.[13]

Applicants for a funeral director-only license are required to take classes in both mortuary science and funeral service arts, complete a one year internship, pass the state and federal laws and rules examination relating to the disposition of human remains, and an examination on the theory and practice of funeral directing and funeral service arts.[14]

Funeral Establishment Licensure

Section 497.380, F.S., provides for the regulation of funeral establishments. Each licensed funeral establishment must have one full-time funeral director in charge.[15] A funeral establishment must:

- Be a place at a specific street address or location;
- Consist of at least 1,250 contiguous interior square feet;
- Maintain or make arrangements for the refrigeration and storage of dead human bodies handled and stored by the establishment; and
- Maintain or make arrangements for a preparation room equipped with necessary ventilation and drainage and containing necessary instruments for embalming dead human bodies.[16]

[7] *Id.*
[8] Section 497.101(3), F.S.
[9] Section 497.372, F.S.
[10] Section 497.368, F.S.
[11] Section 497.376, F.S.
[12] Section 497.368, F.S.
[13] Section 497.376, F.S
[14] Section 497.373, F.S.
[15] Section 497.380(7), F.S.
[16] Section 497.380(1), F.S.

Storage, Preservation, and Transportation of Human Remains

Human remains may only be stored at a licensed establishment or facility licensed under ch. 497, F.S., or a health care facility, medical examiner's facility, morgue, or cemetery holding facility.[17] A dead human body may not be held in any place or in transit over 24 hours after death or pending final disposition unless the body is maintained at a temperature of 40 degrees Fahrenheit or below or is embalmed or otherwise preserved in a manner approved by the licensing authority.[18]

In an emergency situation, including the abandonment of any licensed establishments or facilities, the DFS is authorized to enter and secure certain locations.[19] In such a situation, the DFS may remove human remains and cremated remains.[20] These locations include:

- An establishment or facility licensed under ch. 497, F.S.;
- Any medical examiner's facility or morgue; and
- A cemetery holding facility.[21]

Cremation

Cremation of human remains in Florida is governed by s. 497.607, F.S. Cremation of human remains requires written authorization from a legally authorized person.[22] The cremation must be performed within 48 hours after a specified time which has been agreed to in writing by the person authorizing the cremation.[23] If, after a period of 120 days from the time of cremation the cremated remains have not been claimed, the funeral or direct disposal establishment may dispose of the cremated remains, which may include scattering them at sea or placing them in a licensed cemetery scattering garden or pond or in a church columbarium or otherwise disposing of the remains as provided by rule of the Board.[24]

Cemetery Companies

A person seeking a cemetery license must apply for a license.[25] The proposed cemetery must contain at least 30 contiguous acres and the application must state the exact number of acres in the proposed cemetery.[26] Any land dedicated for use as a cemetery, which is in excess of a minimum of 30 contiguous acres, may be sold, conveyed, or disposed of by the licensee, after obtaining written approval of the DFS for use by the new owner for purposes other than as a cemetery.[27] All of the human remains that have been previously interred therein, if any, must first have been removed from the land proposed to be sold, conveyed, or disposed of.[28]

[17] Section 497.386(1), F.S.
[18] Section 497.386(2), F.S.
[19] Section 497.386(5), F.S.
[20] *Id.*
[21] *Id.*
[22] Section 497.607(1), F.S.
[23] *Id.*
[24] Section 497.607(3)(a), F.S.
[25] Section 497.263(2)(a), F.S.
[26] Section 497.263(2)(g), F.S.
[27] Section 497.270(2), F.S.
[28] *Id.*

Solicitation of Goods or Services

The Board is charged with protecting the public from solicitation of sales of burial rights, merchandise, or services by licensees which are intimidating, overreaching, fraudulent, or misleading; which utilizes undue influence; or which takes undue advantage of a person's ignorance or emotional vulnerability.[29] At-need solicitation of sales of burial rights, merchandise, or services is prohibited. The family or next of kin of a deceased person may not be contacted to sell services or merchandise unless the person making contact has been initially called or contacted by the family or next of kin and requested to provide services or merchandise.[30]

Preneed Contracts - Cancellation or Default

Part IV of ch. 497, F.S., governs preneed funeral merchandise or service contract businesses and preneed burial merchandise or service contract businesses. Such businesses are exempt from the Florida Insurance Code.[31] A "preneed contract" is any arrangement or method for which the provider of funeral merchandise or services receives any payment in advance for funeral or burial merchandise and services after the death of the contract beneficiary.[32] Persons who sell preneed contracts are licensed by the Board.[33] Any person who receives funds under a preneed contract for funeral services or merchandise or burial services or merchandise to deposit certain percentages of the amounts received with a trust company operating pursuant to ch. 660, F.S., with a national or state bank holding trust powers, or with a federal or state savings and loan association holding trust powers.[34]

A preneed licensee must provide to the purchaser or to the beneficiary's legally authorized person written notice of the licensee's intent to distribute funds if any obligation of the licensee remains to be fulfilled under the contract, upon the occurrence of the earliest of any of the following events:

- Fifty years after the date of execution of the preneed contract by the purchaser.
- The beneficiary of the preneed contract attains the age of 105 years of age or older.
- The social security number of the beneficiary of the preneed contract, as shown on the contract, is contained within the United States Social Security Administration Death Master File.[35]

Such written notice must be provided by certified mail, registered mail, or permitted delivery service, return receipt requested, to the last known mailing address of the purchaser or the beneficiary's legally authorized person, whichever is applicable, as provided to the preneed licensee.[36]

[29] Section 497.164(1) and (2), F.S.
[30] Section 497.164(5), F.S.
[31] Section 497.450, F.S.
[32] Section 497.005(62), F.S.
[33] Section 497.453, F.S.
[34] Section 497.458, F.S.
[35] Section 497.459(7)(a), F.S.
[36] Section 497.459(7)(b)1., F.S.

Insurable Interest; Personal Insurance

A person of legal capacity may procure or effect an insurance contract on his or her own life or body for the benefit of any person but may not procure or cause to be procured an insurance contract on the life of another individual unless the benefits under such contract are payable to the individual insured or his or her personal representatives, or to any person having, at the time such contract was made, an insurable interest in the individual insured.[37] Other than a policy of group life insurance or group or blanket accident, health, or disability insurance, a contract of insurance upon a person may not be effectuated unless, on or before the time of entering into such contract, the person insured applies for or consents in writing to the contract and its terms.[38] Insurable interest requirements exist to prevent the moral hazard associated with third parties benefiting financially because of the death of the insured or because of damage to the insured's real or personal property.

III. Effect of Proposed Changes:

Section 1 amends s. 497.164, F.S., relating to solicitation of goods or services, to provide that a licensee under ch. 497, F.S., may not enter into a contract, agreement, or other arrangement in which that licensee or any affiliated licensee becomes the exclusive or sole provider of funeral, cremation, refrigeration, or removal services for any entity that provides medical, palliative, or other end-of-life care and services to the general public.

Sections 2 and 3 amend ss. 497.263 and 497.270, F.S., relating to cemetery companies and licenses required and minimum acreage and sale or disposition of cemetery lands, respectively, to provide that the minimum acreage of a cemetery must be contiguous, except that parcels of land divided solely by a public right-of-way or public road may be considered contiguous, provided the parcels are in close geographic proximity and form a unified cemetery property. The cemetery license application must state the exact number of acres in the proposed cemetery and must identify any public rights-of-way or roads dividing the parcels. Parcels located in separate or distant geographic areas, even if along the same roadway or corridor, do not satisfy the contiguity requirement.

Section 4 amends s. 487.369, F.S., relating to embalmers, to provide that licensure by endorsement as an embalmer for an applicant that holds a valid license in good standing to practice embalming in another state and has engaged in the full-time, licensed practice of embalming in that state for at least five years does not require any educational or testing requirements other than passage of the examination on local, state, and federal laws and rules relating to the disposition of dead human bodies required under s. 497.368, F.S.

Section 5 amends s. 497.374, F.S., to provide that licensure by endorsement as a funeral director for an applicant that holds a valid license in good standing to practice funeral directing in another state and has engaged in the full-time, licensed practice of funeral directing in that state for at least five years does not require any educational or testing requirements other than passage of the examination on local, state, and federal laws and rules relating to the disposition of dead human bodies required under s. 497.373(2)(b), F.S.

[37] Section 627.404(1), F.S.
[38] Section 627.404(5), F.S.

Section 6 amends s. 497.375, F.S., relating to funeral directing, to remove one of the three educational requirements that a funeral director licensure applicant must meet if seeking licensure despite not completing the educational credentials required for the license. The bill eliminates the requirement to receive a passing grade in a college credit course in mortuary law or funeral service law and in a college credit course in ethics. The other two requirements retained by the bill are that the applicant must hold an associate degree or higher from an accredited college or university and must be enrolled in and attending a licensing authority-approved course of study in mortuary science or funeral service arts required for licensure as a funeral director.

Section 7 amends s. 497.376, F.S., relating to license as a funeral director and embalmer, to provide that an applicant for licensure for a combination license by endorsement as a funeral director and embalmer under ss. 497.373 and 497.369, F.S., respectively, is not required to meet any educational or testing requirements other than passage of the examination on local, state, and federal laws and rules relating to the disposition of dead human bodies required under ss. 497.373(2)(b) and 497.369(4), F.S.

Section 8 amends s. 497.377, F.S., relating to combination funeral director and embalmer to revise the requirements for licensure as a combination funeral director and embalmer intern, a licensure that is available to applicants who have not completed the educational credentials required for a combination license as both a funeral director and embalmer. The bill provides that such applicants, to obtain the intern license, must:

- Hold an associate degree or higher in any field from a college or university accredited by a regional accrediting agency recognized by the United States Department of Education; or
- Is currently enrolled in and attending a college accredited by the American Board of Funeral Service Education (ABFSE) in a course of study in mortuary science accredited by ABFSE.

Current law requires that to obtain the intern license, the applicant must meet the latter of these requirements and must also have completed at least 75 percent of the course of study in mortuary science and have received a passing grade in a college course in mortuary law or funeral service law.

Section 9 amends s. 497.386, F.S., relating to storage, preservation, and transportation of human remains, to provide that if any human remains have been in the lawful possession of any licensee or licensed facility for 90 days or more, and the legally authorized person of the decedent fails, neglects, or refuses to direct the disposition of the remains, the licensee or licensed facility may dispose of the human remains.

Section 10 amends s. 497.459, F.S., relating to cancellation of, or default on, preneed contracts, to provide that for purposes of ensuring the performance of unfulfilled preneed contracts, the required written notice by the preneed licensee to the purchaser or to the beneficiary's legally authorized person of the preneed licensee's intent to distribute funds in accordance with the terms of the preneed contract, if any obligation of the preneed licensee remains to be fulfilled under the contract, may be sent to the to the last known e-mail or mailing address of the purchaser or the beneficiary's legally authorized person, whichever is applicable, as provided to the preneed licensee.

Section 11 amends s. 497.607, F.S., relating to cremation, to provide that if any person who intends to provide for the cremation of the deceased, if, after 90 days (current law is 120 days) from the time of cremation the cremated remains have not been claimed, the funeral or direct disposal establishment may dispose of the cremated remains as provided under s. 497.607, F.S.

Section 12 amends s. 627.404, F.S., to exempt prepaid funeral contracts from the requirement that an insurance contract may not be carried out unless, on or before the time of entering into such contract, the person insured, having legal capacity to contract, applies for or consents in writing to the contract and its terms.

Section 13 reenacts s. 497.260, F.S, relating to cemeteries and exemptions, investigations and mediation, for purposes of incorporating the amendment made by the bill to s. 497.263, F.S.

Section 14 provides that bill is effective July 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.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Endorsement licensure applicants will no longer be required to pay for a national examination, which is administered in two parts, with each part costing $285. The

number of applicants financially impacted by the provisions within the bill is unknown and indeterminate.[39]

The bill provides an opportunity for experienced out of state deathcare providers to work in Florida as the bill amends educational requirements. This opportunity may have a positive, yet indeterminate, impact on Florida's funeral and cemetery industry.

C. Government Sector Impact:

The bill does not impact state expenditures or revenues.[40]

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 497.164, 497.263, 497.270, 497.369, 497.374, 497.375, 497.376, 497.377, 497.386, 497.459, 497.607, 627.404, 497.260

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 Appropriations Committee on Agriculture, Environment, and General Government on February 24, 2026:
The committee substitute removes the provision where any licensee or licensed facility that disposes of human remains pursuant to the bill may not be held liable for any action arising out of such disposal.

CS by Banking and Insurance on February 11, 2026:
The committee substitute:

- Deletes from the bill an amendment to s. 497.169, F.S., that would have limited total liability for damages to $200,000 in a civil action for negligence brought against a licensee under ch. 497, F.S.
- Deletes from the bill amendments to ss. 497.602, 497.604, and 497.607, F.S., which would have eliminated licenses for direct disposers and direct disposer establishments. Licensed direct disposers may engage in a limited scope of practice that allows them to sell services to the public for lawfully facilitating cremation without preparation by embalming and without any attendant services or rites.

[39] Department of Financial Services, *2026 Legislative Bill Analysis SB 598* (Jan. 5, 2026), pg. 4 (2026).
[40] *Id*.

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 the Appropriations Committee on Agriculture, Environment, and General Government; the Committee on Banking and Insurance; and Senator Truenow

601-03232-26 2026598c2

A bill to be entitled

An act relating to funeral, cemetery, and consumer services; amending s. 497.164, F.S.; prohibiting a licensee of funeral or cemetery services from entering into certain contracts, agreements, or arrangements; amending s. 497.263, F.S.; revising the procedures for applicants seeking a cemetery license; amending s. 497.270, F.S.; conforming a provision to changes made by the act; amending s. 497.369, F.S.; revising the requirements for an applicant seeking licensure by endorsement to be an embalmer; amending s. 497.374, F.S.; revising the requirements for an applicant seeking licensure by endorsement to be a funeral director; amending s. 497.375, F.S.; deleting an exception to the educational requirements for an applicant seeking licensure to be a funeral director; amending s. 497.376, F.S.; revising the requirements for an applicant seeking a license by endorsement as a combination funeral director and embalmer; amending s. 497.377, F.S.; revising the educational requirements for licensure to be a combination funeral director and embalmer intern; amending s. 497.386, F.S.; authorizing a licensee or a licensed facility to dispose of human remains in a specified manner if the legally authorized person of the decedent fails, neglects, or refuses to direct the disposition; amending s. 497.459, F.S.; revising the method in which a preneed licensee must send written notice to cancel a preneed contract; authorizing the Board of

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

601-03232-26 2026598c2

Funeral, Cemetery, and Consumer Services to adopt rules; amending s. 497.607, F.S.; revising the timeframe after which a funeral or direct disposal establishment may dispose of cremated remains if the remains have not been claimed; amending s. 627.404, F.S.; revising the exceptions to the prohibition relating to personal insurance; reenacting s. 497.260(5), F.S., relating to cemeteries, exemptions, investigations, and mediation, to incorporate the amendment made to s. 497.263, F.S., in a reference thereto; providing an effective date.

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

Section 1. Subsection (6) is added to section 497.164, Florida Statutes, to read:

497.164 Solicitation of goods or services.—

(6) A licensee under this chapter may not enter into a contract, agreement, or other arrangement in which such licensee or any affiliated licensee becomes the exclusive or sole provider of funeral, cremation, refrigeration, or removal services for any entity that provides medical, palliative, or other end-of-life care and services to the general public.

Section 2. Paragraph (g) of subsection (2) of section 497.263, Florida Statutes, is amended to read:

497.263 Cemetery companies; license required; licensure requirements and procedures.—

(2) APPLICATION PROCEDURES.—

(g) The proposed cemetery must contain at least 30

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~~contiguous~~ acres. Such acreage must be contiguous, except that parcels of land divided solely by a public right-of-way or public road may be considered contiguous, provided the parcels are in close geographic proximity and form a unified cemetery property. The application must state the exact number of acres in the proposed cemetery and must identify any public rights-of-way or roads dividing the parcels. Parcels located in separate or distant geographic areas, even if along the same roadway or corridor, do not satisfy the contiguity requirement of this paragraph ~~The application shall state the exact number of acres in the proposed cemetery~~.

Section 3. Subsection (2) of section 497.270, Florida Statutes, is amended to read:

497.270 Minimum acreage; sale or disposition of cemetery lands.—

(2) Any lands owned by a licensee and dedicated for use by it as a cemetery, which meet the criteria set forth in s. 497.263(2)(g) ~~are in excess of a minimum of 30 contiguous acres~~, may be sold, conveyed, or disposed of by the licensee, after obtaining written approval pursuant to procedures and using ~~utilizing~~ forms specified by rule and consistent with subsection (3), for use by the new owner for other purposes than as a cemetery. All of the human remains which have been previously interred therein must ~~shall~~ first be ~~have been~~ removed from the lands proposed to be sold, conveyed, or disposed of; however, ~~the provisions of~~ ss. 497.152(8)(e) and 497.384 must be complied with before ~~prior to~~ any disinterment of human remains. ~~Any and~~ All titles, interests, or burial rights which may have been sold or contracted to be sold in lands which are the subject of the

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

sale must ~~shall~~ be conveyed to and revested in the licensee before ~~prior to~~ consummation of any such sale, conveyance, or disposition.

Section 4. Subsection (4) of section 497.369, Florida Statutes, is amended to read:

497.369 Embalmers; licensure as an embalmer by endorsement; licensure of a temporary embalmer.—

(4) Each applicant for licensure by endorsement shall ~~must~~ pass the examination on local, state, and federal laws and rules relating to the disposition of dead human bodies ~~which is~~ required under s. 497.368 and which shall be given by the licensing authority. Licensure by endorsement under subparagraph (1)(b)1. does not require any educational or testing requirements other than those required in this subsection.

Section 5. Subsection (4) of section 497.374, Florida Statutes, is amended to read:

497.374 Funeral directing; licensure as a funeral director by endorsement; licensure of a temporary funeral director.—

(4) Each applicant for licensure by endorsement shall ~~must~~ pass the examination on local, state, and federal laws and rules relating to the disposition of dead human bodies ~~which is~~ required under s. 497.373 and which shall be given by the licensing authority. Licensure by endorsement under subparagraph (1)(b)1. does not require education or testing requirements other than those required in s. 497.373(2)(b).

Section 6. Paragraph (b) of subsection (1) of section 497.375, Florida Statutes, is amended to read:

497.375 Funeral directing; licensure of a funeral director intern.—

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

(1)

(b)1. Except as provided in subparagraph 2., an applicant must hold the educational credentials required for licensure of a funeral director under s. 497.373(1)(d).

2. An applicant who has not completed the educational credentials required for a funeral director license is eligible for licensure as a funeral director intern if the applicant:

a. Holds an associate degree or higher in any field from a college or university accredited by a regional accrediting agency recognized by the United States Department of Education.

b. Is currently enrolled in and attending a licensing authority-approved course of study in mortuary science or funeral service arts required for licensure of a funeral director under s. 497.373(1)(d)2.

~~c. Has taken and received a passing grade in a college credit course in mortuary law or funeral service law and has taken and received a passing grade in a college credit course in ethics.~~

Section 7. Subsection (3) is added to section 497.376, Florida Statutes, to read:

497.376 License as funeral director and embalmer permitted.—

(3) An applicant for a combination license by endorsement as a funeral director and embalmer under s. 497.373 and s. 497.369, respectively, is not required to meet any educational or testing requirements other than those in ss. 497.373(2)(b) and 497.369(4).

Section 8. Paragraph (a) of subsection (2) of section 497.377, Florida Statutes, is amended to read:

497.377 Combination funeral director and embalmer internships.—

(2)(a) An applicant who has not completed the educational credentials required for a combination license as both funeral director and embalmer is eligible for licensure as a combination funeral director and embalmer intern if the applicant:

1. Holds an associate degree or higher in any field from a college or university accredited by a regional accrediting agency recognized by the United States Department of Education; or

2. Is currently enrolled in and attending a college accredited by the American Board of Funeral Service Education (ABFSE) in a course of study in mortuary science accredited by ABFSE.

~~2. Has completed at least 75 percent of the course of study in mortuary science as certified by the college in which the applicant is currently enrolled.~~

~~3. Has taken and received a passing grade in a college credit course in mortuary law or funeral service law and has taken and received a passing grade in a college credit course in ethics.~~

Section 9. Present subsections (6) and (7) of section 497.386, Florida Statutes, are redesignated as subsections (7) and (8), respectively, and a new subsection (6) is added to that section, to read:

497.386 Storage, preservation, and transportation of human remains.—

(6) If any human remains have been in the lawful possession of any licensee or licensed facility for 90 days or more, and

the legally authorized person of the decedent fails, neglects, or refuses to direct the disposition, the licensee or licensed facility may dispose of the human remains.

Section 10. Paragraph (b) of subsection (7) of section 497.459, Florida Statutes, is amended to read:

497.459 Cancellation of, or default on, preneed contracts; required notice.—

(7) NOTICE TO PURCHASER OR LEGALLY AUTHORIZED PERSON.—

(b)1. The notice in paragraph (a) must be provided by certified mail, registered mail, or permitted delivery service~~,~~ ~~return receipt requested~~, to the last known e-mail or mailing address of the purchaser or the beneficiary's legally authorized person, whichever is applicable, as provided to the preneed licensee. If the notice is returned as undeliverable within 30 calendar days after the preneed licensee sent the notice, the trustee must ~~shall~~ perform a diligent search and inquiry to obtain a different e-mail or mailing address for the purchaser or the beneficiary's legally authorized person, whichever is applicable. The board may adopt rules to implement this subparagraph ~~For purposes of this subparagraph, any address known and used by the purchaser or the beneficiary's legally authorized person, whichever is applicable, for sending regular mailings or other communications from the purchaser or the beneficiary's legally authorized person, whichever is applicable, to the preneed licensee or any address produced through a current address service or searchable database shall be included with other addresses produced from the diligent search and inquiry, if any. If the trustee's diligent search and inquiry produces an address different from the notice address, the trustee shall mail a copy of the notice by certified mail, registered mail, or permitted delivery service, return receipt requested, to any and all addresses produced as a result of the diligent search and inquiry~~.

2. If the purchaser or the beneficiary's legally authorized person, whichever is applicable, fails to respond to such notice within 120 days after delivery of the last mailed notice under subparagraph 1., the funds held in trust must be distributed in accordance with the terms of the preneed contract, the trust agreement, and any applicable provisions of chapter 717.

Section 11. Paragraph (a) of subsection (3) of section 497.607, Florida Statutes, is amended to read:

497.607 Cremation; procedure required.—

(3)(a) With respect to any person who intends to provide for the cremation of the deceased, if~~,~~ after 90 ~~a period of 120~~ days from the time of cremation the cremated remains have not been claimed, the funeral or direct disposal establishment may dispose of the cremated remains. Such disposal includes ~~shall include~~ scattering them at sea or placing them in a licensed cemetery scattering garden or pond or in a church columbarium or otherwise disposing of the remains as provided by rule.

Section 12. Subsection (5) of section 627.404, Florida Statutes, is amended to read:

627.404 Insurable interest; personal insurance.—

(5) A contract of insurance upon a person, other than a policy of prepaid funeral contract, group life insurance or group or blanket accident, health, or disability insurance, may not be carried out ~~effectuated~~ unless, on or before the time of entering into such contract, the person insured, having legal

capacity to contract, applies for or consents in writing to the contract and its terms, except that any person having an insurable interest in the life of a minor younger than 15 years of age or any person upon whom a minor younger than 15 years of age is dependent for support and maintenance may obtain ~~effectuate~~ a policy of insurance on the minor.

Section 13. For the purpose of incorporating the amendment made by this act to section 497.263, Florida Statutes, in a reference thereto, subsection (5) of section 497.260, Florida Statutes, is reenacted to read:

497.260 Cemeteries; exemption; investigation and mediation.—

(5) Any religious-institution-owned cemetery exempt under subsection (1), except those cemeteries qualifying under paragraph (1)(d), which becomes affiliated with a commercial enterprise must meet the requirements of s. 497.263.

Section 14. This act shall take effect July 1, 2026.

The Florida Senate

APPEARANCE RECORD

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

3/2/26
Meeting Date

FP
Committee

598
Bill Number or Topic

Amendment Barcode (if applicable)

Name Corinne Mixon

Phone

Address 511 N. Adams St
Street

Tally 32301
City State Zip

Email corinne.mixon@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:

Independent Funeral Directo

☐ 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

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 654
INTRODUCER:	Appropriations Committee on Transportation, Tourism, and Economic Development; Transportation Committee; and Senator DiCeglie
SUBJECT:	Traffic Infraction Enforcement
DATE:	February 27, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Vickers	TR	**Fav/CS**
2.	Wells	Nortelus	ATD	**Favorable**
3.	Johnson	Siples	FP	**Pre-meeting**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 654 relates to the automated (camera-based) enforcement of traffic infractions and amends the various statutory provisions governing these programs to address a range of issues, including programmatic consistency and transparency.

For traffic infraction detectors, commonly referred to as red light cameras, the bill:

- Authorizes clerks of court to retain 10 percent of the revenues it receives from penalties related to red light cameras, consistent with the processing of other traffic infractions.
- Defines the term "careful and prudent manner" as it relates to right turns on red.
- Authorizes virtual hearings to allow motorists to challenge a notice of violation.
- Requires counties and municipalities to retain certain records for a minimum of two years.
- Prohibits the use of traffic infraction detectors for remote surveillance and limits the use of data recorded by such detectors.

For speed detection systems in school zones, the bill:

- Limits the use of such systems to times when the restrictive school zone speed limit is in effect and requires any applicable flashing beacon to be activated during periods of enforcement.
- Suspends a county or municipal program for not meeting certain reporting requirements.
- Requires the Department of Highway Safety and Motor Vehicles (DHSMV) to post on its website program data submitted by counties and municipalities.

- Prohibits individuals and vendors from receiving a commission or being paid on a per violation basis, consistent with other camera-enforcement programs.
- Authorizes virtual hearings to allow motorists to challenge a notice of violation.

For school bus infraction detection systems, the bill:
- Requires school board approval of the installation of school bus infraction detection systems on district school buses.
- Authorizes the use of traffic infraction enforcement officers to enforce violations.
- Removes a provision providing that sufficiency of signage may not be used to challenge a violation.
- Removes the preponderance of evidence standard for administrative hearings.
- Requires a school district to provide an annual report on the operation of a school bus camera program at a school board meeting.
- Directs the DHSMV to post on its website, program data submitted by school districts.
- Requires traffic infraction enforcement officers to meet specified standards.
- Requires infraction data to be transmitted to the local hearing officer during the same time frames as required for other camera-enforcement programs.
- Clarifies costs assessed for canceled hearings.
- Clarifies that the clerk of court receives 10 percent of the certain penalties, consistent with other traffic violations.

The bill also:
- Clarifies provisions regarding the use of camera data to determine civil or criminal liability.
- Clarifies the DHSMV's authority to withhold a driver license for the nonpayment of a traffic citation issued using an automated enforcement system.
- Prohibits the use of camera-enforced violations as character evidence in judicial proceedings.
- Resets the one-year time limitation for camera-enforced traffic violations if an affidavit is submitted to the appropriate entity transferring liability for the violation to another person.
- Repeals obsolete provisions and makes other technical changes.

This bill appears to have fiscal impact on private and public sectors. *See* Section V., Fiscal Analysis section for details.

This bill takes effect October 1, 2026.

II. Present Situation:

For ease of organization and readability, the present situation is discussed below with the effect of proposed changes.

III. Effect of Proposed Changes:

Background

Prior to 2010, some counties and municipalities enacted local ordinances authorizing the use of cameras to enforce red light running. While these ordinances were broadly similar, they varied in

the amount of the fine, the nature of the required signage, the notice requirements to a motor vehicle owner for an alleged violation, and the process for a motor vehicle owner to challenge a violation.[1]

In 2010, the Legislature preempted the state the regulation of the use of cameras to enforce the Florida Uniform Traffic Control Law,[2] and authorized the use of traffic infraction detectors, commonly known as red light cameras, to enforce red light running.[3]

In 2023, the Legislature authorized the use of speed detection systems to enforce unlawful speed in school zones,[4] and the use of school bus infraction detection systems to enforce the unlawful passing of a stopped school bus.[5]

The table below summarizes the current penalties and the associated distribution schedule for each of the camera-based enforcement programs:

Camera Program	Penalty	Penalty Distribution
Traffic Infraction Detectors (Red Light Cameras)[6]	$158	$70 – General Revenue Fund $10 – Emergency Medical Services Trust Fund $3 – Brain and Spinal Cord Injury Trust Find $75 – County or Municipality
Speed Detection Systems in School Zones (School Zone Cameras)[7]	$100	$20 – General Revenue Fund $60 – County or Municipality $3 – Criminal Justice Standards and Training Trust Fund $12 – County School District $5-County or municipality's School Crossing Guard Recruitment and Retention Program
School Bus Infraction Detection Systems (School Bus Cameras)[8]	$225 ($200 +$25 to the school district)	Paid to school district student transportation safety initiatives, bus driver recruitment and retention, and administration and enforcement costs for the program.

The table below summarizes key data regarding the deployment of camera-based traffic infraction systems for the state fiscal year 2024-2025:[9]

[1] Florida House of Representatives, Finance & Tax Council, Post Meeting Staff Analysis of CS/CS/HB 325 (2010), April 19, 2010, pp. 2-5., available at: https://www.flhouse.gov/Sections/Documents/loaddoc.aspx?FileName=h0325e.FTC.doc&DocumentType=Analysis&BillNumber=325&Session=2010 (last visited January 14, 2026).
[2] Chapter 316, F.S. This preemption is codified in s. 316.0776, F.S.
[3] Chapter 2010-80, Laws of Fla.
[4] Chapter 2023-174, Laws of Fla.
[5] Chapter 2023-171, Laws of Fla.
[6] Section 316.0083(1)(c) and 318.18(16), F.S.
[7] Sections 316.1896(5) and 318.18(3), F.S.
[8] Sections 316.173(8) and 318.18(5), F.S.
[9] Department of Highway Safety and Motor Vehicles, *Red Light Camera Programs, Fiscal Year 2024-2025 Summary Report,* December 2025, p. 2-3, available at: https://www.flhsmv.gov/pdf/cabinetreports/redlightcameraanalysis2025.pdf (last

Camera Program	Number of Jurisdictions	Number of Cameras	Notices of Violation Issued
Traffic Infraction Detectors (Red Light Cameras)	42	302	923,133
Speed Detection Systems in School Zones (School Zone Cameras)	7	101	645,104
School Bus Infraction Detection Systems (School Bus Cameras)	5	2635	304,220

Program Authorization (Sections 2, 3, 4, 8, and 9)

Present Situation

Traffic Infraction Detectors

Florida law authorizes the Department of Highway Safety and Motor Vehicles (DHSMV),[10] counties, and municipalities to use traffic infraction enforcement officers to issue traffic citations for red light running[11] when enforced by traffic infraction detectors.[12] This does not prohibit the DHSMV, a county, or a municipality from issuing notification to the registered owner of the motor vehicle involved in the violation.[13]

However, a traffic infraction enforcement officer may not issue a notice of violation and a traffic citation for failing to stop at a red light while making a right-turn on red, if the driver makes such a turn in a careful and prudent manner at an intersection where right-hand turns are permissible.[14] A notice of violation and a traffic citation may not be issued if the driver came to a complete stop after crossing the stop line and before turning right if permissible at a red light but failed to stop before crossing over the stop line or other point at which a stop is required.[15]

Speed Detection Systems in School Zones

Florida law authorizes counties and municipalities to use traffic infraction enforcement officers to issue uniform traffic citations for speed violations evidenced by a speed detection system,[16] in excess of 10 miles per hour over the speed limit in a school zone as follows:

visited January 9, 2026), and *School Bus & School Zone Cameras Summary Report, December 2025,* p. 2-3, available at: https://www.flhsmv.gov/pdf/cabinetreports/school-bus-school-zone_summary_fy24-25.pdf (last visited January 9, 2026).

[10] The Department of Highway Safety and Motor Vehicles has never used its authority.

[11] Running a red light is a violation of s. 316.074(1), F.S., or s. 317.075(1)(c)1., F.S.

[12] Section 316.003(101), F.S., defines the term "traffic infraction detector" to mean a vehicle sensor installed to work in conjunction with a traffic control signal and a camera or cameras synchronized to automatically record two or more sequenced photographic or electronic images or streaming video of only the rear of a motor vehicle at the time the vehicle fails to stop behind the stop bar or clearly marked stop line when facing a traffic control signal steady red light.

[13] Section 316.0083(1)(a), F.S.

[14] Sections 316.0083(1)(a) and (2), F.S.

[15] Section 316.0083(1)(a), F.S.

[16] Section 316.003(84), F.S., defines the term "speed detection system" to mean a portable or fixed automated system used to detect a motor vehicle's speed using radar or LiDAR and to capture a photograph or video of the rear of a motor vehicle that exceeds the speed limit in force at the time of the violation.

- For unlawful speed in a school zone[17] within 30 minutes before, through 30 minutes after the start of a regularly scheduled breakfast program.
- For unlawful speed in a school zone which occurs within 30 minutes before through 30 minutes after the start of a regularly scheduled school session.
- For an unlawful speed[18] during the entirety of a regularly scheduled school session.
- For unlawful speed in a school zone within 30 minutes before through 30 minutes after the end of a regularly scheduled school session.[19]

School Bus Infraction Detection Systems

Florida law authorizes a school district to contract with a private vendor or manufacturer to install school bus infraction detection systems[20] on any of its school buses.[21] District school boards, after considering recommendations from the district school superintendent, may install and operate, or enter into an agreement with a private vendor or manufacturer to provide, a school bus infraction detection system.[22]

In order to operate school bus infraction detection systems, a school district must enter into an interlocal agreement with one or more law enforcement agencies authorized to enforce school bus passing violations[23] within the school district. This agreement jointly establishes enforcement responsibilities and the reimbursement of costs.[24]

Effect of Proposed Changes

Traffic Infraction Detectors – Right Turns on Red

As it relates to right turns on red enforced by traffic infraction detectors, the bill defines the term "careful and prudent manner" to mean that the driver made a right-hand turn after coming to a complete stop and, in the traffic enforcement officer's determination, failed to yield to a pedestrian or bicyclist or placed a pedestrian or bicyclist in danger of injury as a result of the right-hand turn, failed to yield to another vehicle, or did not substantially reduce the speed of the motor vehicle before making the right-hand turn.

The bill also repeals a provision regarding vehicles coming to a complete stop after passing the stop line or other point where a stop is required.

Speed Detection Systems

The bill limits the use of speed detection systems to the times when the school zone speed limit is in effect. Such times are only during those times 30 minutes before, during, and 30 minutes

[17] Unlawful speed in a school zone is a violation of s. 316.1895, F.S.
[18] Unlawful speed is a violation of s. 316.183, F.S.
[19] Sections 316.008(9)(a) and 316.1896(1)(a), F.S.
[20] Section 316.003(79), F.S., defines the term "school bus infraction detection system" to mean a camera system affixed to a school bus with two or more camera sensors or computers that produce a recorded video and two or more film or digital photographic still images for the purpose of documenting a motor vehicle being used or operated in a manner that allegedly violates s. 316.172(1)(a) or (b), F.S.
[21] Section 316.173(1), F.S.
[22] Section 1006.21(3)(h), F.S.
[23] School bus passing violations are codified in ss. 316.172(1)(a) and (b), F.S.
[24] Section 316.173(1)(d), F.S.

after the periods of time when pupils are arriving at a regularly scheduled breakfast program or a regularly scheduled school session and leaving a regularly scheduled school session.[25]

In doing so, the bill removes references to s. 316.183, F.S., relating to unlawful speed in speed detection system-related statutes, including:

- Section 316.008(9), F.S., authorizing counties and municipalities to install speed detection systems;
- Section 316.0776(3), F.S., providing for the placement of speed detection systems;
- Section 316.1896, F.S., implementing speed detection in school zones;
- Section 316.1906(1)(d), F.S., defining the term "traffic infraction enforcement officer";
- Section 316.1906(3), F.S., providing testing requirements for speed detection systems;
- Section 318.18(3)(d), F.S., providing penalties traffic infractions enforced by speed detection systems; and
- Section 322.27(3)(d), F.S., prohibiting the assessment of driver license points for traffic violations enforced by speed detection systems.

The bill also amends the definition of the term "speed detection system" to limit their use to an active school speed zone.

The bill also requires any applicable flashing beacon used to provide notice of the enforcement restrictive school zone speed limit to be activated at the time of the violation.

School Bus Infraction Detection Systems

The bill authorizes traffic infraction enforcement officers to issue uniform traffic citations for school bus passing violations enforced by a school bus infraction detection system. This does not prohibit a law enforcement agency or its designee from issuing a notice of violation to the registered owner of the motor vehicle involved in a school bus passing violation.

The bill also revises provisions regarding the interlocal agreements between school districts and law enforcement agencies to provide that for programs established after October 1, 2026, the interlocal agreement must be in place before the program begins.

Authorizing Ordinance/Contract Requirements (Sections 3,7, 8, and 18)

Present Situation

Traffic Infraction Detectors and Speed Detection Systems

For traffic infraction detectors and speed detection systems, a county or municipality wishing to place or install one or more such systems must enact an ordinance authorizing the placement or installation of or contracting with a vendor for the placement or installation of such systems. The county or municipality must consider traffic data or other evidence supporting the installation and operation of each such system and determine that the location at which the system is to be placed or installed constitutes a heightened safety risk that warrants additional enforcement measures.[26]

[25] Section 316.1896(5), F.S.
[26] Sections 316.0083(4)(a)1. and 316.008(9)(b) and (c), F.S.

Before a county or municipality contracts or renews a contract to place or install one or more traffic infraction detectors or speed detection systems, the governing body of the county or municipality must approve the contract or contract renewal. The public must be allowed to comment regarding the contract, or contract renewal under the county's or municipality's public comment policies or formats. Additionally, the governing body may not consider the contract or contract renewal as part of a consent agenda.[27]

School Bus Infraction Detection Systems

Current law only requires the school district's decision to install school bus infraction detection systems to be based solely on the need to increase public safety.[28] A district school board is not required to hold hearings or approve any contract to install and operate such systems.

Effect of Proposed Changes

The bill requires the district's school board to specifically authorize the use of school bus infraction detectors before the school district places or installs, or contract with a vendor to operate, install, and maintain such systems. As part of the board's public hearing on such authorization, the board must consider evidence supporting the installation and operation of such detectors. Interested members of the public must be allowed to comment regarding the contract or its renewal and the contract or its renewal may not be considered as part of a consent agenda.

The bill amends s. 1006.21(3)(h), F.S., to conform requirements of the district school board as it relates to transportation.

The bill also makes technical changes to the ordinance and public comment requirements for traffic infraction detectors and speed detection systems.

Public Awareness Campaigns – Warning Period (Section 7)

Present Situation

For all three camera enforcement programs, if an entity (DHSMV, municipality, county, or school district) begins such a program, the appropriate entity must make a public announcement and conduct a public awareness campaign on its proposed use of traffic infraction detectors at least 30 days before beginning enforcement.[29]

For school bus infraction detection systems and speed detection systems, only a warning may be given for the camera-enforced violation, and a penalty may not be imposed during the public awareness campaign.[30] However, this requirement does not exist for traffic infraction detectors.

[27] Section 316.0083(4)(a)2.a., and 316.0776(3)(c), F.S.
[28] Section 316.173(1)(b), F.S.
[29] Sections 316.0776(2)(b) and (3)(b) and 316.173(3), F.S.
[30] Sections 316.0776(3)(b) and 316.173(3), F.S.

Effect of Proposed Changes

The bill requires that for a new traffic infraction detector program only a warning may be given for violations enforced by such detectors during the 30-day public awareness period and that penalties may not be assessed for such violations.

Signage Requirements – School Bus Infraction Detection Systems (Section 8)

Present Situation

For school bus infraction detection systems, the school district must post signage on the rear of each school bus where a system is installed and operational indicating the use of such system, with requirements for size and wording of the signs.[31] However, the sufficiency of signage or compliance with signage requirements may not be raised in a proceeding challenging a violation.[32]

Effect of Proposed Changes

The bill repeals the sufficiency of signage provision related to school bus infraction detection systems. Thus, insufficient signage may be raised in a proceeding challenging a violation.

Placement and Testing Requirements (Sections 6, 8, and 10)

Present Situation

Traffic Infraction Detectors and Speed Detection Systems

Counties and municipalities may install and operate traffic infraction detectors and speed detection systems on streets and highways under their jurisdictions.[33] When permitted by the FDOT, a county, or a municipality may install and operate such systems on state roads.[34] All traffic infraction detectors and speed detection systems must meet the FDOT's placement, installation, and testing specifications.[35]

For traffic infraction detectors, the FDOT was required to establish such specifications by December 31, 2010. However, any such equipment acquired by a county or municipality on or before July 1, 2011, or equipment used to enforce an ordinance enacted by a county or municipality on or before July 1, 2011, had until July 1, 2011, to meet the FDOT's specifications.[36]

For speed detection systems, the FDOT was required to establish such specifications by December 31, 2023.[37] Speed detection systems must perform a self-test at least once every 30 days and must have an independent calibration test at least once every 12 months.[38]

[31] Sections 316.173(2)(a) and (b), F.S.
[32] Section 316.173(2)(c), F.S.
[33] Sections 316.008(8)(a), and 316.0773(3), F.S. F.S.
[34] Sections 316.008(8)(c), 316.07456, 316.0776(1) and (3), and 321.50, F.S.
[35] Sections 316.07456 and 316.0776(3)(a), F.S.
[36] Section 316.07456, F.S.
[37] Section 316.0776(3)(a), F.S.
[38] Section 316.1906(3), F.S.

School Bus Infraction Detection Systems

A school bus infraction detection system must meet State Board of Education-established specifications and must be tested at regular intervals according to specifications prescribed by state board rule. The state board was required to establish such specifications by rule on or before December 31, 2023. However, any such equipment acquired by a school district on or before December 31, 2023, was not required to meet the specifications established by the state board until July 1, 2024.[39]

Effect of Proposed Changes

The bill removes obsolete dates associated with the placement of various detectors and deadlines for developing specifications.

Notices of Violation (Sections 4, 5, and 9)

Present Situation

Traffic Infraction Detectors

Within 30 days after a traffic infraction detector detects a violation, a notice of violation must be sent by first class mail to the registered owner of the motor vehicle involved in the violation. The notice of violation must specify the available remedies and that the violator must, within 60 days following the date of the notice of violation, in order to avoid the issuance of a traffic citation:

- Pay the $158 penalty to the DHSMV, county, or municipality;
- Furnish an affidavit providing an exemption;[40] or
- Request a hearing.[41]

The $158 penalty, less the amount retained by the county or municipality, is remitted to the Department of Revenue (DOR) weekly.[42] To transition from local ordinances to a state law regarding the camera enforcement of red light running, the 2010 law establishing the state framework for traffic infraction detectors required the DHSMV or any county or municipality that collected the penalties from traffic infraction detectors after the effective date of that act (May 13, 2010), but before the DOR could accept and distribute those funds, to retain the portion of the penalty distributed to the DOR until after it was notified that the DOR could accept and distribute those funds.[43]

Speed Detection Systems

Within 30 days after a violation, notice must be sent to the registered owner of the motor vehicle involved in the violation specifying the remedies available and that the violator must:

- Pay the $100 penalty to the county or municipality; or
- Furnish an affidavit claiming an exemption.

[39] Section 316.173(19), F.S. These specifications are codified in Rule 6A-3.003(5), F.A.C.
[40] Exemptions are listed in s. 316.0083(1)(d), F.S.,
[41] Section 316.0083(1)(b)1.a., F.S.
[42] Section 316.0083(1)(b)2., F.S.
[43] Section 316.00831, F.S.

This must be done within 30 days after the date of the notice of violation in order to avoid court fees, costs, and the issuance of a uniform traffic citation.[44]

A person who receives a notice of violation may request a hearing within 30 days after the notice of violation or may pay the $100 penalty on the notice of violation.[45] Penalties assessed and collected, less the amount retained by the county or municipality and the amount remitted to the county school district, are paid to the DOR weekly.

School Bus Infraction Detection System

Within 30 days after a school bus infraction detection system records an alleged violation, the school district or its private vendor or manufacturer must submit information related to the alleged violation to a law enforcement agency with an interlocal agreement with the school district and traffic infraction enforcement jurisdiction at the location of the alleged violation.[46]

Within 30 days after receiving the required information, the law enforcement agency or its designee must, if it determines that a violation was committed, send a notice of violation to the registered owner of the motor vehicle involved in the violation specifying the available remedies and that within 60 days after the notice of violation was sent, the violator must pay the $225 penalty, furnish an affidavit providing an exemption, or request an administrative hearing with the applicable school district or county in order to avoid court fees, costs, and the issuance of a uniform traffic citation.[47]

Points may not be assessed against a driver license for any camera-enforced traffic violations, and such violations may not be used to set motor vehicle insurance rates.[48]

Effect of Proposed Changes

Traffic Infraction Detectors

The bill repeals obsolete s. 316.00831, F.S., which required the DHSMV, counties, and municipalities to retain certain camera-related penalties until the DOR had a system in place to collect and distribute such penalties.

Speed Detection Systems

The bill provides 60 days, instead of the current 30 days, for the registered owner of a motor vehicle to address a notice of violation from a speed detection system to be consistent with other camera enforcement provisions.

[44] Section 316.1896(2), F.S.
[45] Section 316.1896(3), F.S. This is notwithstanding any other provision of law.
[46] Section 316.173(4), F.S.
[47] Section 316.173(5), F.S.
[48] Section 322.27(3)(d), F.S.

Timeline for Uniform Traffic Citations – Speed Detection Systems (Section 9)

Present Situation

Traffic Infraction Detectors

If, within 60 days after the notice of violation, the registered owner of the motor vehicle has not paid the $158 penalty, submitted an affidavit claiming an exemption, or requested a hearing, a traffic citation must be issued by certified mail to the address of the registered owner of the motor vehicle involved in the violation.[49]

Speed Detection Systems

A uniform traffic citation must be issued by mailing the citation by certified mail to the address of the registered owner of the motor vehicle involved in the violation. This occurs if payment has not been made within 30 days after notification, if the registered owner has not requested a hearing, or if the registered owner has not submitted an affidavit claiming an exemption.[50]

School Bus Infraction Detection Systems

A uniform traffic citation for a school bus passing violation enforced by a school bus infraction detection system must be issued by mailing, by certified mail, the citation to the address of the registered owner of the motor vehicle involved in the violation if, within 60 days after the notice of violation, payment has not been made, the registered owner has not submitted an affidavit claiming an exemption, or the registered owner has not requested an administrative hearing contesting the notice of violation.[51]

Effect of Proposed Changes

The bill changes 30 days to 60 days for speed detection systems to conform to changes in the bill related to notices of violation.

Commission Prohibition – Speed Detection Systems (Sections 9 and 14)

Present Situation

For traffic infraction detectors and school bus infraction detection systems, current law provides that an individual may not receive a commission from any revenue collected through the use of a traffic infraction detector. A manufacturer or vendor may not be paid based upon the number of violations detected through the camera enforcement of traffic violations.[52]

The school bus infraction detection system statute provides that the above may not be construed to prohibit a private vendor or manufacturer from receiving a fixed amount of collected proceeds

[49] Section 316.0083(1)(c)1.b., F.S.
[50] Section 316.1896(6), F.S.
[51] Section 316.173(9), F.S.
[52] Sections 316.0083(1)(b)4., 316.173(1)(b), and 318.18(16)(d), F.S.

for services rendered in relation to the installation, operation, or maintenance of school bus infraction detection systems.[53]

The statutes regarding the use of speed detection systems does not prohibit such commissions.

Effect of Proposed Changes

For contracts for speed detection systems entered into or renewed on or after October 1, 2026, the bill prohibits an individual from receiving a commission or per-ticket fee from revenue collected from violations detected through the use of speed detection system. Additionally, a manufacturer or vendor may not receive a fee or remuneration based upon the number of violations collected through the use of a speed detection system.

Hearing Procedures and Requirements (Sections 3, 4, 8, 9, and 14)

Present Situation

Definition of Local Hearing Officer

The term "local hearing officer" is defined to mean the person, designated by the DHSMV, a county, or municipality to conduct hearings related to a notice of violation issued pursuant to s. 316.0083, F.S., or s. 316.1896, F.S. The charter county, noncharter county, or municipality may use its currently appointed code enforcement board or special magistrate to serve as the local hearing officer. The DHSMV may enter into an interlocal agreement to use the local hearing officer of a county or municipality.[54]

Traffic Infraction Detectors and Speed Detection Systems

For traffic infraction detectors and speed detection systems, the DHSMV must publish and make electronically available to each county and municipality a model Request for Hearing form to assist in administering the hearing process.[55] A county or municipality authorizing traffic infraction enforcement officers to issue traffic citations must, by resolution, designate existing staff to serve as its clerk to the local hearing officer.[56]

The clerk to the local hearing officer must provide notice of the hearing to any person (petitioner) who requests a hearing. Upon receiving the notice, the petitioner may reschedule the hearing once by submitting a written request to the clerk to the local hearing officer at least five calendar days before the date of the originally scheduled hearing. Before the hearing, the petitioner may cancel his or her hearing by paying the statutory penalty, plus $50 in administrative costs.[57]

All hearing testimony must be under oath and recorded. The local hearing officer must take testimony from a traffic infraction enforcement officer and the petitioner and may take testimony from others. The local hearing officer must review the images or video showing the alleged

[53] Section 316.173(1)(b), F.S.
[54] Section 316.003(38), F.S.
[55] Sections 316.0083(5)(a), and 316.1896(14)(a), F.S.
[56] Sections 316.0083(5)(b), and 316.1896(14)(b), F.S.
[57] Sections 316.0083(5)(c), and 316.1896(14)(c), F.S.

violation. Formal rules of evidence do not apply, but due process must be observed and governs the proceedings.[58]

At the conclusion of the hearing, the local hearing officer determines whether or not a violation has occurred, in which case the hearing officer must uphold or dismiss the violation. The local hearing officer must issue a final administrative order including his or her determination and, if the he or she upholds the notice of violation, require the petitioner to pay the statutory penalty. The local hearing officer may also require the petitioner to pay county or municipal costs, not to exceed $250. The final administrative order is mailed to the petitioner by first-class mail.

The only difference in the hearing procedures for traffic infraction detectors and speed detection systems is that the petitioner may reschedule his or her hearing up to two times prior to the date of the originally scheduled hearing for a speed detection system.

School Bus Infraction Detection Systems

For school bus infraction detection systems, a school district or county appointed local hearing officer administers an administrative hearing process for a contested notice of violation. The school district may appoint an attorney who is, and has been for the preceding five years, a member in good standing with The Florida Bar to serve as a local hearing officer. The county in which a school district has entered into an interlocal agreement with a law enforcement agency to issue uniform traffic citations may designate by resolution existing staff to serve as its local hearing officer.[59]

At the hearing, the local hearing officer determines whether or not violation has occurred. If the local hearing officer finds by a preponderance of the evidence[60] that a violation has occurred, the local hearing officer must uphold the notice of violation and require the petitioner to pay the $225 penalty. The local hearing officer must also require the petitioner to pay $250 in administrative costs.[61]

The DHSMV must make available electronically to the school district or its designee or the county a Request for Hearing form to assist in administering the hearing process.[62] A person (petitioner) who elects to request a hearing must be scheduled for a hearing. The hearing may be conducted either virtually via live video conferencing or in person.[63]

Within 120 days after receiving a timely request for a hearing, the law enforcement agency or its designee must provide violation-related data to the school district or county. Then the school district or its designee or the county must mail a notice of hearing, which must include a hearing date and may at the discretion of the district or county include virtual and in-person hearing options, to the petitioner by first-class mail. Mailing of the notice of hearing constitutes notification. Upon receiving the notice, the petitioner may reschedule the hearing once by

[58] Sections 316.0083(5)(d) and 316.1896(14)(d), F.S.
[59] Section 316.173(6)(a), F.S.
[60] Section 318.14(6), F.S., provides that the commission of a charged infraction under ch. 318, F.S.; relating to the disposition of traffic infractions, must be proved by a reasonable doubt.
[61] Section 316.173(6)(a), F.S. These are the costs assessed in s. 316.0083(5), F.S., associated with red light camera costs.
[62] Section 316.173(6)(b)1., F.S.
[63] Section 316.173(6)(b)2., F.S.

submitting a written request to the local hearing officer at least five calendar days before the date of the originally scheduled hearing. The petitioner may cancel his or her hearing by paying the penalty assessed in the notice of violation.[64]

All hearing testimony must be under oath but is not required to be recorded. The local hearing officer must take testimony from the law enforcement agency and the petitioner and may take testimony from others. The local hearing officer must review the video and images recorded by a school bus infraction detection system. Formal rules of evidence do not apply, but due process must be observed and govern the proceedings.[65]

At the conclusion of the hearing, the local hearing officer determines by a preponderance of the evidence whether a violation has occurred and must uphold or dismiss the violation. The local hearing officer must issue a final administrative order including the determination and, if the notice of violation is upheld, require the petitioner to pay the civil penalty previously assessed in the notice of violation, and must also require the petitioner to pay costs, not to exceed $250.[66]

These costs must be used by the county for operational costs relating to the hearing process or by the school district for technology and operational costs relating to the hearing process as well as school transportation safety-related initiatives.[67] However, if a county's local hearing officer administers the administrative hearing process for a contested notice of violation, the costs imposed resulting from notice of violation are remitted to the county.[68]

Hearing Costs

Sections 316.0083(5) and 318.18(23), F.S., provide that in addition to the penalty prescribed for a red light camera violation which is upheld, the local hearing officer may also order the payment of county or municipal costs not to exceed $250. The assessment of $250 in hearing costs is required for school bus infractions that are upheld by the local hearing officer.

While hearing provisions for school bus and school zone violations authorize the assessment of up to $250 in local costs by referring to s. 316.0083(5), F.S.,[69] those hearing provisions are not mentioned in s. 318.18(23), F.S.

Effect of Proposed Changes

Definition of Local Hearing Officer

The bill amends the definition of the term “local hearing officer” to incorporate school bus infraction detection systems into that definition. The bill moves the qualifications for a school district local hearing officer to this provision and authorizes a school district to enter into an interlocal agreement to use the county’s local hearing officer. The bill also makes technical changes.

[64] Section 316.173(6)(b)3., F.S.
[65] Section 316.173(6)(b)4., F.S.
[66] The statue cross-references s. 316.0083(5), F.S., relating to hearings regarding traffic infraction detectors.
[67] Section 316.173(6)(b)5., F.S.
[68] Sections 316.173(6)(b)5., and 318.18(5)(c)1., F.S.
[69] *See* ss. 316.173(6)(b)5., and 316.1896(14)(e), F.S.

Traffic Infraction Detectors and Speed Detection Systems

The bill authorizes hearings to be conducted virtually through live video conferencing or in person, with the notice of the hearing including the option for a virtual or in person hearing. For traffic infraction detectors, the bill authorizes the petitioner to reschedule the hearing up to two times, consistent with the requirements governing speed detection systems.

School Bus Infraction Detection Systems

The bill moves the qualifications for school district local hearing officers in the administrative hearing provision and places them in the definition of local hearing officer. The bill also removes references to administrative hearings and the preponderance of the evidence standards for hearings. The bill also adds a clerk to the local hearing officer, consistent with other hearing provisions. The bill clarifies that costs may be assessed for a canceled hearing, consistent with the cancelation of other camera enforcement hearings. The bill also requires hearing testimony to be recorded and clarifies that a representative of a law enforcement agency testifies at the hearing.

Hearing Costs

The bill amends s. 318.18(23), F.S., relating to hearing costs for traffic infraction detectors to incorporate speed detection systems and school bus infraction detection systems. The bill also reenacts 318.121, F.S., preempting the assessment of additional municipal or county fees related to traffic violations to incorporate this change.

Privacy Protections (Sections 4, 8, and 9)

Present Situation

School bus infraction detection system and speed detection system statutes contain various provisions regarding the use of data from such systems. Data from such systems may not be used for remote surveillance. The collection of evidence by such systems to enforce specific traffic violations does not constitute remote surveillance.[70]

Video and images recorded as part of such systems may only be used for traffic enforcement and for purposes of determining criminal or civil liability for incidents captured by such systems incidental to the permissible use of such systems.[71] To the extent practicable, such systems must use necessary technology to ensure that personal identifying information contained in the video or still images recorded by the system which is not relevant to the alleged violation is sufficiently obscured so as not to reveal such personal identifying information.[72]

A notice of a violation or uniform traffic citation issued may not be dismissed solely because a recorded video or still images reveal personal identifying information as long as a reasonable effort has been made to comply with these requirements.[73]

[70] Sections 316.173(17)(a)1., and 316.1896(15)(a), F.S.
[71] Sections 316.173(17)(a)2., F.S.
[72] Section 316.173(17)(a)3, and 316.1896(15)(b),, F.S.
[73] Sections 316.173(17)(a)4., and 316.1896(15)(c), F.S.

Any recorded video or still image obtained through the use of such systems must be destroyed within 90 days after the final disposition of the recorded event. The system's vendor must provide the authorizing entity (county, municipality, or school district) with written notice by December 31 of each year that it has destroyed such records.[74]

However, motor vehicle owner registration information obtained as a result of the operation of such systems is not the property of the system's manufacturer or vendor and may be used only for specified purposes.[75]

Effect of Proposed Changes

The bill establishes surveillance and privacy provisions for traffic infraction detectors that are identical to requirements for other camera-based enforcement programs.

The bill removes the term "for incidents" as it relates to the use of cameras to determine criminal or civil liability that may be captured by such cameras. This allows camera data to be used to determine criminal or civil liability captured by such systems.

Local Reporting Requirements (Sections 2, 7, and 8)

Present Situation

Traffic Infraction Detectors and Speed Detection Systems

A county or municipality operating one or more traffic infraction detectors or speed detection systems must annually report the results of all of its systems by placing its annual report to the DSHMV as a single reporting item on the agenda of a regular or special meeting of its governing body.[76] The public must be allowed to comment regarding the report, under the county's or municipality's public comment policies or formats, and the report may not be considered as part of a consent agenda.[77]

The report to the governing body must include a written summary, which must be read aloud at the meeting, which must contain, for the same time period as its annual report to DHSMV, the number of notices of violation issued, the number that were contested, the number that were upheld, the number that were dismissed, the number that were issued as uniform traffic citations, and the number that were paid and how collected funds were distributed and in what amounts. The county or municipality must report to the DHSMV that its annual report was considered, including the date of the meeting at which the report was considered.[78]

The compliance or sufficiency of compliance with the above reporting requirements may not be raised in a proceeding challenging a violation enforced by an automated system.[79]

[74] Section 316.173(17)(b), F.S.
[75] Section 316.173(17)(c), F.S.
[76] Section 316.0083(4)(a)2., F.S.
[77] Section 316.0083(4)(a)2.a., F.S.
[78] Section 316.0083(4)(a)2.b., F.S.
[79] Section 316.0083(4)(a)3., F.S.

For traffic infraction detectors, a county or municipality that does not comply with the above reporting requirements may not operate traffic infraction detectors until such noncompliance is corrected.[80]

There are no such requirements for school bus infraction detection systems.

Effect of Proposed Changes

Speed Detection Systems

The bill requires each county or municipality's annual report regarding speed detection systems to provide the number of notices of violation, if any, that were issued outside of the authorized enforcement period.

The bill amends reporting requirements to provide that if a county or municipality does not comply with requirements for the public discussion of its annual report during a meeting of its governing board, the county or municipality is suspended from operating speed detection systems until it corrects such noncompliance.

School Bus Infraction Detection Systems

The bill requires each school district with a school bus infraction detection system to present an annual report to the district school board, similar to the one currently required for municipalities and counties for other camera-related enforcement provisions. Interested members of the public must be allowed to comment on the report and the report may not be considered as part of a consent agenda.

The bill also makes technical changes relating to the reporting requirements for traffic infraction detectors.

Local Reports to DHSMV and Data Retention (Sections 4, 8, and 9)

Present Situation

Traffic Infraction Detectors

By October 1, annually, each county or municipality operating traffic infraction detectors must submit a report to the DHSMV detailing its use of such detectors and its procedures for enforcement for the preceding state fiscal year. The information submitted by the counties and municipalities must include information regarding violations, alternative safety countermeasures, and any additional data required by the DHSMV. The DHSMV must publish each report submitted by a county or municipality on its website.[81]

Speed Detection Systems

By October 1, annually, each county or municipality that operates one or more speed detection systems must submit a report to the DHSMV identifying the public safety objectives used to

[80] Section 316.0083(4)(a)4., F.S.
[81] Section 316.0083(4)(b), F.S. Copies of these reports are available at: https://www.flhsmv.gov/resources/cabinet-and-legislature-reports/red-light-camera-program-analysis/ (last visited November 7, 2025).

identify a school zone for enforcement, reports compliance with annual reporting requirements, and details the results of the speed detection system in the school zone and the procedures for enforcement. The DHSMV may require data components to be submitted quarterly. The report must include certain information regarding locations and use of systems, violations issued, and any other information required by the DHSMV.[82]

School Bus Infraction Detection Systems

By October 1, 2023, and quarterly thereafter, each school district operating a school bus infraction detection system must submit to the DHSMV, in consultation with the law enforcement agencies with which it has interlocal agreements, a report detailing the results of its school bus infraction detection system for the preceding quarter. The information from the school districts must include certain information regarding such systems and their use.[83]

For speed detection systems and school bus infraction detection systems, each entity operating such systems is responsible for and must maintain its respective data for reporting purposes for at least two years after it reports such data to the DHSMV.[84]

Effect of Proposed Changes

Traffic Infraction Detectors

The bill requires each county or municipality operating a traffic infraction detector to be responsible for and maintain its data for the DHSMV reporting purposes for at least two years after the data is reported to the DHSMV.

Speed Detection Systems

The bill clarifies that each county or municipality's annual report to the DSHMV is for the preceding state fiscal year. The bill also requires the DHSMV to post on its website each report it receives from a municipality or county regarding the use of speed detection systems.

School Bus Infraction Detection Systems

The bill also amends the school district report to the DHSMV to make it annually by October 1, and to align the reporting period to the preceding state fiscal year. The bill also requires the DHSMV to place the reports it receives from school districts on its website.

The bill also repeals obsolete dates regarding reporting requirements.

DHSMV's Reports to the Governor and Legislature (Sections 4, 8, and 9)

Present Situation

For each camera enforcement program, annually, on or before December 31, the DHSMV must submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding each camera enforcement program. These reports must review

[82] Section 316.1896(16)(a), F.S.
[83] Section 316.173(18)(a), F.S.
[84] Section 316.173(18)(b), F.S.

information it receives from counties and municipalities and provide any recommendations, including any recommended legislative changes.[85]

Effect of Proposed Changes

The bill makes technical changes to reporting requirements for consistency between programs and for ease of understanding.

Distribution of Court Fines (Sections 1 and 14)

Present Situation

Under Florida law, 10 percent of all court-related fines collected by the clerks of court are deposited into the fine and forfeiture fund to be used for the clerk's court-related functions. The only exception is for penalties or fines distributed to counties or municipalities from violations enforced by traffic infraction detectors.[86]

Florida law requires the $200 penalty for a notice of violation or uniform traffic citation for school bus passing violation detected using school bus infraction detection system to be remitted to the school district at least monthly. This penalty must be used to administer the program, student transportation safety initiatives, and school bus driver recruitment and retention stipends. This is notwithstanding any other provision of law.[87]

Effect of Proposed Changes

The bill removes the exception for penalties from traffic infraction detectors distributed to municipalities and counties. This amount will now be deposited into the clerk's fine and forfeiture fund.

The bill provides that the $200 penalty remitted to the school district for violations detected using school bus infraction detection system, while notwithstanding any other provision of law, this does not include s. 28.37(6), F.S., distributing 10 percent of court-related fines to the clerk's fine and forfeiture fund.

Qualifications of Traffic Infraction Enforcement Officers (Section 11)

Present Situation

Any sheriff's department or municipal police department is authorized to employ traffic infraction enforcement officers. These officers must successfully complete instruction in traffic enforcement procedures and court presentation through the Selective Traffic Enforcement Program, approved by the Department of Law Enforcement's Division of Criminal Justice Standards and Training or a similar program. These officers are not otherwise required to meet the uniform minimum standards for law enforcement officers of auxiliary law enforcement officers.[88]

[85] Sections 316.0083(4)(c), 316.173(18)(c), and 316.1896(16)(c), F.S.
[86] Section 28.37(6), F.S.
[87] Section 318.18(5)(a)2., and (b)2., F.S.
[88] Section 316.640(5)(a), F.S.

A traffic infraction enforcement officer may issue a traffic citation for violations enforced by a traffic infraction detector or a speed detection system. For purposes of enforcing these violations, any sheriff's department or municipal police department may designate employees as traffic infraction enforcement officers. Traffic infraction enforcement officers must be physically located in the county of the respective sheriff's or municipal police department.[89]

Effect of Proposed Changes

The bill authorizes traffic infraction enforcement officers to issue traffic citations enforced by school bus infraction detection systems. The bill also makes technical changes to that provision.

Courts – Traffic Citations – School Bus Infraction Detection Systems (Section 12)

Present Situation

Except for camera-enforced traffic violations,[90] each traffic enforcement officer, upon issuing a traffic citation, must deposit the original citation or an electronic replica of the citation data to the court with jurisdiction over the alleged offense or with its traffic violations bureau within five business days after the citation is issued to the violator.[91]

If a traffic citation is issued by the use of a traffic infraction detector or a speed detection system, the traffic infraction enforcement officer must electronically transmit a replica of the traffic citation data to the court with jurisdiction over the alleged offense or its traffic violations bureau within five business days after the date the traffic citation is issued to the violator. If a hearing is requested, the traffic infraction enforcement officer must provide a replica of the notice of violation data to the clerk for the local hearing officer with jurisdiction over the alleged offense within 14 days.[92]

Effect of Proposed Changes

The bill adds violations detected by school bus infraction detection systems to the requirement that certain data be supplied to the clerk for the local hearing officer within 14 days. This corresponds with the repeal of the 120 day transmission requirement in the school bus infraction detection system's hearing provisions.

Failure to Comply or Failure to Appear – Driver License Suspension (Section 13)

Present Situation

For violations enforced by traffic infraction detectors, the clerk of court must notify the DHSMV of persons who were mailed a notice of violation and who failed to enter into or comply with the terms of a penalty payment plan, order with the clerk to the local hearing officer, or failed to appear at a scheduled hearing. This notification must take place within 10 days after such failure

[89] *Id.*
[90] This also includes toll violations.
[91] Section 316.650(3)(a), F.S.
[92] Section 316.650(3)(c), F.S.

and reference the person's driver's license number, or in the case of a business entity, vehicle registration number.[93]

Upon receiving such notice, the DHSMV, or its authorized agent, may not issue a license plate or revalidation sticker for any motor vehicle owned or co-owned by that person until that person has fully paid the assessed amounts.[94]

Effect of Proposed Changes

The bill requires clerks of court to notify the DHSMV of persons who were mailed notices of violation related to school bus and school zone camera violations, comply with certain orders, or failed to appear at the hearing. After such notification, the bill prohibits the DHSMV, or its authorized agent, from issuing a driver license to such person.

Withholding of a Motor Vehicle Registration (Section 16)

Present Situation

Except as otherwise provided by law, every motor vehicle operated or driven on Florida's roads must be registered.[95] The DHSMV is authorized to withhold any motor vehicle registration or re-registration if the vehicle's owner, or one of its co-owners, has a suspended driver license for failure to pay any traffic fine or driver license-related fines.[96]

Effect of Proposed Changes

The bill authorizes the DHSMV to withhold a motor vehicle's registration or reregistration if the vehicle's owner or co-owner received a camera-enforced uniform traffic citation and did not request a hearing, submit an affidavit claiming an exemption, or pay the citation as provided in each camera enforcement program authorizing statute.

Use of Violations as Character Evidence (Section 16)

Present Situation

Florida law establishes a points system to evaluate convictions for traffic violations. DHSMV may suspend a driver license if the licensee has accumulated 12 or more points as determined by the system. The points system prohibits the assessment of points for traffic violations enforced by camera systems and provides that such violations may not be used to determine motor vehicle insurance rates.[97]

Chapter 90, F.S., contains the Florida Evidence Code, with s. 90.404, F.S., addressing the admissibility of character evidence. In general, that statute provides that evidence of a person's character or a trait of character is inadmissible to prove action in conformity with it on a

[93] Section 318.15(3), F.S.
[94] Section 318.15(3)(a), F.S.
[95] Section 322.02(1), F.S.
[96] Section 320.02(12), F.S. Traffic fines are administered pursuant to ch. 318, F.S., and driver licenses are administered pursuant to ch. 322, F.S.
[97] Section 322.27(3), F.S.

particular occasion. One exception is similar fact evidence of other crimes, wrongs, or acts is admissible when relevant to prove a material fact in issue, including, but not limited to, proof of motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident. However, character evidence is inadmissible when it is relevant solely to prove bad character or propensity.[98]

Effect of Proposed Changes

For all three camera enforcement programs, the bill provides that camera-enforced violations are not admissible as character evidence in judicial proceedings.

Time Limitations for Noncriminal Traffic Infractions (Section 17)

Present Situation

Among the exemptions from liability for a camera-enforced traffic infraction is that the vehicle was in the care, custody, and control of another person at the time of the violation. This can be established by submitting an affidavit providing specified information to the entity that issued the notice of violation or uniform traffic citation.[99]

Section 775.15, F.S., provides time limitations for the prosecution of various offenses. Except as otherwise provided, the prosecution of a noncriminal violation must commence within one year after the offense is committed.[100] This one year limitation starts to run on the day after the offense is committed.[101]

Effect of Proposed Changes

The bill provides that for camera enforced traffic violations, the one year period of limitation for noncriminal violations resets upon receipt by the appropriate county, municipality, or law enforcement agency of an affidavit indicating that the motor vehicle was in the care, custody, and control of another person at the time of the violation, as authorized in the statutes providing exemptions from liability related to each camera enforcement program.

Effective Date (Section 20)

This bill takes effect on October 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require counties and municipalities to expend funds or further limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18 of the State Constitution.

[98] Section 90.404(2)(a), F.S.
[99] Sections 316.0083(1)(d), 316.173(11), and 316.173(8), F.S.
[100] Section 775.15(2)(d), F.S.
[101] Section 775.15(3), F.S.

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:

While the bill does not change the fundamental parameters of these camera-enforcement programs, changes made by the bill may have an indeterminate fiscal impact on the program vendors and contractors.

C. Government Sector Impact:

On January 30, 2026, the Revenue Estimating Conference reviewed this bill. The conference adopted the following estimated impacts:[102]

Fiscal Year	General Revenue	Trust Funds	Local	Total
2026-2027	($6.6 million)	($2.3 million)	($26.3 million)	($35.1 million)
2027-2028	($6.9 million)	($2.2 million)	($26.7 million)	($35.8 million)
2028-2029	($7.0 million)	($2.2 million)	($27.3 million)	($36.5 million)
2029-2030	($7.1 million)	($2.3 million)	($27.7 million)	($37.1 million)
2030-2031	($7.2 million)	($2.3 million)	($28.2 million)	($37.7 million)

VI. Technical Deficiencies:

None.

[102] Office of Economic and Demographic Research, Revenue Estimating Conference, 2026 Impact Conference Results, p. 198-205. https://edr.state.fl.us/Content/conferences/revenueimpact/archives/2026/_pdf/impact0130.pdf (last visited February 25, 2026).

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 28.37, 316.003, 316.008, 316.0083, 316.07456, 316.0776, 316.173, 316.1896, 316.1906, 316.640, 316.650, 318.15, 318.18, 320.02, 322.27, 775.15, and 1006.21.

This bill repeals section 316.00831 of the Florida Statutes.

This bill reenacts section 318.121 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 Appropriations Committee on Transportation, Tourism, and Economic Development on January 28, 2026:
The committee substitute:

- Redefines the term "reasonable and prudent" as it relates to right turns on red.
- Clarifies provisions regarding the use of camera data to determine civil or criminal liability.
- Clarifies that a district school board is not required to make a safety determination for each school bus route.
- Provides a timeline to implement changes related to a commission prohibition for speed detection systems and interlocal agreements for school bus infraction detection system.
- Requires annual reports regarding speed detection systems in school zones to provide the number of violations issued outside of the authorized enforcement period.
- Provides that camera enforced traffic violations are not admissible as character evidence in judicial proceedings.

CS by Transportation on January 20, 2026:
The committee substitute:

- Clarifies that a county or municipality's annual report to the DHSMV is for the preceding state fiscal year;
- Provides that the clerks of court receive 10 percent of penalties assessed for infractions detected by a school bus infraction detection system; and
- Clarifies that the affidavit to extend the time limitation of a camera-enforced traffic violation must be received by the appropriate county, municipality, or law enforcement agency.

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 the Appropriations Committee on Transportation, Tourism, and Economic Development; the Committee on Transportation; and Senator DiCeglie

606-02294-26 2026654c2

A bill to be entitled

An act relating to traffic infraction enforcement; amending s. 28.37, F.S.; deleting a provision exempting certain penalties and fines from a requirement that a certain percentage of all court-related fines collected by the clerk be deposited into the fines and forfeiture fund for a specified purpose; amending s. 316.003, F.S.; revising the definitions of the terms "local hearing officer" and "speed detection system"; amending s. 316.008, F.S.; revising the periods during which a county or municipality may enforce school zone speed limits, and the violations for which such enforcement is authorized, through the use of a speed detection system; prohibiting the enforcement of a school zone speed limit through the use of a speed detection system under certain circumstances; revising the circumstances for which a county or municipality may place or install, or contract with a vendor to place or install, a speed detection system within a roadway maintained as a school zone; amending s. 316.0083, F.S.; deleting a provision prohibiting the issuance of certain notices of violation and traffic citations for failure to stop before crossing over a stop line or other point at which a stop is required under certain circumstances; defining the term "careful and prudent manner"; providing that certain counties and municipalities are responsible for and must maintain certain data for a specified period; requiring the Department of Highway

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606-02294-26 2026654c2

Safety and Motor Vehicles to provide to the Governor and the Legislature recommended legislation, rather than necessary legislation, with a certain report; providing that certain hearings may be conducted either virtually or in person; prohibiting the use of a traffic infraction detector for remote surveillance; providing construction; specifying the purposes for which video and images recorded by a traffic infraction detector may be used; requiring that a traffic infraction detector use technology to obscure certain personal identifying information; providing that certain notices of violation and uniform traffic citations may not be dismissed for a specified reason; requiring the destruction of certain recorded videos and images within a certain timeframe; requiring a traffic infraction detector vendor annually to provide certain written notice to the county or municipality; providing that motor vehicle registration and owner information obtained in a certain manner is not the property of certain manufacturers and vendors; repealing s. 316.00831, F.S., relating to distribution of penalties collected under the Mark Wandall Traffic Safety Program; amending s. 316.07456, F.S.; deleting obsolete provisions; amending s. 316.0776, F.S.; providing that only warnings may be issued for certain violations during the duration of a certain public awareness campaign; deleting an obsolete provision; prohibiting a county or municipality from operating a speed detection system under certain circumstances;

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conforming provisions to changes made by the act; amending s. 316.173, F.S.; requiring district school board authorization and a public hearing process before a school district may place or install, or contract with a vendor to install, operate, and maintain, school bus infraction detection systems; providing requirements for such authorization and public hearing process; requiring a school district that establishes a school bus infraction detection system program after a certain date to enter into a certain interlocal agreement before beginning its school bus infraction detection system program; providing that law enforcement agencies may authorize traffic infraction enforcement officers to issue certain uniform traffic citations for violations enforced through the use of a school bus infraction detection system; providing construction; deleting a prohibition on raising certain arguments in a proceeding challenging certain traffic violations; deleting a required evidentiary standard for certain findings and determinations by local hearing officers; revising the notice of hearing process; revising the number of times a petitioner may reschedule a certain hearing; requiring a petitioner to pay certain costs before the start of the hearing in order to cancel the hearing; requiring that certain testimony be recorded; authorizing, rather than requiring, a local hearing officer to require a petitioner to pay certain costs; revising authorized uses for videos and images

recorded as part of a school bus infraction detection system; requiring a school district that operates a school bus infraction detection system annually to report the results of such systems at a meeting of the school board; providing requirements for such meeting; prohibiting certain arguments in a proceeding challenging certain traffic violations; prohibiting a school district from operating school bus infraction detection systems under certain circumstances; requiring certain school districts to submit a certain report to the department annually, rather than quarterly; requiring the department to publish certain reports on its website; deleting obsolete provisions; conforming provisions to changes made by the act; amending s. 316.1896, F.S.; revising the periods for which a county or municipality may authorize a traffic infraction enforcement officer to issue certain uniform traffic citations; prohibiting the enforcement of a school zone speed limit through the use of a speed detection system under certain circumstances; revising the period within which a person may take certain action after receiving a notice of violation; prohibiting an individual from receiving certain commissions or per-ticket fees under a contract established or renewed on or after a certain date; prohibiting a manufacturer or vendor of speed detection systems from receiving certain fees or remuneration; providing that certain hearings may be conducted either virtually or in person; revising

authorized uses for videos and images recorded as part of a speed detection system; deleting an obsolete provision; revising information that must be included in certain reports; deleting a provision authorizing the department to require quarterly submission of certain data components; requiring the department to publish certain reports on its website; conforming provisions to changes made by the act; reordering and amending s. 316.1906, F.S.; conforming provisions to changes made by the act; making a technical change; amending ss. 316.640, 316.650, and 318.15, F.S.; conforming provisions to changes made by the act; amending s. 318.18, F.S.; prohibiting an individual from receiving certain commissions or per-ticket fees under a contract established or renewed on or after a certain date; prohibiting a manufacturer or vendor of speed detection systems from receiving certain fees or remuneration; providing exceptions to requirements that certain civil penalties be remitted to school districts; conforming provisions to changes made by the act; amending s. 320.02, F.S.; authorizing the department to withhold registration or reregistration of a motor vehicle under certain circumstances; amending s. 322.27, F.S.; prohibiting the admissibility of certain infractions as character evidence; conforming provisions to changes made by the act; amending s. 775.15, F.S.; providing that a 1-year period of limitation for certain noncriminal violations resets upon receipt of certain affidavits;

amending s. 1006.21, F.S.; conforming a provision to changes made by the act; reenacting s. 318.121, F.S., relating to preemption of additional fees, fines, surcharges, and costs, to incorporate the amendment made to s. 318.18, F.S., in a reference thereto; providing an effective date.

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

Section 1. Subsection (6) of section 28.37, Florida Statutes, is amended to read:

28.37 Fines, fees, service charges, and costs remitted to the state.—

(6) Ten percent of all court-related fines collected by the clerk~~, except for penalties or fines distributed to counties or municipalities under s. 316.0083(1)(b)3. or s. 318.18(16)(a),~~ must be deposited into the fine and forfeiture fund to be used exclusively for clerk court-related functions, as provided in s. 28.35(3)(a).

Section 2. Subsections (38) and (84) of section 316.003, Florida Statutes, are amended to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(38) LOCAL HEARING OFFICER.—The person, designated by a department, county, ~~or~~ municipality, or school district that elects to authorize traffic infraction enforcement officers to issue traffic citations under s. 316.0083(1)(a), s.

316.173(1)(f), or s. 316.1896(1) ~~ss. 316.0083(1)(a) and 316.1896(1)~~, who is authorized to conduct hearings related to a notice of violation issued pursuant to s. 316.0083, s. 316.173, or s. 316.1896. A ~~The charter~~ county~~, noncharter county,~~ or municipality may use its ~~currently~~ appointed code enforcement board or special magistrate to serve as the local hearing officer. A school district may appoint an attorney who is, and has been for the preceding 5 years, a member in good standing of The Florida Bar to serve as the local hearing officer or may enter into an interlocal agreement to use the local hearing officer of the county. The department may enter into an interlocal agreement to use the local hearing officer of a county or municipality.

(84) SPEED DETECTION SYSTEM.—A portable or fixed automated system used to detect a motor vehicle's speed using radar or LiDAR and to capture a photograph or video of the rear of a motor vehicle that exceeds the speed limit in a school zone during the times listed in s. 316.1895(5) ~~force at the time of the violation~~.

Section 3. Paragraphs (a) and (b) of subsection (9) of section 316.008, Florida Statutes, are amended to read:

316.008 Powers of local authorities.—

(9)(a) A county or municipality may enforce the applicable speed limit on a roadway properly maintained as a school zone pursuant to s. 316.1895 during the times listed in s. 316.1895(5)~~:~~

~~1. Within 30 minutes before through 30 minutes after the start of a regularly scheduled breakfast program;~~

~~2. Within 30 minutes before through 30 minutes after the start of a regularly scheduled school session;~~

~~3. During the entirety of a regularly scheduled school session; and~~

~~4. Within 30 minutes before through 30 minutes after the end of a regularly scheduled school session~~

through the use of a speed detection system for the detection of speed and capturing of photographs or videos for violations in excess of 10 miles per hour over the school zone speed limit ~~in force at the time of the violation~~. A school zone's compliance with s. 316.1895 creates a rebuttable presumption that the school zone is properly maintained. The school zone speed limit may not be enforced through the use of a speed detection system if any flashing beacon used to provide notice of the times during which a restrictive school speed limit is being enforced in the school zone is not activated at the time of the violation.

(b) A county or municipality may place or install, or contract with a vendor to place or install, a speed detection system within a roadway maintained as a school zone as provided in s. 316.1895 to enforce school zone ~~unlawful~~ speed limit violations, as specified in s. 316.1895(10), which are in excess of 10 miles per hour over the school zone speed limit ~~or s. 316.183,~~ on that roadway.

Section 4. Paragraph (a) of subsection (1) and subsections (2), (4), and (5) of section 316.0083, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

316.0083 Mark Wandall Traffic Safety Program; administration; report.—

(1)(a) For purposes of administering this section, the department, a county, or a municipality may authorize a traffic infraction enforcement officer under s. 316.640 to issue a traffic citation for a violation of s. 316.074(1) or s. 316.075(1)(c)1. ~~A notice of violation and a traffic citation may not be issued for failure to stop at a red light if the driver is making a right-hand turn in a careful and prudent manner at an intersection where right-hand turns are permissible. A notice of violation and a traffic citation may not be issued under this section if the driver of the vehicle came to a complete stop after crossing the stop line and before turning right if permissible at a red light, but failed to stop before crossing over the stop line or other point at which a stop is required.~~ This paragraph does not prohibit a review of information from a traffic infraction detector by an authorized employee or agent of the department, a county, or a municipality before issuance of the traffic citation by the traffic infraction enforcement officer. This paragraph does not prohibit the department, a county, or a municipality from issuing notification as provided in paragraph (b) to the registered owner of the motor vehicle involved in the violation of s. 316.074(1) or s. 316.075(1)(c)1.

(2) A notice of violation and a traffic citation may not be issued under this section for failure to stop at a red light if the driver is making a right-hand turn in a careful and prudent manner at an intersection where right-hand turns are permissible. For purposes of this subsection, the term "careful and prudent manner" means that the driver made a right-hand turn after coming to a complete stop and, in the traffic enforcement officer's determination, failed to yield to a pedestrian or

bicyclist or placed a pedestrian or bicyclist in danger of injury as a result of the right-hand turn, failed to yield to another vehicle, or did not substantially reduce the speed of the motor vehicle before making the right-hand turn.

(4)(a)1. A county or municipality that desires to have one or more traffic infraction detectors placed or installed on or after July 1, 2025, in an area where no traffic infraction detectors are currently placed or installed must enact an ordinance in order to authorize the placement or installation of, or to authorize contracting with a vendor for the placement or installation of, one or more traffic infraction detectors to enforce s. 316.074(1) or s. 316.075(1)(c)1. As part of the public hearing on such proposed ordinance, the county or municipality must consider traffic data or other evidence supporting the installation and operation of each traffic infraction detector, and the county or municipality must determine that the intersection at which a traffic infraction detector is to be placed or installed constitutes a heightened safety risk that warrants additional enforcement measures.

2. A county or municipality that operates one or more traffic infraction detectors must annually report the results of all traffic infraction detectors within the county's or municipality's jurisdiction by placing the annual report to the department required under paragraph (b) as a single reporting item on the agenda of a regular or special meeting of the county's or municipality's governing body. Before a county or municipality contracts or renews a contract to place or install one or more traffic infraction detectors, the county or municipality must approve the contract or contract renewal at a

regular or special meeting of the county's or municipality's governing body.

a. Interested members of the public must be allowed to comment regarding the report, contract, or contract renewal under the county's or municipality's public comment policies or procedures ~~formats~~, and the report, contract, or contract renewal may not be considered as part of a consent agenda.

b. The report required under this subparagraph must include a written summary, which must be read aloud at the regular or special meeting, and the summary must contain, for the same time period pertaining to the annual report to the department required under paragraph (b), the number of notices of violation issued, the number that were contested, the number that were upheld, the number that were dismissed, the number that were issued as uniform traffic citations, and the number that were paid and how collected funds were distributed and in what amounts. The county or municipality must report to the department that the county's or municipality's annual report was considered in accordance with this subparagraph, including the date of the regular or special meeting at which the annual report was considered.

3. The compliance or sufficiency of compliance with this paragraph may not be raised in a proceeding challenging a violation of s. 316.074(1) or s. 316.075(1)(c)1. enforced by a traffic infraction detector.

4. A county or municipality that does not comply with this paragraph may not operate ~~is suspended from operating~~ traffic infraction detectors under this subsection until such noncompliance is corrected.

(b) Each county or municipality that operates a traffic infraction detector shall submit a report by October 1, annually, to the department which details the results of using the traffic infraction detector and the procedures for enforcement for the preceding state fiscal year. The information submitted by the counties and municipalities must include:

1. The number of notices of violation issued, the number that were contested, the number that were upheld, the number that were dismissed, the number that were issued as uniform traffic citations, the number that were paid, and the number in each of the preceding categories for which the notice of violation was issued for a right-hand turn violation.

2. A description of alternative safety countermeasures taken before and after the placement or installation of a traffic infraction detector.

3. Statistical data and information required by the department to complete the summary report required under paragraph (d) ~~(c)~~.

The department shall ~~must~~ publish on its website each report submitted by a county or municipality pursuant to this paragraph ~~on its website~~.

(c) Each county or municipality that operates a traffic infraction detector is responsible for and shall maintain its respective data for reporting purposes under this subsection for at least 2 years after such data is reported to the department.

(d) On or before December 31, annually, the department shall provide a summary report to the Governor, the President of the Senate, and the Speaker of the House of Representatives

regarding the use and operation of traffic infraction detectors under this section, along with the department's recommendations and any recommended ~~necessary~~ legislation. The summary report must include a review of the information submitted to the department by the counties and municipalities and must describe the enhancement of the traffic safety and enforcement programs.

(5) Procedures for a hearing under this section are as follows:

(a) The department shall publish and make available electronically to each county and municipality a model Request for Hearing form to assist each county and municipality ~~local government~~ administering this section.

(b) The ~~charter county, noncharter~~ county~~,~~ or municipality electing to authorize traffic infraction enforcement officers to issue traffic citations under paragraph (1)(a) shall designate by resolution existing staff to serve as the clerk to the local hearing officer.

(c) Any person, herein referred to as the "petitioner," who elects to request a hearing under paragraph (1)(b) must ~~shall~~ be scheduled for a hearing. The hearing may be conducted either virtually through live video conferencing or in person. The clerk to the local hearing officer shall provide the petitioner with notice of the hearing, including the option for a virtual or in-person hearing, which must ~~by the clerk to the local hearing officer to appear before a local hearing officer with notice to~~ be sent by first-class mail. Upon receipt of the notice, the petitioner may reschedule the hearing up to two times ~~once~~ by submitting a written request to reschedule to the clerk to the local hearing officer~~,~~ at least 5 calendar days

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before the day of the originally scheduled hearing. The petitioner may cancel his or her appearance before the local hearing officer by paying the penalty assessed under paragraph (1)(b), plus $50 in administrative costs, before the start of the hearing.

(6)(a)1. A traffic infraction detector may not be used for remote surveillance. The collection of evidence by a traffic infraction detector to enforce violations of s. 316.074(1) or s. 316.075(1)(c)1. does not constitute remote surveillance.

2. Video and images recorded by a traffic infraction detector may be used only for the enforcement of violations of s. 316.074(1) or s. 316.075(1)(c)1. and for purposes of determining criminal or civil liability captured by the traffic infraction detector incidental to the permissible use of a traffic infraction detector.

3. To the extent practicable, a traffic infraction detector must use necessary technology to ensure that personal identifying information contained in the video and images recorded by the traffic infraction detector which is not relevant to the alleged violation is sufficiently obscured so as to not reveal such personal identifying information.

4. A notice of violation or a uniform traffic citation issued under this section may not be dismissed solely because the recorded video or images reveal personal identifying information as provided in subparagraph 3. as long as a reasonable effort has been made to comply with this subsection.

(b) Any recorded video or image obtained through the use of a traffic infraction detector must be destroyed within 90 days after the final disposition of the recorded event. The vendor of

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the traffic infraction detector must provide the county or municipality with written notice by December 31 of each year that such records have been destroyed in accordance with this paragraph.

(c) Notwithstanding any other law, motor vehicle registration and owner information obtained as the result of the operation of a traffic infraction detector is not the property of the manufacturer or vendor of the traffic infraction detector and may be used only for purposes authorized in this section.

Section 5. Section 316.00831, Florida Statutes, is repealed.

Section 6. Section 316.07456, Florida Statutes, is amended to read:

316.07456 Traffic infraction detectors; specifications ~~Transitional implementation~~.—Any traffic infraction detector deployed on the highways, streets, and roads of this state must meet specifications established by the Department of Transportation, and must be tested at regular intervals according to specifications prescribed by the Department of Transportation. ~~The Department of Transportation must establish such specifications on or before December 31, 2010. However, any such equipment acquired by purchase, lease, or other arrangement under an agreement entered into by a county or municipality on or before July 1, 2011, or equipment used to enforce an ordinance enacted by a county or municipality on or before July 1, 2011, is not required to meet the specifications established by the Department of Transportation until July 1, 2011.~~

Section 7. Paragraph (b) of subsection (2) and subsection (3) of section 316.0776, Florida Statutes, are amended to read:

316.0776 Traffic infraction detectors; speed detection systems; placement and installation.—

(2)

(b) If the department, county, or municipality begins a traffic infraction detector program in a county or municipality that has never conducted such a program, the respective department, county, or municipality must ~~shall~~ also make a public announcement and conduct a public awareness campaign of the proposed use of traffic infraction detectors at least 30 days before commencing the enforcement program. During the 30-day public awareness campaign, only a warning may be issued to the registered owner of a motor vehicle for a violation of s. 316.074(1) or s. 316.075(1)(c)1. enforced by a traffic infraction detector, and a penalty may not be imposed pursuant to s. 318.18(16)(a)2. or 3.

(3) A speed detection system authorized by s. 316.008(9) may be placed or installed in a school zone on a state road when permitted by the Department of Transportation and in accordance with placement and installation specifications developed by the Department of Transportation. The speed detection system may be placed or installed in a school zone on a street or highway under the jurisdiction of a county or a municipality in accordance with placement and installation specifications established by the Department of Transportation. ~~The Department of Transportation must establish such placement and installation specifications by December 31, 2023.~~

(a) If a county or municipality places or installs a speed detection system as authorized by s. 316.008(9), the county or municipality must notify the public that a speed detection

system may be in use by posting signage indicating photographic or video enforcement of the school zone speed limits. Such signage must ~~shall~~ clearly designate the time period during which the school zone speed limits are enforced using a speed detection system and must meet the placement and installation specifications established by the Department of Transportation. For a speed detection system enforcing violations of s. 316.1895 ~~or s. 316.183~~ on a roadway maintained as a school zone, this paragraph governs the signage notifying the public of the use of a speed detection system.

(b) If a county or municipality begins a school zone speed detection system program in a county or municipality that has never conducted such a program, the respective county or municipality must make a public announcement and conduct a public awareness campaign of the proposed use of speed detection systems at least 30 days before commencing enforcement under the speed detection system program and must notify the public of the specific date on which the program will commence. During the 30-day public awareness campaign, only a warning may be issued to the registered owner of a motor vehicle for a violation of s. 316.1895 ~~or s. 316.183~~ enforced by a speed detection system, and liability may not be imposed for the civil penalty under s. 318.18(3)(d).

(c) A county or municipality that operates one or more school zone speed detection systems shall ~~must~~ annually report the results of all systems within the county's or municipality's jurisdiction by placing the report required under s. 316.1896(16)(a) as a single reporting item on the agenda of a regular or special meeting of the county's or municipality's

governing body. Before a county or municipality contracts or renews a contract to place or install a speed detection system in a school zone pursuant to s. 316.008(9), the county or municipality must approve the contract or contract renewal at a regular or special meeting of the county's or municipality's governing body.

1. Interested members of the public must be allowed to comment regarding the report, contract, or contract renewal under the county's or municipality's public comment policies or procedures ~~formats~~, and the report, contract, or contract renewal may not be considered as part of a consent agenda.

2. The report required under this paragraph must include a written summary, which must be read aloud at the regular or special meeting, and the summary must contain, for the same time period pertaining to the annual report to the department under s. 316.1896(16)(a), the number of notices of violation issued, the number that were contested, the number that were upheld, the number that were dismissed, the number that were issued as uniform traffic citations, and the number that were paid and how collected funds were distributed and in what amounts. The county or municipality shall ~~must~~ report to the department that the county's or municipality's annual report was considered in accordance with this paragraph, including the date of the regular or special meeting at which the annual report was considered.

3. The compliance or sufficiency of compliance with this paragraph may not be raised in a proceeding challenging a violation of s. 316.1895 ~~or s. 316.183~~ enforced by a speed detection system in a school zone.

4. A county or municipality that does not comply with this paragraph may not operate a speed detection system under this section until such noncompliance is corrected.

Section 8. Subsection (1), paragraph (c) of subsection (2), subsections (4) and (6), paragraph (a) of subsection (17), and subsections (18) and (19) of section 316.173, Florida Statutes, are amended to read:

316.173 School bus infraction detection systems.—

(1)(a) A school district may install and operate a school bus infraction detection system on a school bus for the purpose of enforcing s. 316.172(1)(a) and (b) as provided in and consistent with this section.

(b) A school district that desires to install one or more school bus infraction detection systems on school buses in its fleet must have specific authorization from the district school board to place or install, or contract with a vendor to install, operate, and maintain, school bus infraction detection systems to enforce s. 316.172(1)(a) and (b). As part of a public hearing held by the school board on such authorization, the school board shall consider traffic data or other evidence supporting the installation and operation of each school bus infraction detection system, and the school board shall determine whether the school bus route for which school bus infraction detection systems are to be placed or installed constitutes a heightened safety risk that warrants additional enforcement measures. Interested members of the public must be allowed to comment regarding a contract or renewal of a contract for the installation, operation, and maintenance of school bus infraction detection systems under the school board's public

comment policies or procedures, and the contract or contract renewal may not be considered as part of a consent agenda.

(c) After an affirmative vote from the school board authorizing such a contract, the school district may enter into a contract with a private vendor or manufacturer to install a school bus infraction detection system on any school bus in ~~within~~ its fleet, whether owned, contracted, or leased, and for services including, but not limited to, the installation, operation, and maintenance of the system. ~~The school district's decision to install school bus infraction detection systems must be based solely on the need to increase public safety.~~ An individual may not receive a commission from any revenue collected from violations detected through the use of a school bus infraction detection system. A private vendor or manufacturer may not receive a fee or remuneration based upon the number of violations detected through the use of a school bus infraction detection system. This paragraph may not be construed to prohibit a private vendor or manufacturer from receiving a fixed amount of collected proceeds for service rendered in relation to the installation, operation, or maintenance of school bus infraction detection systems.

(d) ~~(c)~~ The school district shall ~~must~~ ensure that each school bus infraction detection system meets the requirements of subsection (19).

(e) ~~(d)~~ The school district must enter into an interlocal agreement with one or more law enforcement agencies authorized to enforce violations of s. 316.172(1)(a) and (b) within the school district which jointly establishes the responsibilities of enforcement and the reimbursement of costs associated with

school bus infraction detection systems consistent with this section. For school bus infraction detection system programs established after October 1, 2026, the school district must enter into an interlocal agreement before beginning its school bus infraction detection system program.

(f) For purposes of administering this section, a law enforcement agency may authorize a traffic infraction enforcement officer under s. 316.640 to issue uniform traffic citations for violations of s. 316.172(1)(a) and (b). This paragraph does not prohibit the review of information from a school bus infraction detection system by an authorized employee or agent of the school district or law enforcement agency before issuance of the traffic citation by the traffic infraction enforcement officer. This paragraph does not prohibit the law enforcement agency or its designee from issuing a notification as provided in subsection (5) to the registered owner of the motor vehicle involved in the violation of s. 316.172(1)(a) or (b).

(2)

~~(c) The sufficiency of signage or compliance with the signage requirements under this subsection may not be raised in a proceeding challenging a violation of s. 316.172(1)(a) or (b).~~

(4) Within 30 days after an alleged violation of s. 316.172(1)(a) or (b) is recorded by a school bus infraction detection system, the school district or the private vendor or manufacturer under paragraph (1)(c) ~~(1)(b)~~ must submit the following information to a law enforcement agency that has entered into an interlocal agreement with the school district pursuant to paragraph (1)(e) ~~(1)(d)~~ and has traffic infraction

enforcement jurisdiction at the location where the alleged violation occurred:

(a) A copy of the recorded video and images showing the motor vehicle allegedly violating s. 316.172(1)(a) or (b).

(b) The motor vehicle's license plate number and the state of issuance of the motor vehicle's license plate.

(c) The date, time, and location of the alleged violation.

(6)(a) A local hearing officer appointed by the school district or county shall administer a ~~an administrative~~ hearing process for a contested notice of violation. ~~The school district may appoint an attorney who is, and has been for the preceding 5 years, a member in good standing with The Florida Bar to serve as a local hearing officer.~~ The county in which a school district has entered into an interlocal agreement with a law enforcement agency to issue uniform traffic citations may designate by resolution existing staff to serve as clerk to the local hearing officer. At the ~~administrative~~ hearing, the local hearing officer shall determine whether a violation of s. 316.172(1)(a) or (b) has occurred. If the local hearing officer finds ~~by a preponderance of the evidence~~ that a violation has occurred, the local hearing officer must uphold the notice of violation and require the petitioner to pay the penalty previously assessed under s. 318.18(5). The local hearing officer may ~~shall~~ also require the petitioner to pay costs consistent with this subsection.

(b) Procedures for a ~~an administrative~~ hearing conducted under this subsection are as follows:

1. The department shall make available electronically to the school district ~~or its designee~~ or the county a Request for

Hearing form to assist each district or county with administering this subsection.

2. A person, referred to in this paragraph as the petitioner, who elects to request a hearing under this subsection must ~~shall~~ be scheduled for a hearing. The hearing may be conducted either virtually through ~~via~~ live video conferencing or in person.

3. The clerk to the local hearing officer shall provide the petitioner with notice of the hearing, including the option for a virtual or in-person hearing, which must be sent ~~Within 120 days after receipt of a timely request for a hearing, the law enforcement agency or its designee shall provide a replica of the notice of violation data to the school district or county by manual or electronic transmission, and thereafter the school district or its designee or the county shall mail a notice of hearing, which shall include a hearing date and may at the discretion of the district or county include virtual and in-person hearing options, to the petitioner~~ by first-class mail. Mailing of the notice of hearing constitutes notification. Upon receipt of the notice ~~of hearing~~, the petitioner may reschedule the hearing up to two times ~~once~~ by submitting a written request to the local hearing officer at least 5 calendar days before the day of the originally scheduled hearing. The petitioner may cancel his or her hearing by paying the penalty assessed in the notice of violation and any costs authorized in s. 316.0083(5)(c) before the start of the hearing.

4. All testimony at the hearing must ~~shall~~ be under oath and recorded. The local hearing officer shall take testimony from a representative of the law enforcement agency and the

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petitioner~~,~~ and may take testimony from others. The local hearing officer shall review the video and images recorded by a school bus infraction detection system. Formal rules of evidence do not apply, but due process shall be observed and govern the proceedings.

5. At the conclusion of the hearing, the local hearing officer shall determine ~~by a preponderance of the evidence~~ whether a violation has occurred and shall uphold or dismiss the violation. The local hearing officer shall issue a final administrative order including the determination and, if the notice of violation is upheld, must require the petitioner to pay the civil penalty previously assessed in the notice of violation, and may ~~shall~~ also require the petitioner to pay costs, not to exceed those established in s. 316.0083(5)(e), to be used by the county for operational costs relating to the hearing process or by the school district for technology and operational costs relating to the hearing process as well as school transportation safety-related initiatives. The final administrative order must ~~shall~~ be mailed to the petitioner by first-class mail.

6. An aggrieved party may appeal a final administrative order consistent with the process provided in s. 162.11.

(c) Any hearing for a contested notice of violation that has not been conducted before July 1, 2025, may be conducted pursuant to the procedures in this subsection within 1 year after such date.

(17)(a)1. A school bus infraction detection system may not be used for remote surveillance. The collection of evidence by a school bus infraction detection system to enforce violations of

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s. 316.172 does not constitute remote surveillance.

2. Video and images recorded as part of a school bus infraction detection system may only be used for traffic enforcement and for purposes of determining criminal or civil liability ~~for incidents~~ captured by the school bus infraction detection system incidental to the permissible use of the school bus infraction detection system.

3. To the extent practicable, a school bus infraction detection system must use necessary technology to ensure that personal identifying information contained in the video or still images recorded by the system which is not relevant to the alleged violation, including, but not limited to, the identity of the driver and any passenger of a motor vehicle, the interior or contents of a motor vehicle, the identity of an uninvolved person, a number identifying the address of a private residence, and the contents or interior of a private residence, is sufficiently obscured so as not to reveal such personal identifying information.

4. A notice of a violation or uniform traffic citation issued under this section may not be dismissed solely because a recorded video or still images reveal personal identifying information as provided in subparagraph 3. as long as a reasonable effort has been made to comply with this subsection.

(18)(a)1. A school district that operates one or more school bus infraction detection systems shall annually report the results of all such systems operated within the school district by placing the annual report to the department required under paragraph (b) as a single reporting item on the agenda of a regular or special meeting of the school board.

2. Interested members of the public must be allowed to comment regarding the report under the school board's public comment policies or procedures, and the report may not be considered as part of a consent agenda.

3. The report required under this paragraph must include a written summary, which must be read aloud at the regular or special meeting, and the summary must contain, for the same time period as the annual report to the department under paragraph (b), the number of school buses that have a school bus infraction detection system installed, including the date of installation and, if applicable, the date the systems were removed; the number of notices of violations issued and the number that were contested, the number that were upheld, the number that were dismissed, the number that were issued as uniform traffic citations, and the number that were paid; and the manner in which collected funds were distributed and in what amounts.

4. The compliance or sufficiency of compliance with this paragraph may not be raised in a proceeding challenging a violation of s. 316.172(a) or (b) enforced by a school bus infraction detection system.

5. A school district that does not comply with this paragraph may not operate school bus infraction detection systems under this section until such noncompliance is corrected.

(b) By October 1, annually ~~2023, and quarterly thereafter~~, each school district operating a school bus infraction detection system shall ~~must~~ submit, in consultation with the law enforcement agencies with which it has interlocal agreements

pursuant to this section, a report to the department which details the results of the school bus infraction detection systems in the school district during the preceding state fiscal year ~~in the preceding quarter~~. The information from the school districts must be submitted in a form and manner determined by the department~~, which the department must make available to the school districts by August 1, 2023,~~ and must include at least the following:

1. The number of school buses that have a school bus infraction detection system installed, including the date of installation and, if applicable, the date the systems were removed.

2. The number of notices of violations issued, the number that were contested, the number that were upheld, the number that were dismissed, the number that were issued as uniform traffic citations, and the number that were paid.

3. Data for each infraction to determine locations in need of safety improvements. Such data may include, but is not limited to, global positioning system coordinates of the infraction, the date and time of the infraction, and the name of the school that the school bus was transporting students to or from.

4. Any other statistical data and information required by the department to complete the report required by paragraph (c).

The department shall publish on its website each report submitted by a school district pursuant to this paragraph.

(c)~~(b)~~ Each school district that operates a school bus infraction detection system is responsible for and shall ~~must~~

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maintain its respective data for reporting purposes under this subsection for at least 2 years after such data is reported to the department.

(d)~~(c)~~ On or before December 31, ~~2024, and~~ annually ~~thereafter~~, the department shall submit a summary report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the use and operation of school bus infraction detection systems under this section, along with the department's recommendations and any recommended legislation. The summary report must include a review of the information submitted to the department by the school districts and must describe the enhancement of traffic safety and enforcement programs.

(19) A school bus infraction detection system must meet specifications established by the State Board of Education and must be tested at regular intervals according to specifications prescribed by state board rule. ~~The state board must establish such specifications by rule on or before December 31, 2023. However, any such equipment acquired by purchase, lease, or other arrangement under an agreement entered into by a school district on or before December 31, 2023, is not required to meet the specifications established by the state board until July 1, 2024.~~

Section 9. Subsection (1), paragraphs (b) and (c) of subsection (2), subsections (3), (5) through (9), (12), and (13), paragraph (c) of subsection (14), paragraph (a) of subsection (15), and paragraphs (a) and (c) of subsection (16) of section 316.1896, Florida Statutes, are amended to read:

316.1896 Roadways maintained as school zones; speed

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detection system enforcement; penalties; appeal procedure; privacy; reports.—

(1) For purposes of administering this section, a county or municipality may authorize a traffic infraction enforcement officer under s. 316.640 to issue uniform traffic citations for violations of s. 316.1895 during the times listed in s. 316.1895(5) ~~ss. 316.1895 and 316.183~~ as authorized by s. 316.008(9)~~, as follows:~~

~~(a) For a violation of s. 316.1895 in excess of 10 miles per hour over the school zone speed limit which occurs within 30 minutes before through 30 minutes after the start of a regularly scheduled breakfast program~~.

~~(b) For a violation of s. 316.1895 in excess of 10 miles per hour over the school zone speed limit which occurs within 30 minutes before through 30 minutes after the start of a regularly scheduled school session.~~

~~(c) For a violation of s. 316.183 in excess of 10 miles per hour over the posted speed limit during the entirety of a regularly scheduled school session.~~

~~(d) For a violation of s. 316.1895 in excess of 10 miles per hour over the school zone speed limit which occurs within 30 minutes before through 30 minutes after the end of a regularly scheduled school session.~~

Such violation must be evidenced by a speed detection system described in ss. 316.008(9) and 316.0776(3). This subsection does not prohibit a review of information from a speed detection system by an authorized employee or agent of a county or municipality before issuance of the uniform traffic citation by

the traffic infraction enforcement officer. This subsection does not prohibit a county or municipality from issuing notices as provided in subsection (2) to the registered owner of the motor vehicle for a violation of s. 316.1895. The school zone speed limit may not be enforced through the use of a speed detection system if any flashing beacon used to provide notice of the times during which a restrictive school speed limit is being enforced in the school zone is not activated at the time of the violation ~~or s. 316.183~~.

(2) Within 30 days after a violation, notice must be sent to the registered owner of the motor vehicle involved in the violation specifying the remedies available under s. 318.14 and that the violator must pay the penalty under s. 318.18(3)(d) to the county or municipality, or furnish an affidavit in accordance with subsection (8), within 30 days after the date of the notice of violation in order to avoid court fees, costs, and the issuance of a uniform traffic citation. The notice of violation must:

(b) Include a photograph or other recorded image showing the license plate of the motor vehicle; the date, time, and location of the violation; the maximum speed at which the motor vehicle was traveling within the school zone; and the speed limit within the school zone ~~at the time of the violation~~.

(c) Include a notice that the owner has the right to review, in person or remotely, the photograph or video captured by the speed detection system and the evidence of the speed of the motor vehicle detected by the speed detection system which constitute a rebuttable presumption that the motor vehicle was used in violation of s. 316.1895 ~~or s. 316.183~~.

(3) Notwithstanding any other law, a person who receives a notice of violation under this section may request a hearing within 60 ~~30~~ days after the notice of violation or may pay the penalty pursuant to the notice of violation, but a payment or fee may not be required before the hearing requested by the person. The notice of violation must be accompanied by, or direct the person to a website that provides, information on the person's right to request a hearing and on all costs related thereto and a form used for requesting a hearing. As used in this subsection, the term "person" includes a natural person, the registered owner or co-owner of a motor vehicle, or the person identified in an affidavit as having actual care, custody, or control of the motor vehicle at the time of the violation.

(5) Penalties assessed and collected by the county or municipality authorized to collect the funds provided for in this section, less the amount retained by the county or municipality pursuant to paragraphs (b) and (e) ~~paragraph (b) and paragraph (c)~~ and the amount remitted to the county school district pursuant to paragraph (d), must be paid to the Department of Revenue weekly. Such payment must be made by means of electronic funds transfer. In addition to the payment, a detailed summary of the penalties remitted must be reported to the Department of Revenue. Penalties to be assessed and collected by the county or municipality as established in s. 318.18(3)(d) must be remitted as follows:

(a) Twenty dollars must be remitted to the Department of Revenue for deposit into the General Revenue Fund.

(b) Sixty dollars must be retained by the county or

municipality and must be used to administer speed detection systems in school zones and other public safety initiatives.

(c) Three dollars must be remitted to the Department of Revenue for deposit into the Department of Law Enforcement Criminal Justice Standards and Training Trust Fund.

(d) Twelve dollars must be remitted to the county school district in which the violation occurred and must be used for school security initiatives, for student transportation, or to improve the safety of student walking conditions. Funds remitted under this paragraph must be shared with charter schools in the district based on each charter school's proportionate share of the district's total unweighted full-time equivalent student enrollment and must be used for school security initiatives or to improve the safety of student walking conditions.

(e) Five dollars must be retained by the county or municipality for the School Crossing Guard Recruitment and Retention Program pursuant to s. 316.1894.

Under a school zone speed detection system contract entered into or renewed on or after October 1, 2026, an individual may not receive a commission or per-ticket fee from any revenue collected from violations detected through the use of a speed detection system. A manufacturer or vendor of speed detection systems may not receive a fee or remuneration based upon the number of violations detected through the use of a speed detection system.

(6) A uniform traffic citation must be issued by mailing the uniform traffic citation by certified mail to the address of the registered owner of the motor vehicle involved in the

violation if payment has not been made within 60 ~~30~~ days after notification under subsection (2), if the registered owner has not requested a hearing as authorized under subsection (3), and if the registered owner has not submitted an affidavit in accordance with subsection (8).

(a) Delivery of the uniform traffic citation constitutes notification of a violation under this subsection. If the registered owner or co-owner of the motor vehicle; the person identified as having care, custody, or control of the motor vehicle at the time of the violation; or a duly authorized representative of the owner, co-owner, or identified person initiates a proceeding to challenge the citation pursuant to this section, such person waives any challenge or dispute as to the delivery of the uniform traffic citation.

(b) In the case of joint ownership of a motor vehicle, the uniform traffic citation must be mailed to the first name appearing on the motor vehicle registration, unless the first name appearing on the registration is a business organization, in which case the second name appearing on the registration may be used.

(c) The uniform traffic citation mailed to the registered owner of the motor vehicle involved in the infraction must be accompanied by the information described in paragraphs (2)(b)-(d).

(7) The registered owner of the motor vehicle involved in the violation is responsible and liable for paying the uniform traffic citation issued for a violation of s. 316.1895 ~~or s. 316.183~~ unless the owner can establish that:

(a) The motor vehicle was, at the time of the violation, in

the care, custody, or control of another person;

(b) A uniform traffic citation was issued by law enforcement to the driver of the motor vehicle for the alleged violation of s. 316.1895 ~~or s. 316.183~~; or

(c) The motor vehicle's owner was deceased on or before the date of the alleged violation, as established by an affidavit submitted by the representative of the motor vehicle owner's estate or other identified person or family member.

(8) To establish such facts under subsection (7), the registered owner of the motor vehicle must, within 60 ~~30~~ days after the date of issuance of the notice of violation or the uniform traffic citation, furnish to the appropriate governmental entity an affidavit setting forth information supporting an exception under subsection (7).

(a) An affidavit supporting the exception under paragraph (7)(a) must include the name, address, date of birth, and, if known, the driver license number of the person who leased, rented, or otherwise had care, custody, or control of the motor vehicle at the time of the alleged violation. If the motor vehicle was stolen at the time of the alleged violation, the affidavit must include the police report indicating that the motor vehicle was stolen.

(b) If a uniform traffic citation for a violation of s. 316.1895 ~~or s. 316.183~~ was issued at the location of the violation by a law enforcement officer, the affidavit must include the serial number of the uniform traffic citation.

(c) If the motor vehicle's owner to whom a notice of violation or a uniform traffic citation has been issued is deceased, the affidavit must include a certified copy of the

owner's death certificate showing that the date of death occurred on or before the date of the alleged violation and one of the following:

1. A bill of sale or other document showing that the deceased owner's motor vehicle was sold or transferred after his or her death but on or before the date of the alleged violation.

2. Documented proof that the registered license plate belonging to the deceased owner's motor vehicle was returned to the department or any branch office or authorized agent of the department after his or her death but on or before the date of the alleged violation.

3. A copy of the police report showing that the deceased owner's registered license plate or motor vehicle was stolen after his or her death but on or before the date of the alleged violation.

Upon receipt of the affidavit and documentation required under paragraphs (b) and (c), or 60 ~~30~~ days after the date of issuance of a notice of violation sent to a person identified as having care, custody, or control of the motor vehicle at the time of the violation under paragraph (a), the county or municipality must dismiss the notice or citation and provide proof of such dismissal to the person who submitted the affidavit. If, within 30 days after the date of a notice of violation sent to a person under subsection (9), the county or municipality receives an affidavit under subsection (10) from the person sent a notice of violation affirming that the person did not have care, custody, or control of the motor vehicle at the time of the violation, the county or municipality must notify the registered owner that

the notice or citation will not be dismissed due to failure to establish that another person had care, custody, or control of the motor vehicle at the time of the violation.

(9) Upon receipt of an affidavit under paragraph (8)(a), the county or municipality may issue the person identified as having care, custody, or control of the motor vehicle at the time of the violation a notice of violation pursuant to subsection (2) for a violation of s. 316.1895 ~~or s. 316.183~~. The affidavit is admissible in a proceeding pursuant to this section for the purpose of providing evidence that the person identified in the affidavit was in actual care, custody, or control of the motor vehicle. The owner of a leased motor vehicle for which a uniform traffic citation is issued for a violation of s. 316.1895 ~~or s. 316.183~~ is not responsible for paying the uniform traffic citation and is not required to submit an affidavit as specified in subsection (8) if the motor vehicle involved in the violation is registered in the name of the lessee of such motor vehicle.

(12) The photograph or video captured by a speed detection system and the evidence of the speed of the motor vehicle detected by a speed detection system which are attached to or referenced in the uniform traffic citation are evidence of a violation of s. 316.1895 ~~or s. 316.183~~ and are admissible in any proceeding to enforce this section. The photograph or video and the evidence of speed detected raise a rebuttable presumption that the motor vehicle named in the report or shown in the photograph or video was used in violation of s. 316.1895 ~~or s. 316.183~~.

(13) This section supplements the enforcement of s.

316.1895 ~~ss. 316.1895 and 316.183~~ by a law enforcement officer and does not prohibit a law enforcement officer from issuing a uniform traffic citation for a violation of s. 316.1895 ~~or s. 316.183~~.

(14) A hearing under this section must be conducted under the procedures established by s. 316.0083(5) and as follows:

(c) A person, referred to in this subsection as the "petitioner," who elects to request a hearing under subsection (3) must be scheduled for a hearing by the clerk to the local hearing officer. The hearing may be conducted either virtually through live video conferencing or in person. The clerk to the local hearing officer shall provide ~~must furnish~~ the petitioner with notice of the hearing, including the option for a virtual or in-person hearing, which must be sent by first-class mail. Upon receipt of the notice, the petitioner may reschedule the hearing up to two times by submitting a written request to reschedule to the clerk at least 5 calendar days before the day of the scheduled hearing. The petitioner may cancel his or her appearance before the local hearing officer by paying the penalty assessed under subsection (2), plus the administrative costs established in s. 316.0083(5)(c), before the start of the hearing.

(15)(a) A speed detection system in a school zone may not be used for remote surveillance. The collection of evidence by a speed detection system to enforce violations of s. 316.1895 ~~ss. 316.1895 and 316.183~~, or user-controlled pan or tilt adjustments of speed detection system components, do not constitute remote surveillance. Recorded video or photographs collected by ~~as part of~~ a speed detection system in a school zone may only be used to

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document violations of s. 316.1895 ~~ss. 316.1895 and 316.183~~ and for purposes of determining criminal or civil liability ~~for incidents~~ captured by the speed detection system incidental to the permissible use of the speed detection system.

(16)(a) Each county or municipality that operates one or more speed detection systems shall ~~must~~ submit a report by October 1, ~~2024, and~~ annually ~~thereafter~~, to the department which identifies the public safety objectives used to identify a school zone for enforcement under this section, reports compliance with s. 316.0776(3)(c), and details the results of the speed detection system in the school zone during the preceding state fiscal year and the procedures for enforcement. The information from counties and municipalities must be submitted in a form and manner determined by the department~~,~~ ~~which the department must make available to the counties and municipalities by August 1, 2023, and the department may require data components to be submitted quarterly~~. The report must include at least the following:

1. Information related to the location of each speed detection system, including the geocoordinates of the school zone, the directional approach of the speed detection system, the school name, the school level, the times the speed detection system was active, the restricted school zone speed limit enforced pursuant to s. 316.1895(5), ~~the posted speed limit enforced at times other than those authorized by s. 316.1895(5),~~ the date the systems were activated to enforce violations of s. 316.1895 ~~ss. 316.1895 and 316.183~~, and, if applicable, the date the systems were deactivated.

2. The number of notices of violation issued, the number,

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if any, that were issued outside of the enforcement periods authorized in subsection (1), the number that were contested, the number that were upheld, the number that were dismissed, the number that were issued as uniform traffic citations, and the number that were paid.

3. Any other statistical data and information related to the procedures for enforcement which is required by the department to complete the report required under paragraph (c).

The department shall publish on its website each report submitted by a county or municipality pursuant to this paragraph.

(c) On or before December 31, ~~2024, and~~ annually ~~thereafter~~, the department shall ~~must~~ submit a summary report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the use of speed detection systems under this section, along with any recommended legislation ~~legislative recommendations from the department~~. The summary report must include a review of the information submitted to the department by the counties and municipalities and must describe the enhancement of safety and enforcement programs.

Section 10. Paragraph (d) of subsection (1) of section 316.1906, Florida Statutes, is reordered and amended, and subsection (3) of that section is amended, to read:

316.1906 Radar speed-measuring devices; speed detection systems; evidence, admissibility.—

(1) DEFINITIONS.—

(d) "Officer" means any:

2.~~1.~~ "Law enforcement officer" who is elected, appointed, or employed full time by any municipality or the state or any political subdivision thereof; who is vested with the authority to bear arms and make arrests; and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic, or highway laws of the state;

3.~~2.~~ "Part-time law enforcement officer" who is employed or appointed less than full time, as defined by an employing agency, with or without compensation; who is vested with authority to bear arms and make arrests; and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic, or highway laws of the state; or

1.~~3.~~ "Auxiliary law enforcement officer" who is employed or appointed, with or without compensation; who aids or assists a full-time or part-time law enforcement officer; and who, while under the direct supervision of a full-time or part-time law enforcement officer, has the authority to arrest and perform law enforcement functions; ~~or~~

4. "Traffic infraction enforcement officer" who is employed or appointed, with or without compensation, and satisfies the requirements of s. 316.640(5) and is vested with authority to enforce violations of s. 316.1895 ~~ss. 316.1895 and 316.183~~ pursuant to s. 316.1896.

(3) A speed detection system is exempt from the design requirements for radar or LiDAR units established by the department. A speed detection system must have the ability to perform self-tests as to its detection accuracy. The system must perform a self-test at least once every 30 days. The law

enforcement agency, or an agent acting on behalf of the law enforcement agency, operating a speed detection system must maintain a log of the results of the system's self-tests. The law enforcement agency, or an agent acting on behalf of the law enforcement agency, operating a speed detection system must also perform an independent calibration test on the speed detection system at least once every 12 months. The self-test logs, as well as the results of the annual calibration test, are admissible in any court proceeding for a uniform traffic citation issued for a violation of s. 316.1895 ~~or s. 316.183~~ enforced pursuant to s. 316.1896. Notwithstanding subsection (2), evidence of the speed of a motor vehicle detected by a speed detection system compliant with this subsection and the determination by a traffic infraction enforcement officer that a motor vehicle is operating in excess of the applicable speed limit is admissible in any proceeding with respect to an alleged violation of law regulating the speed of motor vehicles in school zones.

Section 11. Paragraph (a) of subsection (5) of section 316.640, Florida Statutes, is amended to read:

316.640 Enforcement.—The enforcement of the traffic laws of this state is vested as follows:

(5)(a) Any sheriff's department or police department of a municipality may employ, as a traffic infraction enforcement officer, any individual who successfully completes instruction in traffic enforcement procedures and court presentation through the Selective Traffic Enforcement Program as approved by the Division of Criminal Justice Standards and Training of the Department of Law Enforcement, or through a similar program, but

who does not necessarily otherwise meet the uniform minimum standards established by the Criminal Justice Standards and Training Commission for law enforcement officers or auxiliary law enforcement officers under s. 943.13. Any such traffic infraction enforcement officer who observes the commission of a traffic infraction or, in the case of a parking infraction, who observes an illegally parked vehicle may issue a traffic citation for the infraction when, based upon personal investigation, he or she has reasonable and probable grounds to believe that an offense has been committed which constitutes a noncriminal traffic infraction as defined in s. 318.14. In addition, any such traffic infraction enforcement officer may issue a traffic citation under ss. 316.0083, 316.173, and 316.1896 ~~ss. 316.0083 and 316.1896~~. For purposes of enforcing ss. 316.074(1), 316.075(1)(c)1., 316.172(1)(a) and (b), and 316.1895(10) ~~ss. 316.0083, 316.1895, and 316.183~~, any sheriff's department or police department of a municipality may designate employees as traffic infraction enforcement officers. The traffic infraction enforcement officers must be physically located in the county of the respective sheriff's or police department.

Section 12. Paragraph (c) of subsection (3) of section 316.650, Florida Statutes, is amended to read:

316.650 Traffic citations.—

(3)

(c) If a traffic citation is issued under s. 316.0083, s. 316.173, or s. 316.1896, the traffic infraction enforcement officer must ~~shall~~ provide by electronic transmission a replica of the traffic citation data to the court having jurisdiction

over the alleged offense or its traffic violations bureau within 5 business days after the date of issuance of the traffic citation to the violator. If a hearing is requested, the traffic infraction enforcement officer must ~~shall~~ provide a replica of the ~~traffic~~ notice of violation data to the clerk to ~~for~~ the local hearing officer having jurisdiction over the alleged offense within 14 days.

Section 13. Subsection (3) of section 318.15, Florida Statutes, is amended to read:

318.15 Failure to comply with civil penalty or to appear; penalty.—

(3) The clerk shall notify the department of persons who were mailed a notice of violation of s. 316.074(1) or s. 316.075(1)(c)1. pursuant to s. 316.0083, of s. 316.172(1)(a) or (b) pursuant to s. 316.173, or of s. 316.1895(10) pursuant to s. 316.1896, and who failed to enter into, or comply with the terms of, a penalty payment plan, or order with the clerk to the local hearing officer or failed to appear at a scheduled hearing within 10 days after such failure, and shall reference the person's driver license number, or in the case of a business entity, vehicle registration number.

(a) Upon receipt of such notice, the department, or authorized agent thereof, may not issue a license plate or revalidation sticker for any motor vehicle owned or co-owned by that person pursuant to s. 320.03(8) until the amounts assessed have been fully paid.

(b) After the issuance of the person's license plate or revalidation sticker is withheld pursuant to paragraph (a), the person may challenge the withholding of the license plate or

revalidation sticker only on the basis that the outstanding fines and civil penalties have been paid pursuant to s. 320.03(8).

Section 14. Paragraph (d) of subsection (3), paragraphs (a) and (b) of subsection (5), and subsection (23) of section 318.18, Florida Statutes, are amended to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(3)

(d)1. Notwithstanding paragraphs (b) and (c), a person cited for a violation of s. 316.1895(10) ~~or s. 316.183~~ for exceeding the speed limit in force at the time of the violation on a roadway maintained as a school zone as provided in s. 316.1895, when enforced by a traffic infraction enforcement officer pursuant to s. 316.1896, must pay a fine of $100. Fines collected under this paragraph must be distributed as follows:

a. Twenty dollars must be remitted to the Department of Revenue for deposit into the General Revenue Fund.

b. Seventy-seven dollars must be distributed to the county for any violations occurring in any unincorporated areas of the county or to the municipality for any violations occurring in the incorporated boundaries of the municipality in which the infraction occurred, to be used as provided in s. 316.1896(5).

c. Three dollars must be remitted to the Department of Revenue for deposit into the Department of Law Enforcement Criminal Justice Standards and Training Trust Fund to be used as provided in s. 943.25.

2. If a person who is mailed a notice of violation or a

uniform traffic citation for a violation of s. 316.1895(10) ~~or s. 316.183~~, as enforced by a traffic infraction enforcement officer under s. 316.1896, presents documentation from the appropriate governmental entity that the notice of violation or uniform traffic citation was in error, the clerk of court or clerk to the local hearing officer may dismiss the case. The clerk of court or clerk to the local hearing officer may not charge for this service.

3. Under a school zone speed detection system contract entered into or renewed on or after October 1, 2026, an individual may not receive a commission or per-ticket fee from any revenue collected from violations detected through the use of a speed detection system. A manufacturer or vendor may not receive a fee or remuneration based upon the number of violations detected through the use of a speed detection system.

(5)(a)1. Except as provided in subparagraph 2., $200 for a violation of s. 316.172(1)(a), failure to stop for a school bus. If, at a hearing, the alleged offender is found to have committed this offense, the court shall impose a minimum civil penalty of $200. In addition to this penalty, for a second or subsequent offense within a period of 5 years, the department shall suspend the driver license of the person for not less than 180 days and not more than 1 year.

2. If a violation of s. 316.172(1)(a) is enforced by a school bus infraction detection system pursuant to s. 316.173, the penalty of $200 shall be imposed. If, at a ~~an administrative~~ hearing contesting a notice of violation or uniform traffic citation, the alleged offender is found to have committed this offense, a minimum civil penalty of $200 shall be imposed.

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

Notwithstanding any other provision of law except s. 28.37(6), the civil penalties assessed under this subparagraph resulting from a notice of violation or uniform traffic citation shall be remitted to the school district at least monthly and used pursuant to s. 316.173(8).

(b)1. Except as provided in subparagraph 2., $400 for a violation of s. 316.172(1)(b), passing a school bus on the side that children enter and exit when the school bus displays a stop signal. If, at a hearing, the alleged offender is found to have committed this offense, the court shall impose a minimum civil penalty of $400.

2. If a violation of s. 316.172(1)(b) is enforced by a school bus infraction detection system pursuant to s. 316.173, the penalty under this subparagraph is a minimum of $200. If, at a hearing contesting a notice of violation or uniform traffic citation, the alleged offender is found to have committed this offense, the court shall impose a minimum civil penalty of $200. Notwithstanding any other provision of law except s. 28.37(6), the civil penalties assessed under this subparagraph resulting from notice of violation or uniform traffic citation shall be remitted to the school district at least monthly and used pursuant to s. 316.173(8).

3. In addition to this penalty, for a second or subsequent offense within a period of 5 years, the department shall suspend the driver license of the person for not less than 360 days and not more than 2 years.

(23) In addition to the penalty prescribed under s. 316.0083, s. 316.173, or s. 316.1896 for violations enforced under those sections ~~s. 316.0083~~ which are upheld by the local

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

hearing officer, the local hearing officer may also order the payment of county, ~~or~~ municipal, or school district costs, not to exceed $250.

Section 15. Subsection (12) of section 320.02, Florida Statutes, is amended to read:

320.02 Registration required; application for registration; forms.—

(12) The department is authorized to withhold registration or reregistration of any motor vehicle if the owner, or one of the co-owners of the vehicle:~~,~~

(a) Has a driver license which is under suspension for the failure to remit payment of any fines levied in this state pursuant to chapter 318 or chapter 322; or

(b) Received a traffic citation for a violation of s. 316.074(1) or s. 316.075(1)(c)1., s. 316.172(1)(a) or (b), or s. 316.1895(10), as enforced by s. 316.0083, s. 316.173, or s. 316.1896, respectively, and did not request a hearing, submit an affidavit claiming an exception, or pay the traffic citation.

Section 16. Paragraph (d) of subsection (3) of section 322.27, Florida Statutes, is amended to read:

322.27 Authority of department to suspend or revoke driver license or identification card.—

(3) There is established a point system for evaluation of convictions of violations of motor vehicle laws or ordinances, and violations of applicable provisions of s. 403.413(6)(b) when such violations involve the use of motor vehicles, for the determination of the continuing qualification of any person to operate a motor vehicle. The department is authorized to suspend the license of any person upon showing of its records or other

good and sufficient evidence that the licensee has been convicted of violation of motor vehicle laws or ordinances, or applicable provisions of s. 403.413(6)(b), amounting to 12 or more points as determined by the point system. The suspension shall be for a period of not more than 1 year.

(d) The point system shall have as its basic element a graduated scale of points assigning relative values to convictions of the following violations:

1. Reckless driving, willful and wanton—4 points.

2. Leaving the scene of a crash resulting in property damage of more than $50—6 points.

3. Unlawful speed, or unlawful use of a wireless communications device, resulting in a crash—6 points.

4. Passing a stopped school bus:

a. Not causing or resulting in serious bodily injury to or death of another—4 points.

b. Causing or resulting in serious bodily injury to or death of another—6 points.

c. Points may not be imposed for a violation of passing a stopped school bus as provided in s. 316.172(1)(a) or (b) when enforced by a school bus infraction detection system pursuant to s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b) when enforced by a school bus infraction detection system pursuant to s. 316.173 may not be used for purposes of setting motor vehicle insurance rates and is not admissible as character evidence under s. 90.404.

5. Unlawful speed:

a. Not in excess of 15 miles per hour of lawful or posted speed—3 points.

b. In excess of 15 miles per hour of lawful or posted speed—4 points.

c. Points may not be imposed for a violation of unlawful speed as provided in s. 316.1895 ~~or s. 316.183~~ when enforced by a traffic infraction enforcement officer pursuant to s. 316.1896. In addition, a violation of s. 316.1895 ~~or s. 316.183~~ when enforced by a traffic infraction enforcement officer pursuant to s. 316.1896 may not be used for purposes of setting motor vehicle insurance rates and is not admissible as character evidence under s. 90.404.

6. A violation of a traffic control signal device as provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points. However, points may not be imposed for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a traffic infraction enforcement officer. In addition, a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a traffic infraction enforcement officer may not be used for purposes of setting motor vehicle insurance rates and is not admissible as character evidence under s. 90.404.

7. Unlawfully driving a vehicle through a railroad-highway grade crossing—6 points.

8. All other moving violations (including parking on a highway outside the limits of a municipality)—3 points. However, points may not be imposed for a violation of s. 316.2065(11); and points may be imposed for a violation of s. 316.1001 only when imposed by the court after a hearing pursuant to s. 318.14(5).

9. Any moving violation covered in this paragraph, excluding unlawful speed and unlawful use of a wireless communications device, resulting in a crash—4 points.

10. Any conviction under s. 403.413(6)(b)—3 points.

11. Any conviction under s. 316.0775(2)—4 points.

12. A moving violation covered in this paragraph which is committed in conjunction with the unlawful use of a wireless communications device within a school safety zone—2 points, in addition to the points assigned for the moving violation.

Section 17. Subsection (23) is added to section 775.15, Florida Statutes, to read:

775.15 Time limitations; general time limitations; exceptions.—

(23) For a traffic violation enforced pursuant to s. 316.0083, s. 316.173, or s. 316.1896, the 1-year period of limitation for a noncriminal violation pursuant to paragraph (2)(d) resets upon receipt by the appropriate county, municipality, or law enforcement agency of an affidavit indicating that the motor vehicle was in the care, custody, and control of another person at the time of the violation, as authorized in s. 316.0083, s. 316.173, or s. 316.1896, respectively.

Section 18. Paragraph (h) of subsection (3) of section 1006.21, Florida Statutes, is amended to read:

1006.21 Duties of district school superintendent and district school board regarding transportation.—

(3) District school boards, after considering recommendations of the district school superintendent:

(h) Upon an affirmative vote of the school board

authorizing the use of school bus infraction detection systems, may install and operate, or enter into an agreement with a private vendor or manufacturer to install, operate, and maintain ~~provide~~, a school bus infraction detection system pursuant to s. 316.173.

Section 19. For the purpose of incorporating the amendment made by this act to section 318.18, Florida Statutes, in a reference thereto, section 318.121, Florida Statutes, is reenacted to read:

318.121 Preemption of additional fees, fines, surcharges, and costs.—Notwithstanding any general or special law, or municipal or county ordinance, additional fees, fines, surcharges, or costs other than the court costs and surcharges assessed under s. 318.18(12), (14), (19), (20), and (23) may not be added to the civil traffic penalties assessed under this chapter.

Section 20. This act shall take effect October 1, 2026.

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 682
INTRODUCER:	Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senators Calatayud and Berman
SUBJECT:	Domestic Violence and Protective Injunctions
DATE:	February 27, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wyant	Stokes	CJ	**Fav/CS**
2.	Kolich	Harkness	ACJ	**Fav/CS**
3.	Wyant	Siples	FP	**Favorable**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 682 amends and creates several sections of law to address domestic violence.

The bill amends s. 741.28, F.S., to define "military protective order" and "electronic monitoring."

The bill creates s. 741.2801, F.S., to provide penalty enhancements for crimes of domestic violence if the offender has a prior conviction for a crime of domestic violence.

The bill amends s. 741.281, F.S., to allow the court to order electronic monitoring supervision to a defendant who is found guilty of, has adjudication withheld on, or pleads nolo contendere to, a crime of domestic violence and the court enters a no contact order with the victim as a condition of his or her probation. Further, the court is required to order electronic monitoring supervision under certain conditions.

The bill amends s. 741.30, F.S., to add threating to injure or kill a family pet to the list of actions a respondent has engaged in which may be noted on a petition for a domestic violence injunction. The court is required to evaluate, if relevant, and consider these threats when determining whether a petitioner has reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence. The court is also required to evaluate and consider whether there is a verifiable military protective order.

The bill amends s. 741.30, F.S., to include dating violence injunctions and sexual violence injunctions in the Domestic and Repeat Violence Injunction Statewide Verification System.

The bill amends s. 741.31, F.S., and s. 784.047, F.S., to allow the court to order a respondent who violates a protective injunction to electronic monitoring supervision for the duration of the injunction, regardless of whether there is criminal prosecution for the violation. The court must establish exclusion zones and include safety planning and informed consent for the petitioner. The respondent is responsible for paying for the electronic monitoring services.

The bill requires that when a law enforcement officer has probable cause to believe that a person violated a domestic violence injunction and a military protective order entered into the National Crime Information Center (NCIC) against the same person, the officer or his or her agency must notify the law enforcement agency that entered the military protective order into NCIC.

The bill amends s. 960.198, F.S., to increase the crime victim compensation awards to a one-time payment of up to $2,500 on any one claim and a lifetime maximum of $5,000 to a victim of domestic violence who needs immediate assistance to escape from a domestic violence environment.

The bill has a significant negative fiscal impact to the state and a positive prison bed impact to the Department of Corrections. See Section V., Fiscal Impact Statement.

The bill takes effect on July 1, 2026.

II. Present Situation:

Domestic Violence

Domestic violence means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.[1]

In 2024, 61,216 crimes of domestic violence were reported, resulting in 32,665 arrests.[2] Of those 61,216 reported domestic violence offenses, the relationship of the victims to the offenders varied, including:

- 17,980 were spousal;[3]
- 6,957 were co-habitants;[4] and

[1] Section 741.28(2), F.S.
[2] Florida Department of Law Enforcement, *Crime in Florida: Florida Uniform Crime Report 2022-2024* (on file with the Senate Committee on Criminal Justice).
[3] Spouse means the victim and offender are married by law or have been previously married. This category included ex-spouses.
[4] *Id.* Co-Habitant means the victim lived with the offender as a married couple without legal marriage. This category includes former co-habitants.

- 4,983 were other.[5]

This data was compiled by the Florida Department of Law Enforcement (FDLE) after receiving the number of reports and arrests from local law enforcement agencies. [6]

Sentencing for Domestic Violence Crimes

If a person is adjudicated guilty of a crime of domestic violence when such person intentionally caused bodily harm to another person, the court must order the person to serve a minimum of:
- 10 days in the county jail for a first offense;
- 15 days for a second offense; and
- 20 days for a third or subsequent offense as part of the sentence imposed.[7]

If a person is adjudicated guilty of a crime of domestic violence and has intentionally caused bodily harm to another person, and the crime of domestic violence takes place in the presence of a child under the age of 16 who is a family or household member of the victim or perpetrator, the court must order the person to serve a minimum of:
- 15 days in the county jail for a first offense;
- 20 days for a second offense; and
- 30 days for a third or subsequent offense as part of the sentence imposed.[8]

The court is not prevented from sentencing the person to probation, community control, or an additional period of incarceration.[9]

If a person is found guilty of, has adjudication withheld on, or pleads nolo contendere to a crime of domestic violence, such person must be ordered by the court to a minimum term of one year's probation and the court must order that the defendant attend and complete a batterer's intervention program as a condition of probation. The court must impose the condition unless the court states on the record why a batterer's intervention program might be inappropriate or the court determines that the person does not qualify for the batterer's intervention program.[10]

Causes of Action for Protective Injunctions

There are several causes of action for injunctions under different sections of Florida law, including injunctions for protection against domestic violence, dating violence, repeat violence, and sexual violence.

[5] *Id.* Other means the victim and offender had a child together but were never married and never lived together.
[6] The data provided represents the information submitted to the FDLE as of the date of the report. The FDLE acts as a data repository for the law enforcement agencies who voluntarily submit UCR data or data required by the state. *See email correspondence from William Grissom,* (on file with the Senate Committee on Criminal Justice).
[7] Section 741.283(1)(a), F.S.
[8] Section 741.283(1)(b), F.S.
[9] Section 741.283(2), F.S.
[10] Section 741.281, F.S.

Domestic Violence

Any person[11] who is either the victim of domestic violence or has reasonable cause to believe he or she is in imminent danger of becoming the victim of any act of domestic violence, has standing in circuit court to file a verified petition for an injunction for protection against domestic violence.[12]

In determining whether a petitioner has reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence, the court must consider and evaluate all relevant factors alleged in the petition, including, but not limited to:

- The history between the petitioner and the respondent, including threats, harassment, stalking, and physical abuse.
- Whether the respondent has attempted to harm the petitioner or family members or individuals closely associated with the petitioner.
- Whether the respondent has threatened to conceal, kidnap, or harm the petitioner's child or children.
- Whether the respondent has intentionally injured or killed a family pet.
- Whether the respondent has used, or has threatened to use, against the petitioner any weapons such as guns or knives.
- Whether the respondent has physically restrained the petitioner from leaving the home or calling law enforcement.
- Whether the respondent has a criminal history involving violence or the threat of violence.
- The existence of a verifiable order of protection issued previously or from another jurisdiction.
- Whether the respondent has destroyed personal property belonging to the petitioner.
- Whether the respondent has or had engaged in a pattern of abusive, threatening, intimidating, or controlling behavior composed of a series of acts over a period of time.[13]

Dating Violence

Under s. 784.046, F.S., there are three protective injunctions a person may petition for: an injunction for protection in cases of repeat violence,[14] an injunction for protection in cases of dating violence,[15] and an injunction for protection in cases of sexual violence.[16, 17] However, this

[11] This cause of action for an injunction may be sought by family or household members. No person shall be precluded from seeking injunctive relief pursuant to this chapter solely on the basis that such person is not a spouse. Section 741.30(1)(e), F.S.
[12] Section 741.30(1)(a), F.S.
[13] Section 741.30(6)(b), F.S.
[14] "Repeat violence" means two incidents of violence or stalking committed by the respondent, one of which must have been within 6 months of the filing of the petition, which are directed against the petitioner or the petitioner's immediate family member. Section 784.046(1)(b), F.S.
[15] "Dating violence" means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of certain factors. Section 784.046(1)(d), F.S.
[16] "Sexual violence" means any one incident of: sexual battery, lewd or lascivious act committed upon or in the presence of a person younger than 16 years of age, luring or enticing a child, sexual performance by a child, or any other forcible felony wherein a sexual act is committed or attempted. Section 784.046(1)(c), F.S.
[17] Section 784.046(2), F.S.

section is limited dependent on the nature of the relationship or the act of repeated or sexual violence.[18]

Dating violence is determined by the existence of a relationship based on consideration of the following factors:

- A dating relationship must have existed within the past six months;
- The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and
- The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.[19]

Dating violence does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.

A person has standing in circuit court to file a verified petition for an injunction against dating violence if he or she:

- Is the victim of dating violence and has reasonable cause to believe he or she is in imminent danger of becoming a victim of another act of dating violence;
- Has reasonable cause to believe he or she is in imminent danger of becoming the victim of an act of dating violence; or
- Is the parent or legal guardian of any minor child in the home and who seeks an injunction for protection against dating violence on behalf of the minor.[20]

Sexual Violence and Repeat Violence

Sexual violence includes an incident of a specified sexual offense[21] regardless of whether criminal charges based on the incident were filed, reduced, or dismissed by the state attorney. A person who is the victim of sexual violence or the parent or legal guardian of a minor child who is living at home and is the victim of sexual violence has standing in the circuit court to file a verified petition for an injunction for protection against sexual violence on his or her own behalf or on behalf of the minor child if:

- The person has reported the sexual violence to a law enforcement agency and is cooperating in any criminal proceeding against the respondent, regardless of whether criminal charges based on the sexual violence have been filed, reduced, or dismissed by the state attorney; or
- The respondent who committed the sexual violence against the victim or minor child was sentenced to a term of imprisonment in state prison for the sexual violence and the

[18] "Violence" means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, or false imprisonment, or any criminal offense resulting in physical injury or death by a person against any other person.
[19] Section 784.046(1)(d)1-3., F.S.
[20] Section 784.046(2)(b), F.S.
[21] Such offenses include: sexual battery, a lewd or lascivious act committed upon or in the presence of a person younger than 16 years of age, luring or enticing a child, sexual performance by a child, or any other forcible felony wherein a sexual act is committed or attempted regardless of whether criminal charges based on the incident were filed, reduced, or dismissed by the state attorney. Section 784.046(1)(c), F.S.

respondent's term of imprisonment has expired or is due to expire within 90 days following the date the petition is filed.[22]

Any person who is the victim of repeat violence, or the parent or legal guardian of a child who seeks an injunction for protection against repeat violence on behalf of the child, has standing to file a verified petition for an injunction for protection against repeat violence. For an injunction for protection against repeat violence, there must be two incidents of violence or stalking committed by the respondent.[23]

Procedure for Filing Injunctions

A cause of action does not require that the petitioner be represented by an attorney.[24, 25] The clerk of the court may not assess a fee for filing a petition[26, 27] and no bond will be required by the court for entry of an injunction.[28, 29] The clerk of the court must provide the petitioner with a certified copy of any injunction for protection entered by the court, however, the clerk must provide a minimum of two certified copies for an injunction for protection against domestic violence.[30, 31]

The clerk of the court must provide a copy of the section,[32] simplified forms, and clerical assistance to a victim of dating violence, sexual violence, or repeat violence who is not represented by counsel.[33]

Additionally, a cause of action for an injunction may be sought whether or not any other petition, complaint, or cause of action is currently available or pending between the parties.[34,35]

Injunction Statewide Verification Systems

The FDLE implements and maintains a Domestic and Repeat Violence Injunction Statewide Verification System. The system electronically transmits information relating to domestic violence injunctions and repeat violence injunctions to and between criminal justice agencies.[36] Within 24 hours after the service of process of an injunction for protection against domestic violence upon the respondent, the law enforcement officer must electronically transmit the written proof of service. Additionally, the sheriff must make information relating to the

[22] Section 784.046(2)(c), F.S.
[23] Section 784.046(2)(a), F.S.
[24] Section 741.30(1)(f), F.S.
[25] Section 784.046(2)(e), F.S.
[26] Section 741.30(2)(a), F.S.
[27] Section 784.046(3)(b), F.S.
[28] Section 741.30(2)(b), F.S.
[29] Section 784.046(3)(c), F.S.
[30] Section 741.30(2)(c)5., F.S.
[31] Section 784.046(3)(d), F.S.
[32] Section 784.046, F.S., Action by victim of repeat violence, sexual violence, or dating violence for protective injunction; dating violence investigations, notice to victims, and reporting; pretrial release violations; public records exemption.
[33] Section 784.046(3)(a), F.S.
[34] Section 784.046(2)(d), F.S.
[35] Section 741.30(1)(b), F.S.
[36] Section 741.30(8)(b), F.S.

injunction available to other law enforcement agencies by electronically transmitting such information to the department.[37]

Violation of an Injunction for Protection

A person commits a first degree misdemeanor if he or she willfully violates an injunction for protection by:[38, 39]

- Refusing to vacate the dwelling that the parties share.
- Going to, or being within 500 feet of, the petitioner's residence, school, place of employment, or a specified place frequented regularly by the petitioner and any named family or household member.
- Committing an act of domestic violence, dating violence, repeat violence, or sexual violence against the petitioner.
- Committing any other violation of the injunction through an intentional unlawful threat, word, or act to do violence to the petitioner.
- Telephoning, contacting, or otherwise communicating with the petitioner directly or indirectly, unless the injunction specifically allow indirect contact through a third party.
- Knowingly and intentionally coming within 100 feet of the petitioner's motor vehicle, whether or not that vehicle is occupied.
- Defacing or destroying the petitioner's personal property, including the petitioner's motor vehicle.
- Refusing to surrender firearms or ammunition if ordered to do so by the court.

A person who has two or more prior convictions for violation of an injunction commits a third degree felony if he or she commits a subsequent violation of any injunction against the same victim.[40, 41]

For violations of injunctions for protection against domestic violence, regardless of criminal prosecution, the court must order the respondent to attend a batterers' intervention program if it finds a willful violation of a domestic violence injunction unless the court makes written factual findings stating why a batterers' intervention program would be inappropriate.[42] Additionally, a person commits a first degree misdemeanor if he or she violates a final injunction for protection against domestic violence by having in his or her care, custody, possession, or control any firearm or ammunition.[43]

Relocation Assistance for Victims of Domestic Violence

The Department of Legal Affairs (DLA) may award a one-time payment of up to $1,500 on any one claim and a lifetime maximum of $3,000 to a victim of domestic violence who needs

[37] Section 741.30(8)(c)3., F.S.
[38] Section 741.31(4)(a), F.S.
[39] Section 784.047(1), F.S.
[40] Section 741.31(4)(c), F.S.
[41] Section 784.047(2), F.S.
[42] Section 741.31(5), F.S.
[43] Section 741.31(4)(b), F.S.

immediate assistance to escape from a domestic violence environment.[44] In order for such award to be granted:

- There must be proof that a domestic violence offense was committed;
- The domestic violence offense must be reported to the proper authorities;
- The victim's need for assistance must be certified by a certified domestic violence center in this state; and,
- The center certification must assert that the victim is cooperating with law enforcement officials, if applicable, and must include documentation that the victim has developed a safety plan.[45]

III. Effect of Proposed Changes:

Section 1 amends s. 741.28, F.S., to define "electronic monitoring" as tracking the location of a person through the use of technology that is capable of determining or identifying the monitored person's presence or absence at a particular location, including but not limited to:

- Radio frequency signaling technology that detects whether the monitored person is or is not at an approved location and notifies the monitoring agency of the time that the monitored person either leaves the approved location or tampers with or removes the monitoring device; or
- Active or passive GPS technology that detects the location of the monitored person and notifies the monitoring agency of the person's location, and which may also be capable of notifying a victim or protected party if the monitored person enters within the restricted distance of a victim or protected party or within the restricted distance of a designated location.

"Military protective order" is defined as a protective order issued in accordance with 1 U.S.C. s. 1567 by a commanding officer in the Armed Forces of the United States or the National Guard of any state against a person under such officer's command.

Section 2 creates s. 741.2801, F.S., to provide penalty enhancements to acts of domestic violence if a person has a prior conviction for a crime of domestic violence and commits a second or subsequent offense. Any penalty enhancement affects the applicable statutory maximum penalty only. The enhancement is as follows:

- A second degree misdemeanor may be punished as if it were a first degree misdemeanor.
- A first degree misdemeanor may be punished as if it were a third degree felony.
- A third degree felony may be punished as if it were a second degree felony.
- A second degree felony may be punished as if it were a first degree felony.
- A first degree felony may be punished as if it were a life felony.

The term "conviction" is defined as a determination of guilt that is the result of a plea or trial, regardless of whether adjudication is withheld or a plea of nolo contendere is entered.

[44] Section 960.198(1), F.S.
[45] Section 960.198(2), F.S.

Section 3 amends s. 741.281, F.S., to allow the court to order electronic monitoring supervision as a condition of probation for a defendant who is found guilty of, has adjudication withheld on, or pleads nolo contendere to, a crime of domestic violence when the court enters a contact order with the victim as a condition of probation. Further, a court is required to order electronic monitoring supervision as a condition of probation if there is clear and convincing evidence that the defendant poses a threat of violence or physical harm to the victim or the defendant has previously been convicted for violating an injunction for protection.

Section 4 amends s. 741.30, F.S., to add the threat to injure or kill a family pet, including a service animal or an emotional support animal, to the list of actions a respondent has engaged in which may be noted on a petition for an injunction. A court is required to consider and evaluate this factor, if relevant, when determining whether a petitioner has reasonable cause to believe he or she is in imminent danger in becoming a victim of domestic violence. A court must also consider and evaluate, if relevant, the existence of a verifiable military protective order.

The Domestic and Repeat Violence Injunction Statewide Verification System is amended to include dating violence injunctions and sexual violence injunctions.

Section 5 and 6 amend s. 741.31, F.S., and s. 784.047, F.S., to authorize the court to order electronic monitoring supervision for a respondent to an injunction for protection against domestic violence, repeat violence, sexual violence or dating violence for the duration of the injunction if the respondent willfully violates the injunction. The court may order electronic monitoring supervision even if the violation of the injunction for protection is not criminally prosecuted. If electronic monitoring is ordered, the court must establish exclusion zones and include safety planning and informed consent for the petitioner. The respondent is required to pay for the electronic monitoring services.

The bill requires that a law enforcement officer who has probable cause to believe that a person violated a domestic violence injunction and a military protective order entered into the National Crime Information Center (NCIC) against the same person, the officer or his or her agency must notify the law enforcement agency that entered the military protective order into NCIC.

The bill takes effect on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require the cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Art. VII, s. 18 of the State Constitution.

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:

None.

C. Government Sector Impact:

SB 682 is expected to have a significant negative fiscal impact to state expenditures.

The bill may have a significant fiscal impact to the Department of Corrections due to the expansion of the use of electronic monitoring supervision. The cost is indeterminate because it is unknown how many additional people would qualify for electronic monitoring. The bill requires a person placed on electronic monitoring for a violation of a protective injunction to pay for the cost of the electronic monitoring services; however, these funds will be deposited into the General Revenue Fund.[46]

The bill will have a positive indeterminate impact on prison beds. The Legislature's Office of Economic and Demographics Research (EDR) and the Criminal Justice Impact Conference, which provides the final, official estimate of the prison bed impact, if any, of legislation, has determined that the bill may have a positive indeterminate prison bed impact on the Department of Corrections (DOC), meaning that the bill may increase the number of individuals admitted to prison. The EDR provides the following additional information regarding its estimate:

> Per DOC, in FY 24-25, there were 9 new commitments to prison for a violation of an injunction against domestic violence and two new commitments for a violation of an injunction against dating violence, repeat violence, or sexual violence. Per DOC, in FY 24-25, there were 4,416 technical violators sentenced to prison. It is not known how many additional offenders there would be with the inclusion of electronic

[46] Section 948.09(2), F.S.

monitoring in the new language. Finally, data is not available for the number of domestic violence offenders committed to prison.[47]

The bill amends s. 960.198, F.S., to increase the amount that DLA may award for victims of domestic violence who may need immediate assistance to escape from a domestic violence environment. The DLA estimates a $3.5 million fiscal impact to the Crimes Compensation Trust Fund due to the expansion of the definition of domestic violence and the increase in the compensation awards under s. 960.198, F.S. In addition, the DLA requests five claims analysts and one program administrator, at a cost of $273,158, to address the additional workload associated with processing benefits claims.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 741.28, 741.281, 741.30, 741.31, 784.047, and 960.198.

This bill creates section 741.2801 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 Appropriations Committee on Criminal and Civil Justice on February 18, 2026:
This Committee Substitute:

- Removes the title "Domestic Emergency and Batters Reform and Accountability Act."
- Removes the section relating to the Statewide Emergency Communications Plan.
- Removes the section relating to training for emergency medical technicians and paramedics.
- Removes the section relating to training for firefighters and volunteer firefighters.
- Removes the section relating to the domestic violence deferred sentencing program.
- Removes sections relating to enhanced penalties during an active state of emergency.
- Removes the definition of coercive control and reverts the definition of domestic violence to current law.

[47] Office of Economic and Demographic Research, *CS/HB 277 – Domestic Violence and Protective Injunctions.*

- Provides a definition for a military protective order and provides notification requirements for a law enforcement officer or agency when a military protective order has been violated.
- Provides that sentencing enhancements for domestic violence require a prior conviction.
- Changes when a court is permitted and required to order electronic monitoring supervision.
- Allows the court to order electronic monitoring supervision for the duration of the injunction, if there is a violation.
- Reverts to current law the number of prior violations required for a violation of an injunction to be considered a third degree felony and the provision that the violation of the injunction does not need to be committed against the same victim.

CS by Criminal Justice on January 20, 2026:
This Committee Substitute:

- Modifies the definition of domestic violence and defines "coercive control."
- Creates enhanced sentencing for offenses that constitute domestic violence.
- Creates two new sections of law to provide reclassifications for domestic violence offenses and violations of protective injunctions that occur during a state of emergency.
- Changes the pretrial diversion program to a domestic violence deferred sentencing program and requires certain data collection.
- Modifies the specified amount for victim relocation assistance.
- Changes the date for required trainings for certifications and recertifications from July 1, 2026, to December 1, 2026.
- Specifies that training for emergency medical technicians, paramedics must include two hours of instruction on domestic violence, dating violence, and strangulation.
- Removes language allowing an investigating law enforcement officer or an FDLE liaison to follow up with a victim within 24 hours after an alleged incident of domestic violence or dating violence.

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 the Appropriations Committee on Criminal and Civil Justice; the Committee on Criminal Justice; and Senators Calatayud and Berman

604-02978-26 2026682c2

A bill to be entitled

An act relating to domestic violence and protective injunctions; amending s. 741.28, F.S.; defining the terms "electronic monitoring" and "military protective order"; creating s. 741.2801, F.S.; defining the term "conviction"; providing enhanced penalties for committing a domestic violence offense if a person has a prior conviction for domestic violence; providing that sentencing and incentive gain-time eligibility determinations are made without regard to a penalty enhancement; amending s. 741.281, F.S.; authorizing, and in certain circumstances requiring, a court to order electronic monitoring in domestic violence cases; amending s. 741.30, F.S.; revising the information contained in a petition for injunction for protection against domestic violence; revising the factors a judge may consider in determining whether to grant a petition for injunction against domestic violence; requiring the Department of Law Enforcement to enter injunctions against dating violence and sexual violence into a statewide verification system; amending s. 741.31, F.S.; authorizing, and in certain circumstances requiring, a court to order electronic monitoring for a respondent to an injunction for protection against domestic violence; requiring the respondent to pay for such electronic monitoring services; requiring a law enforcement officer to make a specified notification if he or she has probable cause to believe that a person violated a military

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604-02978-26 2026682c2

protective order; amending s. 784.047, F.S.; authorizing, and in certain circumstances requiring, a court to order electronic monitoring for a respondent in an injunction for protection against dating violence, repeat violence, or sexual violence; requiring the respondent to pay for such electronic monitoring services; amending s. 960.198, F.S.; increasing the maximum payment amounts for relocation assistance for victims of domestic violence; amending ss. 921.0024, 943.0584, and 943.171, F.S.; conforming cross-references; providing an effective date.

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

Section 1. Present subsections (3) and (4) of section 741.28, Florida Statutes, are redesignated as subsections (4) and (5), respectively, and a new subsection (3) and subsection (6) are added to that section, to read:

741.28 Domestic violence; definitions.—As used in ss. 741.28-741.31:

(3) "Electronic monitoring" means tracking the location of a person through the use of technology that is capable of determining or identifying the monitored person's presence or absence at a particular location, including, but not limited to:

(a) Radio frequency signaling technology, which detects if the monitored person is or is not at an approved location and notifies the monitoring agency of the time that the monitored person either leaves the approved location or tampers with or removes the monitoring device; or

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(b) Active or passive global positioning system technology, which detects the location of the monitored person and notifies the monitoring agency of the monitored person's location and which may also include electronic monitoring with victim notification technology that is capable of notifying a victim or protected party, either directly or through a monitoring agency, if the monitored person enters within the restricted distance of a victim or protected party or within the restricted distance of a designated location.

(6) "Military protective order" means a protective order issued in accordance with 10 U.S.C. s. 1567 by a commanding officer in the Armed Forces of the United States or the National Guard of any state against a person under such officer's command.

Section 2. Section 741.2801, Florida Statutes, is created to read:

741.2801 Domestic violence; enhanced penalties.—

(1) As used in this section, the term "conviction" means a determination of guilt that is the result of a plea or trial, regardless of whether adjudication is withheld or a plea of nolo contendere is entered.

(2) If a person has a prior conviction for a crime of domestic violence, upon a finding by the factfinder that the defendant committed a second or subsequent offense of domestic violence, the penalty for any such felony or misdemeanor offense may be enhanced. Any penalty enhancement affects the applicable statutory maximum penalty only. Each of the findings required as a basis for such sentence must be found beyond a reasonable doubt. The enhancement will be as follows:

(a) A misdemeanor of the second degree may be punished as if it were a misdemeanor of the first degree.

(b) A misdemeanor of the first degree may be punished as if it were a felony of the third degree. For purposes of sentencing under chapter 921, such offense is ranked in level 1 of the offense severity ranking chart.

(c) A felony of the third degree may be punished as if it were a felony of the second degree.

(d) A felony of the second degree may be punished as if it were a felony of the first degree.

(e) A felony of the first degree may be punished as if it were a life felony.

For purposes of sentencing under chapter 921 and determining incentive gain-time eligibility under chapter 944, such felony offense is ranked as provided in s. 921.0022 or s. 921.0023 and without regard to the penalty enhancement in this section.

Section 3. Section 741.281, Florida Statutes, is amended to read:

741.281 Court to order batterers' intervention program attendance; electronic monitoring.—

(1) If a person is found guilty of, has adjudication withheld on, or pleads nolo contendere to a crime of domestic violence, ~~as defined in s. 741.28,~~ that person shall be ordered by the court to a minimum term of 1 year's probation and the court shall order that the defendant attend and complete a batterers' intervention program as a condition of probation. The court must impose the condition of the batterers' intervention program for a defendant under this section, but the court, in

its discretion, may determine not to impose the condition if it states on the record why a batterers' intervention program might be inappropriate. The court must impose the condition of the batterers' intervention program for a defendant placed on probation unless the court determines that the person does not qualify for the batterers' intervention program pursuant to s. 741.325. The imposition of probation under this section does not preclude the court from imposing any sentence of imprisonment authorized by s. 775.082.

(2) If a person is found guilty of, has adjudication withheld on, or pleads nolo contendere to a crime of domestic violence, and the court enters a no contact order with the victim as a condition of his or her probation, the court:

(a) May order the person to have electronic monitoring supervision as a condition of his or her probation.

(b) Must order the person to have electronic monitoring supervision as a condition of his or her probation if:

1. The court finds there is clear and convincing evidence that the defendant poses a threat of violence or physical harm to the victim; or

2. The defendant has previously been convicted for violating an injunction for protection against domestic violence, dating violence, repeat violence, sexual violence, or stalking.

Section 4. Paragraph (b) of subsection (3), paragraph (b) of subsection (6), and paragraph (b) of subsection (8) of section 741.30, Florida Statutes, are amended to read:

741.30 Domestic violence; injunction; powers and duties of court and clerk; petition; notice and hearing; temporary

injunction; issuance of injunction; statewide verification system; enforcement; public records exemption.—

(3)

(b) The verified petition shall be in substantially the following form:

PETITION FOR
INJUNCTION FOR PROTECTION
AGAINST DOMESTIC VIOLENCE

The undersigned petitioner ...(name)... declares under penalties of perjury that the following statements are true:

(a) Petitioner resides at: ...(address)...

(Petitioner may furnish address to the court in a separate confidential filing if, for safety reasons, the petitioner requires the location of the current residence to be confidential.)

(b) Respondent resides at: ...(last known address)...

(c) Respondent's last known place of employment: ...(name of business and address)...

(d) Physical description of respondent:.....

Race.....

Sex.....

Date of birth.....

Height.....

Weight.....

Eye color.....

Hair color.....

Distinguishing marks or scars.....

(e) Aliases of respondent:.....

(f) Respondent is the spouse or former spouse of the petitioner or is any other person related by blood or marriage to the petitioner or is any other person who is or was residing within a single dwelling unit with the petitioner, as if a family, or is a person with whom the petitioner has a child in common, regardless of whether the petitioner and respondent are or were married or residing together, as if a family.

(g) The following describes any other cause of action currently pending between the petitioner and respondent:.....
.....

The petitioner should also describe any previous or pending attempts by the petitioner to obtain an injunction for protection against domestic violence in this or any other circuit, and the results of that attempt:.....
.....
Case numbers should be included if available.

(h) Petitioner is either a victim of domestic violence or has reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence because respondent has: ...(mark all sections that apply and describe in the spaces below the incidents of violence or threats of violence, specifying when and where they occurred, including, but not limited to, locations such as a home, school, place of employment, or visitation exchange)...

.....

.....

....committed or threatened to commit domestic violence defined in s. 741.28, Florida Statutes, as any assault, aggravated assault, battery, aggravated battery, sexual assault,

sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another. With the exception of persons who are parents of a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

....previously threatened, harassed, stalked, or physically abused the petitioner.

....attempted to harm the petitioner or family members or individuals closely associated with the petitioner.

....threatened to conceal, kidnap, or harm the petitioner's child or children.

....intentionally injured or killed or threatened to injure or kill a family pet, including a service animal as defined in s. 413.08(1), Florida Statutes, or an emotional support animal as defined in s. 760.27(1), Florida Statutes.

....used, or has threatened to use, against the petitioner any weapons such as guns or knives.

....physically restrained the petitioner from leaving the home or calling law enforcement.

....a criminal history involving violence or the threat of violence (if known).

....another order of protection issued against him or her previously or from another jurisdiction (if known).

....destroyed personal property, including, but not limited to, telephones or other communication equipment, clothing, or other items belonging to the petitioner.

....engaged in a pattern of abusive, threatening,

intimidating, or controlling behavior composed of a series of acts over a period of time, however short.

....engaged in any other behavior or conduct that leads the petitioner to have reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence.

(i) Petitioner alleges the following additional specific facts: ...(mark appropriate sections)...

....A minor child or minor children reside with the petitioner whose names and ages are as follows:

....Petitioner needs the exclusive use and possession of the dwelling that the parties share.

....Petitioner is unable to obtain safe alternative housing because:

....Petitioner genuinely fears that respondent imminently will abuse, remove, or hide the minor child or children from petitioner because:

(j) Petitioner genuinely fears imminent domestic violence by respondent.

(k) Petitioner seeks an injunction: ...(mark appropriate section or sections)...

....Immediately restraining the respondent from committing any acts of domestic violence.

....Restraining the respondent from committing any acts of domestic violence.

....Awarding to the petitioner the temporary exclusive use and possession of the dwelling that the parties share or

excluding the respondent from the residence of the petitioner.

....Providing a temporary parenting plan, including a temporary time-sharing schedule, with regard to the minor child or children of the parties which might involve prohibiting or limiting time-sharing or requiring that it be supervised by a third party.

....Designating that the exchange of the minor child or children of the parties must occur at a neutral safe exchange location as provided in s. 125.01(8) or a location authorized by a supervised visitation program as defined in s. 753.01 if temporary time-sharing of the child is awarded to the respondent.

....Establishing temporary support for the minor child or children or the petitioner.

....Directing the respondent to participate in a batterers' intervention program.

....Providing any terms the court deems necessary for the protection of a victim of domestic violence, or any minor children of the victim, including any injunctions or directives to law enforcement agencies.

(6)

(b) In determining whether a petitioner has reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence, the court shall consider and evaluate all relevant factors alleged in the petition, including, but not limited to:

1. The history between the petitioner and the respondent, including threats, harassment, stalking, and physical abuse.

2. Whether the respondent has attempted to harm the

petitioner or family members or individuals closely associated with the petitioner.

3. Whether the respondent has threatened to conceal, kidnap, or harm the petitioner's child or children.

4. Whether the respondent has intentionally injured or killed or threatened to injure or kill a family pet, including a service animal as defined in s. 413.08(1) or an emotional support animal as defined in s. 760.27(1).

5. Whether the respondent has used, or has threatened to use, against the petitioner any weapons such as guns or knives.

6. Whether the respondent has physically restrained the petitioner from leaving the home or calling law enforcement.

7. Whether the respondent has a criminal history involving violence or the threat of violence.

8. The existence of a verifiable order of protection issued previously or from another jurisdiction, including a military protective order.

9. Whether the respondent has destroyed personal property, including, but not limited to, telephones or other communications equipment, clothing, or other items belonging to the petitioner.

10. Whether the respondent has or had engaged in a pattern of abusive, threatening, intimidating, or controlling behavior composed of a series of acts over a period of time, however short, which evidences a continuity of purpose and which reasonably causes the petitioner to believe that the petitioner or his or her minor child or children are in imminent danger of becoming victims of any act of domestic violence.

11. Whether the respondent engaged in any other behavior or

conduct that leads the petitioner to have reasonable cause to believe that he or she is in imminent danger of becoming a victim of domestic violence.

In making its determination under this paragraph, the court is not limited to those factors enumerated in subparagraphs 1.-11.

(8)

(b) A Domestic, Dating, Sexual, and Repeat Violence Injunction Statewide Verification System is created within the Department of Law Enforcement. The department shall establish, implement, and maintain a statewide communication system capable of electronically transmitting information to and between criminal justice agencies relating to domestic violence injunctions, dating violence injunctions, sexual violence injunctions, and repeat violence injunctions issued by the courts throughout the state. Such information must include, but is not limited to, information as to the existence and status of any injunction for verification purposes.

Section 5. Subsection (5) of section 741.31, Florida Statutes, is amended, and subsection (7) is added to that section, to read:

741.31 Violation of an injunction for protection against domestic violence.—

(5) Regardless of whether ~~or not~~ there is a criminal prosecution under subsection (4), the court:

(a) Shall order the respondent to attend a batterers' intervention program if it finds a willful violation of a domestic violence injunction, unless the court makes written factual findings in its judgment or order which are based on

substantial evidence, stating why a batterers' intervention program would be inappropriate.

(b) May order the respondent to electronic monitoring supervision for the duration of the injunction for protection. If electronic monitoring is ordered, the court must establish exclusion zones and include safety-planning and informed consent for the petitioner. The respondent is responsible for paying for the electronic monitoring services as provided in s. 948.09(2).

(c) Must order the respondent to electronic monitoring if the court finds that either of the circumstances in s. 741.281(2)(b) exist.

(7) If a law enforcement officer has probable cause to believe that a person committed a violation of subsection (4) and such officer determines that a military protective order entered into the National Crime Information Center database was also issued against such person and the officer has probable cause to believe that the person also violated the military protective order, the officer, or his or her employing agency, must notify the law enforcement agency that entered the military protective order into the database.

Section 6. Subsection (3) is added to section 784.047, Florida Statutes, to read:

784.047 Penalties for violating protective injunction against violators; electronic monitoring.—

(3)(a) Regardless of whether there is a criminal prosecution under this section, the court may order the respondent to electronic monitoring supervision for the duration of the injunction for protection. If electronic monitoring is ordered, the court must establish exclusion zones and include

safety planning and informed consent for the petitioner. The respondent is responsible for paying for the electronic monitoring services as provided in s. 948.09(2).

(b) The court must order the respondent to electronic monitoring supervision if the court finds that either of the circumstances in s. 741.281(2)(b) exist.

Section 7. Subsection (1) of section 960.198, Florida Statutes, is amended to read:

960.198 Relocation assistance for victims of domestic violence.—

(1) Notwithstanding the criteria set forth in s. 960.13 for crime victim compensation awards, the department may award a one-time payment of up to $2,500 ~~$1,500~~ on any one claim and a lifetime maximum of $5,000 ~~$3,000~~ to a victim of domestic violence who needs immediate assistance to escape from a domestic violence environment.

Section 8. Paragraph (b) of subsection (1) of section 921.0024, Florida Statutes, is amended to read:

921.0024 Criminal Punishment Code; worksheet computations; scoresheets.—

(1)

(b) WORKSHEET KEY:

Legal status points are assessed when any form of legal status existed at the time the offender committed an offense before the court for sentencing. Four (4) sentence points are assessed for an offender's legal status.

Community sanction violation points are assessed when a community sanction violation is before the court for sentencing.

Six (6) sentence points are assessed for each community sanction violation and each successive community sanction violation, unless any of the following apply:

1. If the community sanction violation includes a new felony conviction before the sentencing court, twelve (12) community sanction violation points are assessed for the violation, and for each successive community sanction violation involving a new felony conviction.

2. If the community sanction violation is committed by a violent felony offender of special concern as defined in s. 948.06:

a. Twelve (12) community sanction violation points are assessed for the violation and for each successive violation of felony probation or community control where:

I. The violation does not include a new felony conviction; and

II. The community sanction violation is not based solely on the probationer or offender's failure to pay costs or fines or make restitution payments.

b. Twenty-four (24) community sanction violation points are assessed for the violation and for each successive violation of felony probation or community control where the violation includes a new felony conviction.

Multiple counts of community sanction violations before the sentencing court shall not be a basis for multiplying the assessment of community sanction violation points.

Prior serious felony points: If the offender has a primary

offense or any additional offense ranked in level 8, level 9, or level 10, and one or more prior serious felonies, a single assessment of thirty (30) points shall be added. For purposes of this section, a prior serious felony is an offense in the offender's prior record that is ranked in level 8, level 9, or level 10 under s. 921.0022 or s. 921.0023 and for which the offender is serving a sentence of confinement, supervision, or other sanction or for which the offender's date of release from confinement, supervision, or other sanction, whichever is later, is within 3 years before the date the primary offense or any additional offense was committed.

Prior capital felony points: If the offender has one or more prior capital felonies in the offender's criminal record, points shall be added to the subtotal sentence points of the offender equal to twice the number of points the offender receives for the primary offense and any additional offense. A prior capital felony in the offender's criminal record is a previous capital felony offense for which the offender has entered a plea of nolo contendere or guilty or has been found guilty; or a felony in another jurisdiction which is a capital felony in that jurisdiction, or would be a capital felony if the offense were committed in this state.

Possession of a firearm, semiautomatic firearm, or machine gun: If the offender is convicted of committing or attempting to commit any felony other than those enumerated in s. 775.087(2) while having in his or her possession: a firearm as defined in s. 790.001, an additional eighteen (18) sentence points are

assessed; or if the offender is convicted of committing or attempting to commit any felony other than those enumerated in s. 775.087(3) while having in his or her possession a semiautomatic firearm as defined in s. 775.087(3) or a machine gun as defined in s. 790.001, an additional twenty-five (25) sentence points are assessed.

Sentencing multipliers:

Aggravated Animal Cruelty: If the primary offense is aggravated animal cruelty under s. 828.12(2), which included the knowing and intentional torture or torment of an animal that injured, mutilated, or killed the animal, the subtotal sentence points are multiplied by 1.25. As used in this paragraph, the term "animal" does not include an animal used for agricultural purposes or permitted as captive wildlife as authorized under s. 379.303.

Drug trafficking: If the primary offense is drug trafficking under s. 893.135, the subtotal sentence points are multiplied, at the discretion of the court, for a level 7 or level 8 offense, by 1.5. The state attorney may move the sentencing court to reduce or suspend the sentence of a person convicted of a level 7 or level 8 offense, if the offender provides substantial assistance as described in s. 893.135(4).

Violent offenses committed against specified justice system personnel: If the primary offense is a violation of s. 775.0823(2), (3), or (4), the subtotal sentence points are

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multiplied by 2.5. If the primary offense is a violation of s. 775.0823(5), (6), (7), (8), or (9), the subtotal sentence points are multiplied by 2.0. If the primary offense is a violation of s. 784.07(3) or s. 775.0875(1), or s. 775.0823(10) or (11), the subtotal sentence points are multiplied by 1.5.

Grand theft of a motor vehicle: If the primary offense is grand theft of the third degree involving a motor vehicle and in the offender's prior record, there are three or more grand thefts of the third degree involving a motor vehicle, the subtotal sentence points are multiplied by 1.5.

Fleeing or attempting to elude a law enforcement officer: If the primary offense is fleeing or attempting to elude a law enforcement officer or aggravated fleeing or eluding in violation of s. 316.1935, and in the offender's prior record, there is one or more violation of s. 316.1935, the subtotal sentence points are multiplied by 1.5.

Offense related to a criminal gang: If the offender is convicted of the primary offense and committed that offense for the purpose of benefiting, promoting, or furthering the interests of a criminal gang as defined in s. 874.03, the subtotal sentence points are multiplied by 1.5. If applying the multiplier results in the lowest permissible sentence exceeding the statutory maximum sentence for the primary offense under chapter 775, the court may not apply the multiplier and must sentence the defendant to the statutory maximum sentence.

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

Domestic violence in the presence of a child: If the offender is convicted of the primary offense and the primary offense is a crime of domestic violence, as defined in s. 741.28, which was committed in the presence of a child under 16 years of age who is a family or household member, as defined in s. 741.28, ~~s. 741.28(3)~~ with the victim or perpetrator, the subtotal sentence points are multiplied by 1.5.

Adult-on-minor sex offense: If the offender was 18 years of age or older and the victim was younger than 18 years of age at the time the offender committed the primary offense, and if the primary offense was an offense committed on or after October 1, 2014, and is a violation of s. 787.01(2) or s. 787.02(2), if the violation involved a victim who was a minor and, in the course of committing that violation, the defendant committed a sexual battery under chapter 794 or a lewd act under s. 800.04 or s. 847.0135(5) against the minor; s. 787.01(3)(a)2. or 3.; s. 787.02(3)(a)2. or 3.; s. 794.011, excluding s. 794.011(10); s. 800.04; or s. 847.0135(5), the subtotal sentence points are multiplied by 2.0. If applying the multiplier results in the lowest permissible sentence exceeding the statutory maximum sentence for the primary offense under chapter 775, the court may not apply the multiplier and must sentence the defendant to the statutory maximum sentence.

Section 9. Paragraph (f) of subsection (2) of section 943.0584, Florida Statutes, is amended to read:

943.0584 Criminal history records ineligible for court-ordered expunction or court-ordered sealing.—

(2) A criminal history record is ineligible for a

certificate of eligibility for expunction or a court-ordered expunction pursuant to s. 943.0585 or a certificate of eligibility for sealing or a court-ordered sealing pursuant to s. 943.059 if the record is a conviction for any of the following offenses:

(f) Assault or battery, as defined in ss. 784.011 and 784.03, respectively, of one family or household member by another family or household member, as defined in s. 741.28 ~~s. 741.28(3)~~;

Section 10. Paragraph (b) of subsection (2) of section 943.171, Florida Statutes, is amended to read:

943.171 Basic skills training in handling domestic violence cases.—

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

(b) "Household member" has the meaning set forth in s. 741.28 ~~s. 741.28(3)~~.

Section 11. This act shall take effect July 1, 2026.

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 688
INTRODUCER:	Fiscal Policy Committee and Senator Rodriguez
SUBJECT:	Naturopathic Medicine
DATE:	March 3, 2026
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Smith	Brown	HP	**Favorable**
2.	Gerbrandt	McKnight	AHS	**Favorable**
3.	Smith	Siples	FP	**Fav/CS**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

CS/SB 688 reestablishes the licensure and regulation of naturopathic doctors in Florida by redesignating ch. 462, F.S., as "Naturopathic Medicine" and by updating the chapter's regulatory framework.

The bill creates the Board of Naturopathic Medicine to assist the Department of Health (DOH) with the regulation of naturopathic doctors. The bill establishes licensure by examination for applicants who hold a doctoral degree in naturopathic medicine, provides for licensure by endorsement, sets biennial renewal and continuing education requirements, and applies standard disciplinary authority. The bill also prohibits unlicensed practice and protected-title misuse, while providing specified exceptions.

The bill defines the scope of naturopathic practice to include specified diagnostic and natural treatment modalities but expressly excludes prescriptive authority for legend drugs or prescription drugs, except as expressly provided for certain natural, nonpharmacologic substances. The bill authorizes naturopathic doctors to provide services through telehealth.

The bill has an indeterminate, significant negative fiscal impact on the DOH. **See Section V., Fiscal Impact Statement.**

The bill provides an effective date of December 31, 2026.

II. Present Situation:

Naturopathy

The term "naturopathy" was used in the late nineteenth century to refer to an emerging system of natural therapies and philosophy to treat disease. Naturopathic physicians diagnose, treat, and care for patients using a system of practice that bases treatment on natural laws governing the human body. These practitioners may provide treatment to patients using psychological, mechanical, and other means to purify, cleanse, and normalize human tissues for the preservation and restoration of health. This may include the use of air, water, light, heat, earth, food and herb therapy, psychotherapy, electrotherapy, physiotherapy, minor surgery, and naturopathic manipulation. Naturopathic physicians are trained in standard medical sciences and in the use and interpretation of standard diagnostic instruments. Naturopathic medicine stresses a holistic approach to health care, which involves studying and working with the patient mentally and spiritually, as well as physically, and developing an understanding of the patient in the patient's chosen environment.

Florida Licensure and Regulation of Naturopathy

Naturopathy was initially recognized by the Legislature in the Medical Act of 1921,[1] which defined the practice of medicine and exempted naturopaths from the medical practice act. Naturopathic practitioners were first licensed in Florida in 1927.[2] Doctors of Naturopathy were required to observe state, county, and municipal regulations regarding the control of communicable diseases, the reporting of births and deaths, and all matters relating to the public health as was required of other "practitioners of the healing arts."

Between 1947 and 1954, legal cases were decided regarding the rights of naturopaths to prescribe narcotic drugs. The Circuit Court in Pinellas County held that practitioners of naturopathy had the right to prescribe narcotic drugs.[3] On appeal, the Florida Supreme Court affirmed the lower court's decision.[4]

In 1957, the Legislature abolished the Board of Naturopathic Examiners, significantly revised the regulation of naturopathy, and placed the regulation under the Florida State Board of Health.[5] Naturopaths were classified into three groups based on the length of time that the practitioner was licensed in the state. Under that law, those licensed less than two years could not renew their licenses; those licensed more than two years but less than 15 years could not prescribe medicine in any form; and those licensed more than 15 years could not prescribe narcotic drugs. The

[1] Chapter 8415, Laws of Fla.
[2] Chapter 12286, Laws of Fla.
[3] *In re: Complaint of Melser*, 32 So.2d 742 (Fla.1947). See also *State Department of Public Works v. Melser*, 69 So.2d 347 at 353 (Fla. 1954).
[4] *Id*. *See* also Attorney General Opinion 54-96 and s. 893.02(19), F.S., relating to controlled substances, which defines "practitioner" to include "… a naturopath licensed pursuant to chapter 462, F.S." In 1939, the 5th Circuit Fed. Ct. (which includes Louisiana, Mississippi, and Texas) interpreted the Federal Narcotic Drug Act which determined that a "naturopath" was not a "physician;" therefore, they were prohibited from prescribing narcotic drugs. The court determined that even under phytotherapy, they could not prescribe drugs. Perry v. Larson, 104 F.2d 728 (1939).
[5] Chapter 57-129, Laws of Fla.

Florida Supreme Court held that the naturopathic laws, as amended by ch. 57-129, L.O.F., were unconstitutional and void.[6]

In 1959, the Legislature abolished the licensing authority for naturopathy.[7] Only those naturopathic practitioners licensed at that time who had been residents of Florida for two years prior to enactment of ch. 59-164, L.O.F., were authorized to renew their licenses.

Currently, ch. 462, F.S., governs the practice of naturopathy within the DOH. The current practice act includes a wide variety of healing techniques but prohibits surgery, chiropractic medicine, and the practice of "materia medica," a term that includes the prescription of drugs.[8] Chapter 462, F.S., prohibits the issuance of a license to any person who was not practicing naturopathy in Florida as of July 1, 1959.[9] The chapter also authorizes the DOH to adopt rules to implement the regulation of naturopathic medicine including the establishment of fees.[10] Additionally, it provides procedures for naturopathic physicians licensed prior to 1959 to renew their license.[11]

At this time, there are no naturopathic physicians licensed in Florida.[12]

Other State Licensure of Naturopathy[13]

The following 26 states or territories offer licensure or registration to naturopaths: Alaska, Arizona, California, Colorado, Connecticut, District of Columbia, Hawaii, Idaho, Kansas, Maine, Maryland, Massachusetts, Minnesota, Montana, New Hampshire, New Mexico, North Dakota, Oregon, Pennsylvania, Rhode Island, Utah, Vermont, Washington, Wisconsin, Puerto Rico, and the U.S. Virgin Islands.

Education Accreditation and Requirements

Naturopathic medical schools are accredited through the Council on Naturopathic Medical Education (CNME). The CNME is the only naturopathic education accrediting agency recognized by the U.S. Department of Education (USDOE). There are currently six accredited

[6] *See Eslin v. Collins*, 69 So.2d 347 (Fla. 1959).
[7] Chapter 59-164, Laws of Fla.
[8] Section 462.01(1), F.S., "Natureopathy" and "Naturopathy" shall be construed as synonymous terms and mean the use and practice of psychological, mechanical, and material health sciences to aid in purifying, cleansing, and normalizing human tissues for the preservation or restoration of health, according to the fundamental principles of anatomy, physiology, and applied psychology, as may be required. Naturopathic practice employs, among other agencies, phytotherapy, dietetics, psychotherapy, suggestotherapy, hydrotherapy, zone therapy, biochemistry, external applications, electrotherapy, mechanotherapy, mechanical and electrical appliances, hygiene, first aid, sanitation, and heliotherapy; provided, however, that nothing in this chapter shall be held or construed to authorize any naturopathic physician licensed hereunder to practice materia medica or surgery or chiropractic medicine, nor shall the provisions of this law in any manner apply to or affect the practice of osteopathic medicine, chiropractic medicine, Christian Science, or any other treatment authorized and provided for by law for the cure or prevention of disease and ailments.
[9] Section 462.023, F.S
[10] *Id*.
[11] Section 462.16, F.S.
[12] Department of Health, *2024 House Bill 843 Legislative Bill Analysis* (Dec. 19, 2023) (on file with the Senate Committee on Health Policy).
[13] *Id*.

programs, with eight campuses in Arizona, California, Illinois, Oregon, Washington, Puerto Rico and Canada.

Before enrolling in an accredited naturopathic medical school, students must:

- Successfully complete standard pre-medical college courses including physics, math, several courses of chemistry and biology as well as the humanities and psychology.
- Graduate from an accredited baccalaureate program.
- Apply to and be accepted into one of the CNME accredited Doctor of Naturopathic Medicine Programs.

Naturopathic medical school is a four-year doctoral program that provides students with advanced study in clinical sciences and naturopathic therapeutic treatment modalities.

Examination

The North American Board of Naturopathic Examiners (NABNE) is recognized as the examining body for the Naturopathic Physicians Licensing Examination (NPLEX). NPLEX is the examination that graduates of one of the approved naturopathic medical colleges must pass before being eligible for licensure in any of the 26 United States jurisdictions and five Canadian provinces that license or register naturopaths.

The purpose of NABNE is to determine the eligibility of applicants to take the NPLEX, to administer the NPLEX to examinees, and to send exam results and transcripts to regulatory authorities. The institutions that regulate naturopathic medicine grant authority to NABNE to be the examining body for the naturopathic medical profession through their agreement to use the results of the NPLEX in their determination of a candidate's eligibility for licensure.

The NPLEX is an independent, nonprofit organization whose purpose is to prepare valid and reliable biomedical science examinations (Part I) that assess the readiness of students to enter the clinical phase of training, and clinical science examinations (Part II) that assess the entry-level competence of candidates who plan to become licensed naturopaths.

III. Effect of Proposed Changes:

Section 1 amends s. 456.47, F.S., to revise the definition of the term "telehealth provider" to include licensed naturopathic doctors, thereby authorizing them to provide services via telehealth.

Section 2 redesignates ch. 462, F.S., from "Naturopathy" to "Naturopathic Medicine."

Section 3 creates s. 462.001, F.S., to provide legislative findings and purpose, including legislative intent to modernize the regulation related to naturopathy in Florida by ensuring that naturopathic medicine is practiced by licensed naturopathic doctors who meet specified education and training standards and are held accountable for safe practice. The current ch. 462, F.S., regulates naturopathic *physicians*. The bill provides for the licensure and regulation of naturopathic *doctors*.

Section 4 creates s. 462.002, F.S., to provide exceptions, specifying that ch. 462, F.S., does not apply to other duly licensed health care practitioners acting within their respective scopes of practice; certain students and residents practicing under direct supervision in specified accredited or recognized programs; certain out-of-jurisdiction naturopathic doctors performing procedures or demonstrations for educational purposes at board-approved continuing education programs; the practice of the religious tenets of any church; and the domestic administration of recognized family remedies.

The section also provides that ch. 462, F.S., does not prohibit certain persons from employing specified natural therapies in their occupations or from using certain descriptive terms, provided that the person does not use a protected title and does not misrepresent himself or herself as a person licensed under the chapter.

Section 5 renumbers and amends s. 462.01, F.S., as s. 462.003, F.S., to revise and provide definitions. The section defines "naturopathic doctor" as a person who is licensed to practice naturopathic medicine under ch. 462, F.S., and revises the definition of "naturopathic medicine" and "practice of naturopathic medicine" to include specified diagnostic, preventive, and treatment modalities, and to exclude specified activities and practices.

The bill defines "naturopathic medicine" and "the practice of naturopathic medicine" as the diagnosis, prevention, and treatment of physical or mental conditions by a licensed naturopathic doctor using modalities such as botanical and fungal extracts, clinical nutrition, counseling, dietary supplements, environmental medicine, homeopathy, imaging, lab testing, lifestyle medicine, natural substances, physical exams, and physical medicine, when consistent with Council on Naturopathic Medical Education (CNME)-accredited doctoral education and consistent with naturopathic principles and the naturopathic therapeutic order.

The bill expressly excludes from the scope of naturopathic medicine:

- Prescribing, dispensing, or administering legend drugs or prescription drugs, except as expressly authorized for certain natural, nonpharmacologic substances (e.g., vitamin B12).
- Surgery.
- Holding out as, or practicing as, any other licensed profession (e.g., an allopathic or osteopathic physician, dentist, nurse practitioner, physician assistant, chiropractor, physical therapist, acupuncturist, midwife, or licensed dietitian).
- The use of general anesthesia or spinal anesthesia.
- Administering ionizing radioactive substances.
- High-velocity spinal or joint manipulation, unless the naturopathic doctor is also licensed as a chiropractor or an osteopathic physician.
- Acupuncture, unless the naturopathic doctor is also licensed as an acupuncturist.
- Labor and delivery management, unless the naturopathic doctor is also licensed as a midwife.

Section 6 creates s. 462.004, F.S., to create the Board of Naturopathic Medicine (Board) within the Department of Health (DOH). The section provides for board membership, appointment, and confirmation requirements, and provides that applicable provisions of ch. 456, F.S., relating to practitioner regulatory boards will apply to the Board. The Board is to be composed of seven members who are residents of this state, including four naturopathic doctors, two physicians

licensed under ch. 458 or 459, F.S., and one non-physician public member. The first four members appointed must meet the educational requirements and pass the examination required for licensure as a naturopathic doctor in s. 462.007(1)(b), (c), and (f), F.S., as created by the bill.

Section 7 renumbers and amends s. 462.023, F.S., as s. 462.005, F.S., to require the Board and the DOH to adopt rules to implement ch. 462, F.S., as amended by this bill.

This section of the bill retains the DOH's existing authority to establish and collect licensing fees from naturopathic physicians.

Section 8 creates s. 462.006, F.S., to prohibit unlicensed persons from practicing naturopathic medicine or from promoting, identifying, or describing themselves as a "doctor of naturopathic medicine" or a "naturopathic doctor" or use the corresponding abbreviations "N.D." or "N.M.D." A violation of this section would constitute a misdemeanor and be punishable as provided in s. 775.082 or s. 775.083, F.S.

This section works in conjunction with the exceptions created in the bill's new s. 462.002, F.S., as the enumerated exempt individuals would not be engaging in unlicensed practice.

Section 9 creates s. 462.007, F.S., to provide for licensure by examination of naturopathic doctors. To become licensed by examination, a person must apply on a form furnished by the DOH and the Board must certify that the applicant meets the following criteria:

- Is at least 21 years old.
- Holds a bachelor's degree from a:
  - U.S. accredited college or university (recognized by the U.S. Department of Education or the Council for Higher Education); or
  - Canadian university that is a Universities Canada member; or
  - Foreign institution with board-approved credential evaluation showing equivalency (via a nationally recognized credential-evaluating agency; transcripts/syllabi/diplomas required).
- Holds a naturopathic doctoral degree from a program accredited by the Council on Naturopathic Medical Education (CNME).
- Is of good moral character.
- Submits to background screening in accordance with s. 456.0135, F.S.
- Obtains a passing score on Part I - Biomedical Science Examination, Part II - Core Clinical Science Examination, and Part II - Clinical Elective Pharmacology Examination of the competency-based national Naturopathic Physician Licensing Examination administered by the North American Board of Naturopathic Examiners.

The bill prohibits the Board from certifying certain applicants for licensure until completion of an investigation in another jurisdiction, and authorizes the Board to deny certification or certify with restrictions or for a probationary period if it determines that an applicant does not meet all licensure requirements.

Section 10 creates s. 462.008, F.S., to provide for licensure by endorsement of naturopathic doctors through the Mobile Opportunity by Interstate Licensure Endorsement (MOBILE) Act in s. 456.0145, F.S.

Section 11 renumbers and amends s. 462.08, F.S., as s. 462.009, F.S., to update requirements for licensure renewal for naturopathic doctors. The bill requires the DOH to adopt rules establishing procedures for the biennial renewal of licenses under this chapter.

This section retains the existing language providing for a biennial licensure renewal fee, as determined by the DOH, but which may not exceed $1,000.

Section 12 renumbers and amends s. 462.18, F.S., to revise continuing education requirements for naturopathic doctors. Under the bill, the Board must require at least 60 hours of continuing education during each biennial renewal period. The bill requires the Board to approve organizations that accredit naturopathic continuing education providers, including the American Association of Naturopathic Physicians and the North American Naturopathic Continuing Education Accreditation Council.

The bill requires naturopathic doctors to use the DOH's electronic continuing education tracking system to demonstrate compliance with continuing education requirements. The DOH notes that it would be required to work with the contracted continuing education vendor to establish this profession within the tracking system.[14]

Section 13 renumbers and amends s. 462.19, F.S., to revise provisions related to reactivation of inactive naturopathic doctor licenses and requires the Board to adopt rules.

Section 14 renumbers and amends s. 462.14, F.S., to revise grounds for disciplinary action. The bill requires the Board to establish guidelines for disciplinary action by rule. A naturopathic doctor would also be subject to grounds for discipline in s. 456.072, F.S.

Section 15 repeals s. 462.17, F.S., relating to the penalty for offenses relating to naturopathy.

Section 16 amends s. 20.43, F.S., to conform to changes made by the bill, including the Board within the DOH's Division of Medical Quality Assurance.

Section 17 amends s. 381.0031, F.S., to conform an existing provision that requires a practitioner licensed to practice naturopathy to report diseases of public health significance to the DOH, to changes made by the bill.

Section 18 amends s. 468.301, F.S., relating to radiological personnel certification, to conform to changes made by the bill.

Section 19 amends s. 476.044, F.S., exempting naturopathic physicians from barbering regulation, to conform to changes made by the bill.

Section 20 amends s. 477.0135, F.S., exempting naturopathic physicians from cosmetology regulation, to conform to changes made by the bill.

[14] Department of Health, 2024 House Bill 843 Legislative Bill Analysis (Dec. 19, 2023) (on file with the Senate Committee on Health Policy).

Section 21 amends s. 485.003, F.S., regarding hypnosis, to conform to changes made by the bill.

Section 22 amends s. 486.161, F.S., providing construction relating to the practice of physical therapy, to conform to changes made by the act.

Section 23 amends s. 627.351, F.S., relating to medical-malpractice shared-risk plans, to conform to changes made by the bill.

Section 24 amends s. 893.02, F.S., relating to drug abuse prevention and control, to remove a reference to a "naturopath" from existing law. Under the bill, naturopathic doctors do not have prescriptive authority and this section would not apply to them.

Section 25 amends s. 921.0022, F.S., to update the Criminal Punishment Code and conform to changes made by the bill. This section deletes "practicing naturopathy without a license" from the Criminal Punishment Code, as it is a misdemeanor and no longer a felony under the bill.

Section 26 provides an effective date of December 31, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None identified.

B. Public Records/Open Meetings Issues:

None identified.

C. Trust Funds Restrictions:

None identified.

D. State Tax or Fee Increases:

None identified.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None identified.

B. Private Sector Impact:

None identified.

C. Government Sector Impact:

According to the Department of Health (DOH), the creation of a regulatory framework for a new profession will have a significant, yet indeterminate negative fiscal impact on state expenditures that cannot be absorbed within existing resources. The DOH will be required to process applications, provide customer service, update technology systems, and staff additional board meetings. The DOH will need four full-time-equivalent positions and related expenses to accomplish the provisions in the bill at an annual cost of $511,010.[15] Because it is unclear how many applicants will seek initial licensure, the fiscal impact is indeterminate.

VI. Technical Deficiencies:

None identified.

VII. Related Issues:

None identified.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 20.43, 381.0031, 456.47, 462.01, 462.003, 462.005, 462.08, 462.009, 462.18, 462.011, 462.19, 462.012, 462.14, 462.017, 462.023, 468.301, 476.044, 477.0135, 485.003, 486.161, 627.351, 893.02, and 921.0022.

This bill creates the following sections of the Florida Statutes: 462.001, 462.002, 462.004, 462.006, 462.007, and 462.008.

This bill repeals section 462.17 of the Florida Statutes.

IX. Additional Information:

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

CS by Fiscal Policy on March 2, 2026:
The committee substitute resolves implementation issues noted by the DOH in the underlying bill, providing for the initial appointment of Board members, clarifying rulemaking authority of the Board and the DOH, preserving existing licensure fee authority, requiring applicants for licensure to undergo background screening through the standard process, and conforming provisions to changes made by the act.

[15] Department of Health, 2026 Legislative Bill Legislative Bill Analysis (SB 688) (Dec. 3, 2025) (on file with the Senate Appropriations Committee on Health and Human Services).

The committee substitute also authorizes naturopathic doctors to practice via telehealth.

B. Amendments:

None.

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

558882

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/03/2026	.	
	.	
	.	
	.	

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

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (1) of section 456.47, Florida Statutes, is amended to read:

456.47 Use of telehealth to provide services.—

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

(b) "Telehealth provider" means any individual who provides health care and related services using telehealth and who is

558882

licensed or certified under s. 393.17; part III of chapter 401; chapter 457; chapter 458; chapter 459; chapter 460; chapter 461; chapter 462; chapter 463; chapter 464; chapter 465; chapter 466; chapter 467; part I, part III, part IV, part V, part X, part XIII, or part XIV of chapter 468; chapter 478; chapter 480; part I, part II, or part III of chapter 483; chapter 484; chapter 486; chapter 490; or chapter 491; who is licensed under a multistate health care licensure compact of which Florida is a member state; or who is registered under and complies with subsection (4).

Section 2. Chapter 462, Florida Statutes, entitled "Naturopathy," is renamed as "Naturopathic Medicine."

Section 3. Section 462.001, Florida Statutes, is created to read:

462.001 Legislative findings and intent.—The Legislature finds that the interest of public health requires modernization of regulation related to naturopathy in this state. Since 1927, when Florida first regulated naturopathy, the profession and its role in the health care industry have evolved, including the distinction that exists today between naturopathy and naturopathic medicine, and this chapter reflects that evolution. It is the intent of the Legislature to remove the near total ban on the profession which has been in effect in this state since 1959 and ensure that:

(1) Naturopaths can freely offer naturopathy in this state.

(2) The safe and effective practice of naturopathic medicine can once again take place in this state through licensure of naturopathic doctors who meet minimum standards of education and training and who are held accountable for the safe

practice of naturopathic medicine.

Section 4. Section 462.002, Florida Statutes, is created to read:

462.002 Exceptions.—

(1) This chapter does not apply to:

(a) Other duly licensed health care practitioners acting within their respective scopes of practice, as authorized by statute.

(b) Students practicing under the direct supervision of a licensed naturopathic doctor as part of a preceptorship program while enrolled in a college or university program that is accredited by, or has candidacy status with, the Council on Naturopathic Medical Education or an equivalent accrediting body for the naturopathic medical profession which is recognized by the United States Department of Education or the board.

(c) Naturopathic residents practicing under the direct supervision of a licensed naturopathic doctor at a residency site recognized by the Council on Naturopathic Medical Education or by an equivalent accrediting body for the naturopathic medical profession which is recognized by the United States Department of Education or the board.

(d) A naturopathic doctor who holds an active license in another jurisdiction of the United States or Canada and is performing naturopathic procedures or demonstrating equipment or supplies for educational purposes in a board-approved continuing education program.

(e) The practice of the religious tenets of any church in this state.

(f) The domestic administration of recognized family

558882

remedies.

(2) This chapter does not prohibit:

(a) A person who sells a dietary supplement from providing information about the dietary supplement.

(b) Any person:

1. Not licensed as a naturopathic doctor from employing in her or his occupation Ayurveda, herbalism, homeopathy, naturopathy as defined in s. 462.003, nutrition, traditional Chinese medicine, or other natural therapy included as part of the practice of naturopathic medicine as defined in s. 462.003; or

2. From using such terms as "certified naturopath," "naturopath," "naturopathy," "traditional naturopath," or "traditional naturopathy," provided that the person does not:

a. Use a title protected under s. 462.006(1); or

b. Represent herself or himself as, or otherwise assume the character or appearance of, a naturopathic doctor.

Section 5. Section 462.01, Florida Statutes, is renumbered as section 462.003, Florida Statutes, and amended to read:

462.003 ~~462.01~~ Definitions.—As used in this chapter, the term:

(1) "Board" means the Board of Naturopathic Medicine.

(2) "Department" means the Department of Health.

(3) "Naturopathic doctor" means a person who is licensed under this chapter to practice naturopathic medicine.

(4) "Naturopathic medicine" or "the practice of naturopathic medicine" means the diagnosis, prevention, and treatment by a naturopathic doctor of any deformity, disease, injury, pain, or other mental or physical condition using

558882

botanical or fungal extracts, clinical nutrition, counseling techniques, dietary supplements, environmental medicine, homeopathic remedies, imaging studies, laboratory testing, lifestyle medicine, natural substances, physical examination, or physical medicine in a manner consistent with the education offered by naturopathic doctoral degree programs accredited by, or having candidacy status with, the Council on Naturopathic Medical Education or another accrediting agency recognized by the United States Department of Education or the board, and applied in a manner consistent with the principles of naturopathic medicine and the naturopathic therapeutic order defined herein. The term does not include any of the following:

(a) Prescribing, dispensing, or administering any legend or prescription drug other than natural, nonpharmacologic substances, including, but not limited to, vitamin B12.

(b) Performing any surgical procedure.

(c) Practicing or claiming to practice as a medical doctor or physician, an osteopathic physician, a dentist, a podiatric physician, an optometrist, a psychologist, a nurse practitioner, a physician assistant, a chiropractic physician, a physical therapist, an acupuncturist, a midwife, a licensed dietitian, or any other health care practitioner as defined in s. 456.001.

(d) Using general or spinal anesthetics.

(e) Administering ionizing radioactive substances.

(f) Performing chiropractic or osteopathic adjustments or manipulations that include high-velocity thrusts at or beyond the end range of normal joint motion, unless the naturopathic doctor is also licensed as a chiropractic physician or an osteopathic physician.

(g) Performing acupuncture, unless the naturopathic doctor is also licensed as an acupuncturist.

(h) Managing labor and delivery, unless the naturopathic doctor is also a licensed midwife or physician.

(5) "Naturopathic therapeutic order" means the principle defined by the American Association of Naturopathic Physicians to guide naturopathic doctors in reducing or resolving a patient's symptoms by addressing the root cause of a patient's condition while using the least therapeutic force necessary.

(6)~~(1) "Natureopathy" and~~ "Naturopathy," which is ~~shall be construed as~~ synonymous with "traditional naturopathy" and is understood to be distinct from naturopathic medicine, means the traditional, noninvasive health practice offered by naturopaths and traditional naturopaths focusing on education about natural practices and substances that can be used to promote general health and well-being ~~terms and mean the use and practice of psychological, mechanical, and material health sciences to aid in purifying, cleansing, and normalizing human tissues for the preservation or restoration of health, according to the fundamental principles of anatomy, physiology, and applied psychology, as may be required. Naturopathic practice employs, among other agencies, phytotherapy, dietetics, psychotherapy, suggestotherapy, hydrotherapy, zone therapy, biochemistry, external applications, electrotherapy, mechanotherapy, mechanical and electrical appliances, hygiene, first aid, sanitation, and heliotherapy; provided, however, that nothing in this chapter shall be held or construed to authorize any naturopathic physician licensed hereunder to practice materia medica or surgery or chiropractic medicine, nor shall the~~

558882

~~provisions of this law in any manner apply to or affect the practice of osteopathic medicine, chiropractic medicine, Christian Science, or any other treatment authorized and provided for by law for the cure or prevention of disease and ailments.~~

~~(2) "Department" means the Department of Health~~.

(7) "Principles of naturopathic medicine" means the philosophic foundation of naturopathic medical education and practice as set forth by the American Association of Naturopathic Physicians or the board and embodied in the education offered by naturopathic doctoral degree programs accredited by, or having candidacy status with, the Council on Naturopathic Medical Education or another accrediting agency recognized by the United States Department of Education or the board, and includes the following principles:

(a) The healing power of nature.

(b) Identify and treat the causes.

(c) First, do no harm.

(d) Doctor as teacher.

(e) Treat the whole person.

(f) Prevention.

Section 6. Section 462.004, Florida Statutes, is created to read:

462.004 Board of Naturopathic Medicine.—

(1) The Board of Naturopathic Medicine is created within the department and shall be composed of seven members appointed by the Governor and confirmed by the Senate. All members must be residents of this state.

(2)(a) Four members of the board must be licensed

naturopathic doctors. The first four members appointed to the board must meet the criteria specified in paragraphs s. 462.007(1)(b), (c), and (f).

(b) Two members of the board must be physicians licensed under chapter 458 or chapter 459.

(c) One member of the board must never have been licensed as a naturopathic doctor, a physician, or any other closely related profession.

(3) Members shall serve for 4-year staggered terms. A vacancy on the board shall be filled in the same manner as the original appointment. A member whose term expires shall serve until the Governor appoints the member's successor.

(4) All provisions of chapter 456 relating to regulatory boards shall apply to the board.

Section 7. Section 462.023, Florida Statutes, is renumbered as section 462.005, Florida Statutes, and amended to read:

462.005 ~~462.023~~ Rulemaking authority; fees ~~powers and duties of the department~~.—The board and the department shall adopt rules to implement this chapter. The department ~~may adopt such rules as are necessary to carry out the purposes of this chapter, initiate disciplinary action as provided by this chapter, and~~ shall establish fees based on its estimates of the revenue required to administer this chapter but shall not exceed the fee amounts provided in this chapter. ~~The department shall not adopt any rules which would cause any person who was not licensed in accordance with this chapter on July 1, 1959, and had not been a resident of the state for 2 years prior to such date, to become licensed.~~

Section 8. Section 462.006, Florida Statutes, is created to

read:

462.006 License required.—

(1) Unless licensed under this chapter, a person may not practice naturopathic medicine in this state and may not promote, identify, or describe herself or himself as a "doctor of naturopathic medicine" or a "naturopathic doctor" or use the abbreviations "N.D." or "N.M.D."

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

Section 9. Section 462.007, Florida Statutes, is created to read:

462.007 Licensure by examination.—

(1) Any person desiring to be licensed as a naturopathic doctor must apply to the department on forms furnished by the department. The department shall license each applicant who completes the application form and who the board certifies has met all of the following criteria:

(a) Is at least 21 years of age.

(b) Has received a bachelor's degree from one of the following:

1. A college or university accredited by an accrediting agency recognized by the United States Department of Education or the Council for Higher Education Accreditation or a successor entity recognized by the board;

2. A college or university in Canada which is a member of Universities Canada or a successor entity recognized by the board; or

3. A college or university in a foreign country, other than

Canada, if the applicant has provided evidence that her or his educational credentials are deemed equivalent to those provided in the United States or Canada. To have educational credentials deemed equivalent, the applicant must provide her or his foreign educational credentials, including transcripts, course descriptions or syllabi, and diplomas, to a nationally recognized educational credential evaluating agency approved by the board for the evaluation and determination of equivalency of the foreign educational credentials.

(c) Has received a naturopathic doctoral degree from a college or program accredited by, or having candidacy status with, the Council on Naturopathic Medical Education or another accrediting agency recognized by the United States Department of Education or the board.

(d) Is of good moral character.

(e) Has submitted to background screening in accordance with s. 456.0135.

(f) Has obtained a passing score on Part I - Biomedical Science Examination and Part II - Core Clinical Science Examination of the competency-based national Naturopathic Physician Licensing Examination administered by the North American Board of Naturopathic Examiners, or an equivalent examination offered by an equivalent or successor entity, as approved by the board.

(2) The board may not certify to the department for licensure any applicant who is under investigation in another jurisdiction for an offense that would constitute a violation of this chapter or chapter 456 until the investigation has been completed.

(3) If the board determines that an applicant for licensure does not meet all of the requirements of this section to the board's satisfaction, it may take one of the following actions:

(a) Refuse to certify to the department an application for licensure.

(b) Certify to the department an application for licensure with restrictions on the scope of practice of the naturopathic doctor.

(c) Certify to the department an application for licensure with a probationary period for the applicant, subject to such conditions as the board specifies, including, but not limited to, requiring the naturopathic doctor to submit to treatment, attend continuing education courses, submit to reexamination, or work under the supervision of another naturopathic doctor.

Section 10. Section 462.008, Florida Statutes, is created to read:

462.008 Licensure by endorsement.—The department shall issue a license to practice naturopathic medicine by endorsement to an applicant who, upon applying to the department on forms furnished by the department, the board certifies has met the requirements for licensure by endorsement under s. 456.0145.

Section 11. Section 462.08, Florida Statutes, is renumbered as section 462.009, Florida Statutes, and amended to read:

462.009 ~~462.08~~ Renewal of license to practice naturopathic medicine ~~naturopathy~~.—

(1) In order to continue practicing naturopathic medicine in this state, each licensed naturopathic doctor must ~~licenseholder shall~~ biennially renew her or his license to practice naturopathic medicine ~~naturopathy~~. The department shall

558882

renew a license upon receipt of the renewal application, verification of ~~The applicant must furnish to the department such evidence as it requires of the applicant's~~ compliance with s. 462.011 ~~s. 462.18~~, relating to continuing education ~~educational~~ requirements, and receipt of a nonrefundable~~. The~~ biennial renewal fee, the amount of which shall be determined by the department but which may not exceed $1,000~~, must be paid at the time the application for renewal of the license is filed~~.

(2) The department shall adopt rules establishing procedures for the biennial renewal of licenses under this chapter.

Section 12. Section 462.18, Florida Statutes, is renumbered as section 462.011, Florida Statutes, and amended to read:

462.011 ~~462.18~~ Continuing education ~~Educational~~ requirements.—

(1) At the time each licensee renews ~~shall renew~~ her or his license as ~~otherwise~~ provided in s. 462.009 ~~this chapter~~, each licensee must submit~~, in addition to the payment of the regular renewal fee, shall furnish~~ to the department satisfactory evidence that, in the preceding biennial period, the licensee has completed the continuing education requirements of this section.

(2) The board shall require each licensee to complete at least 60 hours of continuing education during each biennial renewal period.

(a) The board shall approve organizations that accredit naturopathic continuing education providers, including, but not limited to, the American Association of Naturopathic Physicians and the North American Naturopathic Continuing Education

Accreditation Council.

(b) The determination of whether substitute continuing education programs are permissible is solely within the discretion of the board.

(3) The licensee must use the electronic continuing education tracking system developed by the department under s. 456.0361 to demonstrate compliance with the continuing education requirements of this section ~~year preceding each such application for renewal, the licensee has attended the 2-day educational program as promulgated and conducted by the Florida Naturopathic Physicians Association, Inc., or, as a substitute therefor, the equivalent of that program as approved by the department. The department shall send a written notice to this effect to every person holding a valid license to practice naturopathy within this state at least 30 days prior to May 1 in each even-numbered year, directed to the last known address of such licensee, and shall enclose with the notice proper blank forms for application for annual license renewal. All of the details and requirements of the aforesaid educational program shall be adopted and prescribed by the department. In the event of national emergencies, or for sufficient reason, the department shall have the power to excuse the naturopathic physicians as a group or as individuals from taking this postgraduate course.~~

~~(2) The determination of whether a substitute annual educational program is necessary shall be solely within the discretion of the department~~.

Section 13. Section 462.19, Florida Statutes, is renumbered as section 462.012, Florida Statutes, and amended to read:

558882

462.012 ~~462.19 Renewal of license;~~ Inactive status; renewal and reactivation of inactive license.—

(1) ~~The department shall renew a license upon receipt of the renewal application and fee.~~

~~(2)~~ A licensee may request that her or his license be placed in an inactive status by making application to the department and paying a fee in an amount set by the department not to exceed $50.

(2) The board shall adopt rules relating to the reactivation of licenses that have become inactive and the renewal of inactive licenses. The rules must include continuing education requirements as a condition for reactivating a license. The continuing education requirements for reactivating a license may not be fewer than 20 classroom hours for each year the license was inactive.

Section 14. Section 462.14, Florida Statutes, is renumbered as section 462.017, Florida Statutes, and amended to read:

462.017 ~~462.14~~ Grounds for disciplinary action~~; action by the department~~.—

(1) The following acts constitute grounds for denial of a license or disciplinary action, as specified in s. 456.072(2):

(a) Attempting to obtain, obtaining, or renewing a license to practice naturopathic medicine by bribery, by fraudulent misrepresentation, or through an error of the department.

(b) Having a license to practice naturopathic medicine revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country.

(c) Being convicted or found guilty, regardless of

adjudication, of a crime in any jurisdiction which directly relates to the practice of naturopathic medicine or to the ability to practice naturopathic medicine. Any plea of nolo contendere shall be considered a conviction for purposes of this chapter.

(d) Engaging in false, deceptive, or misleading advertising related to the practice of naturopathic medicine.

(e) Advertising, practicing, or attempting to practice under a name other than one's own.

(f) Failing to report to the department any person who the licensee knows is in violation of this chapter or of the rules of the department. However, a person who the licensee knows is unable to practice naturopathic medicine with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material, or as a result of a mental or physical condition, may be reported to a consultant operating an impaired practitioner program as described in s. 456.076 rather than to the department.

(g) Aiding, assisting, procuring, employing, or advising any unlicensed person to practice naturopathic medicine contrary to this chapter or to a rule of the department.

(h) Failing to perform any statutory or legal obligation placed upon a licensed naturopathic doctor ~~physician~~.

(i) Making or filing a report which the licensee knows to be false, intentionally or negligently failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing or inducing another person to do so. Such reports or records shall include only those which are signed in the capacity as a licensed naturopathic doctor

558882

~~physician~~.

(j) ~~Paying or receiving any commission, bonus, kickback, or rebate, or engaging in any split-fee arrangement in any form whatsoever with a physician, organization, agency, or person, either directly or indirectly, for patients referred to providers of health care goods and services, including, but not limited to, hospitals, nursing homes, clinical laboratories, ambulatory surgical centers, or pharmacies. The provisions of This paragraph shall not be construed to prevent a naturopathic physician from receiving a fee for professional consultation services.~~

~~(k)~~ Exercising influence in ~~within~~ a patient-naturopathic doctor ~~patient-physician~~ relationship for purposes of engaging a patient in sexual activity. A patient is ~~shall be~~ presumed to be incapable of giving free, full, and informed consent to sexual activity with her or his naturopathic doctor ~~physician~~.

~~(l) Making deceptive, untrue, or fraudulent representations in the practice of naturopathic medicine or employing a trick or scheme in the practice of naturopathic medicine when such scheme or trick fails to conform to the generally prevailing standards of treatment in the medical community.~~

~~(m) Soliciting patients, either personally or through an agent, through the use of fraud, intimidation, undue influence, or a form of overreaching or vexatious conduct. A "solicitation" is any communication which directly or implicitly requests an immediate oral response from the recipient.~~

(k) ~~(n)~~ Failing to keep written medical records justifying the course of treatment of the patient~~, including, but not limited to, patient histories, examination results, test~~

558882

~~results, X rays, and records of the prescribing, dispensing and administering of drugs~~.

(l) ~~(o)~~ Exercising influence on the patient ~~or client~~ in such a manner as to exploit the patient ~~or client~~ for the financial gain of the licensee or of a third party~~, which shall include, but not be limited to, the promoting or selling of services, goods, appliances, or drugs and the promoting or advertising on any prescription form of a community pharmacy unless the form also states "This prescription may be filled at any pharmacy of your choice."~~

~~(p) Performing professional services which have not been duly authorized by the patient or client, or her or his legal representative, except as provided in s. 743.064, s. 766.103, or s. 768.13.~~

~~(q) Prescribing, dispensing, administering, mixing, or otherwise preparing a legend drug, including any controlled substance, other than in the course of the naturopathic physician's professional practice. For the purposes of this paragraph, it shall be legally presumed that prescribing, dispensing, administering, mixing, or otherwise preparing legend drugs, including all controlled substances, inappropriately or in excessive or inappropriate quantities is not in the best interest of the patient and is not in the course of the naturopathic physician's professional practice, without regard to her or his intent.~~

~~(r) Prescribing, dispensing, or administering any medicinal drug appearing on any schedule set forth in chapter 893 by the naturopathic physician to herself or himself, except one prescribed, dispensed, or administered to the naturopathic~~

558882

~~physician by another practitioner authorized to prescribe, dispense, or administer medicinal drugs~~.

(m) ~~(s)~~ Being unable to practice naturopathic medicine with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical condition. In enforcing this paragraph, ~~the department shall have,~~ upon a finding of the State Surgeon General or her or his designee that probable cause exists to believe that the licensee is unable to serve as a naturopathic doctor due to the reasons stated in this paragraph, the department shall have the authority to issue an order to compel the licensee~~, authority to compel a naturopathic physician~~ to submit to a mental or physical examination by a physician ~~physicians~~ designated by the department. If the licensee does not comply with such order, the department's order directing ~~failure of a naturopathic physician to submit to~~ such ~~an~~ examination may be enforced by filing a petition for enforcement in the circuit court for the county in which the naturopathic doctor resides or does business. The naturopathic doctor against whom the petition is filed may not be named or identified by initials in any public court record or document, and the proceedings must be closed to the public. The department is entitled to the summary procedure provided in s. 51.011 ~~when so directed shall constitute an admission of the allegations against her or him upon which a default and final order may be entered without the taking of testimony or presentation of evidence, unless the failure was due to circumstances beyond the naturopathic physician's control~~. A naturopathic doctor subject to an order issued ~~physician affected~~ under this paragraph must,

558882

~~shall~~ at reasonable intervals, be afforded an opportunity to demonstrate that she or he can resume the competent practice of naturopathic medicine with reasonable skill and safety to patients. In any proceeding under this paragraph, neither the record of proceedings nor the orders entered by the department may be used against a naturopathic doctor ~~physician~~ in any other proceeding.

(n) ~~(t)~~ Engaging in gross or repeated malpractice or the failure to practice naturopathic medicine with that level of care, skill, and treatment which is recognized by a reasonably prudent similar physician as being acceptable under similar conditions and circumstances. ~~The department shall give great weight to the provisions of s. 766.102 when enforcing this paragraph.~~

~~(u) Performing any procedure or prescribing any therapy which, by the prevailing standards of medical practice in the community, constitutes experimentation on a human subject, without first obtaining full, informed, and written consent.~~

(o) ~~(v)~~ Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities which the licensee knows or has reason to know ~~that~~ she or he is not competent to perform.

(p) ~~(w)~~ Delegating professional responsibilities to a person when the licensee delegating such responsibilities knows or has reason to know that such person is not qualified by training, experience, or licensure to perform them.

(q) ~~(x)~~ Violating a lawful order of the board ~~the department~~ previously entered in a disciplinary hearing or failing to comply with a lawfully issued subpoena of the board or

558882

department.

(r) ~~(y)~~ Conspiring with another licensee or with any other person to commit an act, or committing an act, which would tend to coerce, intimidate, or preclude another licensee from lawfully advertising her or his services.

(s) Engaging in fraud or deceit or gross negligence, incompetence, or misconduct in the operation of a course of study.

(t) Failing to comply with state, county, or municipal regulations or reporting requirements relating to public health and the control of contagious and infectious diseases

~~(z) Procuring, or aiding or abetting in the procuring of, an unlawful termination of pregnancy~~.

~~(aa) Presigning blank prescription forms.~~

~~(bb) Prescribing by the naturopathic physician for office use any medicinal drug appearing on Schedule II in chapter 893.~~

~~(cc) Prescribing, ordering, dispensing, administering, supplying, selling, or giving any drug which is an amphetamine or sympathomimetic amine drug, or a compound designated pursuant to chapter 893 as a Schedule II controlled substance to or for any person except for:~~

~~1. The treatment of narcolepsy; hyperkinesis; behavioral syndrome in children characterized by the developmentally inappropriate symptoms of moderate to severe distractability, short attention span, hyperactivity, emotional lability, and impulsivity; or drug-induced brain dysfunction.~~

~~2. The differential diagnostic psychiatric evaluation of depression or the treatment of depression shown to be refractory to other therapeutic modalities.~~

~~3. The clinical investigation of the effects of such drugs or compounds when an investigative protocol therefor is submitted to, reviewed, and approved by the department before such investigation is begun.~~

~~(dd) Prescribing, ordering, dispensing, administering, supplying, selling, or giving growth hormones, testosterone or its analogs, human chorionic gonadotropin (HCG), or other hormones for the purpose of muscle building or to enhance athletic performance. For the purposes of this subsection, the term "muscle building" does not include the treatment of injured muscle. A prescription written for the drug products listed above may be dispensed by the pharmacist with the presumption that the prescription is for legitimate medical use.~~

(u) ~~(ee)~~ Violating any provision of this chapter or chapter 456, or any rule ~~rules~~ adopted pursuant thereto.

(2) The board ~~department~~ may enter an order denying licensure or imposing any of the penalties in s. 456.072(2) against any applicant for licensure or licensee who is found guilty of violating any provision of subsection (1) ~~of this section~~ or who is found guilty of violating any provision of s. 456.072(1).

(3) ~~The department shall not reinstate the license of a naturopathic physician until such time as the department is satisfied that such person has complied with all the terms and conditions set forth in the final order and that such person is capable of safely engaging in the practice of naturopathic medicine.~~

~~(4)~~ The board ~~department~~ shall by rule establish guidelines for the disposition of disciplinary cases involving specific

types of violations. Such guidelines may include minimum and maximum fines, periods of supervision or probation, or conditions of probation or reissuance of a license.

Section 15. Section 462.17, Florida Statutes, is repealed.

Section 16. Paragraph (g) of subsection (3) of section 20.43, Florida Statutes, is amended to read:

20.43 Department of Health.—There is created a Department of Health.

(3) The following divisions of the Department of Health are established:

(g) Division of Medical Quality Assurance, which is responsible for the following boards and professions established within the division:

1. The Board of Acupuncture, created under chapter 457.

2. The Board of Medicine, created under chapter 458.

3. The Board of Osteopathic Medicine, created under chapter 459.

4. The Board of Chiropractic Medicine, created under chapter 460.

5. The Board of Podiatric Medicine, created under chapter 461.

6. The Board of Naturopathic Medicine ~~Naturopathy~~, as provided under chapter 462.

7. The Board of Optometry, created under chapter 463.

8. The Board of Nursing, created under part I of chapter 464.

9. Nursing assistants, as provided under part II of chapter 464.

10. The Board of Pharmacy, created under chapter 465.

11. The Board of Dentistry, created under chapter 466.

12. Midwifery, as provided under chapter 467.

13. The Board of Speech-Language Pathology and Audiology, created under part I of chapter 468.

14. The Board of Nursing Home Administrators, created under part II of chapter 468.

15. The Board of Occupational Therapy, created under part III of chapter 468.

16. Respiratory therapy, as provided under part V of chapter 468.

17. Dietetics and nutrition practice, as provided under part X of chapter 468.

18. The Board of Athletic Training, created under part XIII of chapter 468.

19. The Board of Orthotists and Prosthetists, created under part XIV of chapter 468.

20. Electrolysis, as provided under chapter 478.

21. The Board of Massage Therapy, created under chapter 480.

22. The Board of Clinical Laboratory Personnel, created under part I of chapter 483.

23. Medical physicists, as provided under part II of chapter 483.

24. The Board of Opticianry, created under part I of chapter 484.

25. The Board of Hearing Aid Specialists, created under part II of chapter 484.

26. The Board of Physical Therapy Practice, created under chapter 486.

558882

27. The Board of Psychology, created under chapter 490.

28. School psychologists, as provided under chapter 490.

29. The Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling, created under chapter 491.

30. Emergency medical technicians and paramedics, as provided under part III of chapter 401.

Section 17. Subsection (2) of section 381.0031, Florida Statutes, is amended to read:

381.0031 Epidemiological research; report of diseases of public health significance to department.—

(2) Any practitioner licensed in this state to practice medicine, osteopathic medicine, chiropractic medicine, naturopathic medicine ~~naturopathy~~, or veterinary medicine; any licensed pharmacist authorized under a protocol with a supervising physician under s. 465.1895, or a collaborative pharmacy practice agreement, as defined in s. 465.1865, to perform or order and evaluate laboratory and clinical tests; any hospital licensed under part I of chapter 395; or any laboratory appropriately certified by the Centers for Medicare and Medicaid Services under the federal Clinical Laboratory Improvement Amendments and the federal rules adopted thereunder which diagnoses or suspects the existence of a disease of public health significance shall immediately report the fact to the Department of Health.

Section 18. Subsection (11) of section 468.301, Florida Statutes, is amended to read:

468.301 Definitions.—As used in this part, the term:

(11) "Licensed practitioner" means a person who is licensed

558882

or otherwise authorized by law to practice medicine, podiatric medicine, chiropody, osteopathic medicine, naturopathic medicine ~~naturopathy~~, or chiropractic medicine in this state.

Section 19. Subsection (1) of section 476.044, Florida Statutes, is amended to read:

476.044 Exemptions.—This chapter does not apply to the following persons when practicing pursuant to their professional responsibilities and duties:

(1) Persons authorized under the laws of this state to practice medicine, surgery, osteopathic medicine, chiropractic medicine, naturopathic medicine ~~naturopathy~~, or podiatric medicine;

Section 20. Paragraph (a) of subsection (1) of section 477.0135, Florida Statutes, is amended to read:

477.0135 Exemptions.—

(1) This chapter does not apply to the following persons when practicing pursuant to their professional or occupational responsibilities and duties:

(a) Persons authorized under the laws of this state to practice medicine, surgery, osteopathic medicine, chiropractic medicine, massage therapy, naturopathic medicine ~~naturopathy~~, or podiatric medicine.

Section 21. Subsections (2) and (3) of section 485.003, Florida Statutes, are amended to read:

485.003 Definitions.—In construing this chapter, the words, phrases, or terms, unless the context otherwise indicates, shall have the following meanings:

(2) "Healing arts" shall mean the practice of medicine, surgery, psychiatry, dentistry, osteopathic medicine,

558882

chiropractic medicine, naturopathic medicine ~~naturopathy~~, podiatric medicine, chiropody, psychology, clinical social work, marriage and family therapy, mental health counseling, and optometry.

(3) "Practitioner of the healing arts" shall mean a person licensed under the laws of the state to practice medicine, surgery, psychiatry, dentistry, osteopathic medicine, chiropractic medicine, naturopathic medicine ~~naturopathy~~, podiatric medicine, chiropody, psychology, clinical social work, marriage and family therapy, mental health counseling, or optometry within the scope of his or her professional training and competence and within the purview of the statutes applicable to his or her respective profession, and who may refer a patient for treatment by a qualified person, who shall employ hypnotic techniques under the supervision, direction, prescription, and responsibility of such referring practitioner.

Section 22. Subsection (1) of section 486.161, Florida Statutes, is amended to read:

486.161 Exemptions.—

(1) ~~No provision of~~ This chapter does not ~~shall be construed to~~ prohibit any person licensed in this state from using any physical agent as a part of, or incidental to, the lawful practice of her or his profession under the statutes applicable to the profession of chiropractic physician, podiatric physician, doctor of medicine, massage therapist, nurse, osteopathic physician or surgeon, occupational therapist, or naturopathic doctor ~~naturopath~~.

Section 23. Paragraph (h) of subsection (4) of section 627.351, Florida Statutes, is amended to read:

558882

627.351 Insurance risk apportionment plans.—

(4) MEDICAL MALPRACTICE RISK APPORTIONMENT; ASSOCIATION CONTRACTS AND PURCHASES.—

(h) As used in this subsection:

1. "Health care provider" means hospitals licensed under chapter 395; physicians licensed under chapter 458; osteopathic physicians licensed under chapter 459; podiatric physicians licensed under chapter 461; dentists licensed under chapter 466; chiropractic physicians licensed under chapter 460; naturopathic doctors ~~naturopaths~~ licensed under chapter 462; nurses licensed under part I of chapter 464; midwives licensed under chapter 467; physician assistants licensed under chapter 458 or chapter 459; physical therapists and physical therapist assistants licensed under chapter 486; health maintenance organizations certificated under part I of chapter 641; ambulatory surgical centers licensed under chapter 395; other medical facilities as defined in subparagraph 2.; blood banks, plasma centers, industrial clinics, and renal dialysis facilities; or professional associations, partnerships, corporations, joint ventures, or other associations for professional activity by health care providers.

2. "Other medical facility" means a facility the primary purpose of which is to provide human medical diagnostic services or a facility providing nonsurgical human medical treatment, to which facility the patient is admitted and from which facility the patient is discharged within the same working day, and which facility is not part of a hospital. However, a facility existing for the primary purpose of performing terminations of pregnancy or an office maintained by a physician or dentist for the

practice of medicine may not be construed to be an "other medical facility."

3. "Health care facility" means any hospital licensed under chapter 395, health maintenance organization certificated under part I of chapter 641, ambulatory surgical center licensed under chapter 395, or other medical facility as defined in subparagraph 2.

Section 24. Subsection (23) of section 893.02, Florida Statutes, is amended to read:

893.02 Definitions.—The following words and phrases as used in this chapter shall have the following meanings, unless the context otherwise requires:

(23) "Practitioner" means a physician licensed under chapter 458, a dentist licensed under chapter 466, a veterinarian licensed under chapter 474, an osteopathic physician licensed under chapter 459, an advanced practice registered nurse licensed under chapter 464, ~~a naturopath licensed under chapter 462,~~ a certified optometrist licensed under chapter 463, a psychiatric nurse as defined in s. 394.455, a podiatric physician licensed under chapter 461, or a physician assistant licensed under chapter 458 or chapter 459, provided such practitioner holds a valid federal controlled substance registry number.

Section 25. Paragraph (g) of subsection (3) of section 921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(g) LEVEL 7

Florida Statute	Felony Degree	Description
316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
327.35(3)(a)3.b.	3rd	Vessel BUI resulting in serious bodily injury.
402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.

558882

409.920 (2)(b)1.a.	3rd	Medicaid provider fraud; $10,000 or less.
409.920 (2)(b)1.b.	2nd	Medicaid provider fraud; more than $10,000, but less than $50,000.
456.065(2)	3rd	Practicing a health care profession without a license.
456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
458.327(1)	3rd	Practicing medicine without a license.
459.013(1)	3rd	Practicing osteopathic medicine without a license.
460.411(1)	3rd	Practicing chiropractic medicine without a license.
461.012(1)	3rd	Practicing podiatric medicine without a license.
~~462.17~~	~~3rd~~	~~Practicing naturopathy without a license.~~

463.015(1)	3rd	Practicing optometry without a license.
464.016(1)	3rd	Practicing nursing without a license.
465.015(2)	3rd	Practicing pharmacy without a license.
466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
467.201	3rd	Practicing midwifery without a license.
468.366	3rd	Delivering respiratory care services without a license.
483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
483.901(7)	3rd	Practicing medical physics without a license.
484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.

820	484.053	3rd	Dispensing hearing aids without a license.
821	494.0018(2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded $50,000 and there were five or more victims.
822	560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding $300 but less than $20,000 by a money services business.
823	560.125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding $300 but less than $20,000.
824	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding $300 but less than $20,000 by financial institution.
	775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver license or

			identification card; other registration violations.
825			
	775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
826			
	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
827			
	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
828			
	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
829			
	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
830			
	782.072	2nd	Killing of a human being by the

			operation of a vessel in a reckless manner (vessel homicide).
831			
	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
832			
	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
833			
	784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
834			
	784.048(4)	3rd	Aggravated stalking; violation of injunction or court order.
835			
	784.048(7)	3rd	Aggravated stalking; violation of court order.
836			
	784.07(2)(d)	1st	Aggravated battery on law enforcement officer.
837			
	784.074(1)(a)	1st	Aggravated battery on sexually violent predators facility staff.
838			
	784.08(2)(a)	1st	Aggravated battery on a person 65 years of age or older.

784.081(1)	1st	Aggravated battery on specified official or employee.
784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
784.083(1)	1st	Aggravated battery on code inspector.
787.025(2)(b)	2nd	Luring or enticing a child; second or subsequent offense.
787.025(2)(c)	2nd	Luring or enticing a child with a specified prior conviction.
787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
787.06(3)(e)2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
790.07(4)	1st	Specified weapons violation subsequent to previous

			conviction of s. 790.07(1) or (2).
790.16(1)		1st	Discharge of a machine gun under specified circumstances.
790.165(2)		2nd	Manufacture, sell, possess, or deliver hoax bomb.
790.165(3)		2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
790.166(3)		2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
790.166(4)		2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
790.23		1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.

794.08(4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
800.04(5)(c)2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
800.04(5)(e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified

		sex offense.
806.01(2)	2nd	Maliciously damage structure by fire or explosive.
810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
810.02(3)(e)	2nd	Burglary of authorized emergency vehicle.
812.014(2)(a)1.	1st	Property stolen, valued at $100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than $50,000, grand

			theft in 2nd degree.
866			
	812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
867			
	812.014(2)(b)4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
868			
	812.014(2)(g)	2nd	Grand theft; second degree; firearm with previous conviction of s. 812.014(2)(c)5.
869			
	812.0145(2)(a)	1st	Theft from person 65 years of age or older; $50,000 or more.
870			
	812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
871			
	812.131(2)(a)	2nd	Robbery by sudden snatching.
872			
	812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
873			
	817.034(4)(a)1.	1st	Communications fraud, value

			greater than $50,000.
874			
	817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
875			
	817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
876			
	817.234(11)(c)	1st	Insurance fraud; property value $100,000 or more.
877			
	817.2341 (2)(b) & (3)(b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
878			
	817.418(2)(a)	3rd	Offering for sale or advertising personal protective equipment with intent to defraud.
879			
	817.504(1)(a)	3rd	Offering or advertising a vaccine with intent to defraud.
880			

817.535(2)(a)	3rd	Filing false lien or other unauthorized document.
817.611(2)(b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
825.102(3)(b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
825.103(3)(b)	2nd	Exploiting an elderly person or disabled adult and property is valued at $10,000 or more, but less than $50,000.
827.03(2)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
827.04(3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.

888	827.071(4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
889	837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
890	838.015	2nd	Bribery.
891	838.016	2nd	Unlawful compensation or reward for official behavior.
892	838.021(3)(a)	2nd	Unlawful harm to a public servant.
893	838.22	2nd	Bid tampering.
894	843.0855(2)	3rd	Impersonation of a public officer or employee.
895	843.0855(3)	3rd	Unlawful simulation of legal process.
896	843.0855(4)	3rd	Intimidation of a public officer or employee.
	847.0135(3)	3rd	Solicitation of a child, via a

			computer service, to commit an unlawful sex act.
847.0135(4)		2nd	Traveling to meet a minor to commit an unlawful sex act.
872.06		2nd	Abuse of a dead human body.
874.05(2)(b)		1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
874.10		1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
893.13(1)(c)1.		1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5., within 1,000 feet of property used for religious services or a specified business site.
893.13(4)(a)	1st	Use or hire of minor; deliver to minor other controlled substance.
893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
893.135 (1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
893.135 (1)(c)2.a.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.

893.135 (1)(c)2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
893.135 (1)(c)3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
893.135 (1)(c)3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
893.135 (1)(c)4.b.(I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
893.135 (1)(d)1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
893.135(1)(e)1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
893.135(1)(f)1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.

916	893.135 (1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
917	893.135 (1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
918	893.135 (1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
919	893.135 (1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
920	893.135 (1)(m)2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
921	893.135 (1)(m)2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
922	893.135 (1)(n)2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.

893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
896.101(5)(a)	3rd	Money laundering, financial transactions exceeding $300 but less than $20,000.
896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding $300 but less than $20,000.
943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.
943.0435(13)	3rd	Failure to report or providing

			false information about a sexual offender; harbor or conceal a sexual offender.
929			
	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
930			
	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
931			
	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
932			
	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
933			
	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
934			

985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

Section 26. This act shall take effect December 31, 2026.

================ 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 and insert:

A bill to be entitled

An act relating to naturopathic medicine; amending s. 456.47, F.S.; revising the definition of the term "telehealth provider" to include licensed naturopathic doctors; renaming ch. 462, F.S., as "Naturopathic Medicine"; creating s. 462.001, F.S.; providing legislative findings and intent; creating s. 462.002,

F.S.; providing applicability and construction; renumbering and amending s. 462.01, F.S.; revising and providing definitions; creating s. 462.004, F.S.; creating the Board of Naturopathic Medicine within the Department of Health; providing for membership of the board; providing applicability; renumbering and amending s. 462.023, F.S.; requiring the board and the department to adopt rules; deleting obsolete language; creating s. 462.006, F.S.; prohibiting unlicensed persons from practicing naturopathic medicine or promoting, identifying, or describing themselves using specified titles or abbreviations; providing criminal penalties; creating s. 462.007, F.S.; providing for licensure by examination of naturopathic doctors; prohibiting the board from certifying certain applicants for licensure until a certain investigation is completed; authorizing the board to take specified actions if it determines that an applicant does not meet all of the requirements for licensure; creating s. 462.008, F.S.; providing for licensure by endorsement of naturopathic doctors; renumbering and amending s. 462.08, F.S.; revising requirements for licensure renewal for naturopathic doctors; requiring the department to renew a license under certain circumstances; requiring the department to adopt rules; renumbering and amending s. 462.18, F.S.; revising continuing education requirements for naturopathic doctors; requiring naturopathic doctors to use the department’s electronic continuing

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education tracking system to demonstrate compliance with continuing education requirements; renumbering and amending s. 462.19, F.S.; revising provisions related to reactivation of inactive naturopathic doctor licenses; requiring the board to adopt rules; specifying requirements for such rules; renumbering and amending s. 462.14, F.S.; revising grounds for disciplinary action; authorizing the board, rather than the department, to enter an order denying licensure or imposing disciplinary action for specified violations; requiring the board, rather than the department, to establish by rule disciplinary guidelines; repealing s. 462.17, F.S., relating to penalty for offenses relating to naturopathy; amending ss. 20.43, 381.0031, 468.301, 476.044, 477.0135, 485.003, 486.161, 627.351, 893.02, and 921.0022, F.S.; conforming provisions to changes made by the act; providing an effective date.

By Senator Rodriguez

40-00433A-26 2026688__

A bill to be entitled

An act relating to naturopathic medicine; redesignating ch. 462, F.S., as "Naturopathic Medicine"; creating s. 462.001, F.S.; providing legislative findings and purpose; creating s. 462.002, F.S.; providing applicability and construction; renumbering and amending s. 462.01, F.S.; revising and providing definitions; creating s. 462.004, F.S.; creating the Board of Naturopathic Medicine within the Department of Health; providing for membership of the board; renumbering and amending s. 462.023, F.S.; authorizing the board to adopt rules; deleting obsolete language; creating s. 462.006, F.S.; prohibiting unlicensed persons from practicing naturopathic medicine or promoting, identifying, or describing themselves using specified titles or abbreviations; providing criminal penalties; creating s. 462.007, F.S.; providing for licensure by examination of naturopathic doctors; requiring the department and the board to use an investigative process to ensure that applicants meet the applicable criteria; authorizing the State Surgeon General or her or his designee to issue a 90-day licensure delay under certain circumstances; providing construction; prohibiting the board from certifying certain applicants for licensure until a certain investigation is completed; authorizing the board to take specified actions if it determines that an applicant does not meet all of the requirements for licensure; creating

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40-00433A-26 2026688__

s. 462.008, F.S.; providing for licensure by endorsement of naturopathic doctors; renumbering and amending s. 462.08, F.S.; revising requirements for licensure renewal for naturopathic doctors; requiring the department to adopt rules; renumbering and amending s. 462.18, F.S.; revising continuing education requirements for naturopathic doctors; requiring naturopathic doctors to use the department's electronic continuing education tracking system to demonstrate compliance with continuing education requirements; renumbering and amending s. 462.19, F.S.; revising provisions related to reactivation of inactive naturopathic doctor licenses; requiring the board to adopt rules; renumbering and amending s. 462.14, F.S.; revising grounds for disciplinary action; repealing s. 462.17, F.S., relating to penalty for offenses relating to naturopathy; amending ss. 20.43, 381.0031, 468.301, 476.044, 477.0135, 485.003, 486.161, 627.351, 893.02, and 921.0022, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Chapter 462, Florida Statutes, entitled "Naturopathy," is redesignated as "Naturopathic Medicine."

Section 2. Section 462.001, Florida Statutes, is created to read:

462.001 Legislative findings; purpose.—The Legislature

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finds that the interest of public health requires modernization of regulation related to naturopathy in this state. Since 1927, when Florida first regulated naturopathy, the profession and its role in the health care industry have evolved, including the distinction that exists today between naturopathy and naturopathic medicine, and this chapter reflects that evolution. It is the intent of the Legislature to free naturopathy in this state by removing the near total ban on the profession that has been in place since 1959 by ensuring:

(1) Naturopathy is offered by naturopaths in this state.

(2) Naturopathic medicine is practiced in this state by issuing licenses to naturopathic doctors who meet clear standards of education and training and who are held accountable for safe practice.

Section 3. Section 462.002, Florida Statutes, is created to read:

462.002 Exceptions.—

(1) This chapter does not apply to:

(a) Other duly licensed health care practitioners acting within their respective scopes of practice, as authorized by general law.

(b) Students practicing under the direct supervision of a licensed naturopathic doctor as part of a preceptorship program while enrolled in a college or university program that is accredited by, or has candidacy status with, the Council on Naturopathic Medical Education or an equivalent accrediting body for the naturopathic medical profession which is recognized by the United States Department of Education and the board.

(c) Naturopathic residents practicing under the direct

supervision of a licensed naturopathic doctor at a residency site recognized by the Council on Naturopathic Medical Education or by an equivalent accrediting body for the naturopathic medical profession which is recognized by the United States Department of Education or the board.

(d) A naturopathic doctor who holds an active license in another jurisdiction of the United States or Canada and is performing naturopathic procedures or demonstrating equipment or supplies for educational purposes at a board-approved continuing education program.

(e) The practice of the religious tenets of any church in this state.

(f) The domestic administration of recognized family remedies.

(2) This chapter does not prohibit:

(a) A person who sells a dietary supplement from providing information about the dietary supplement.

(b) Any person:

1. Not licensed as a naturopathic doctor from employing in his or her occupation Ayurveda, herbalism, homeopathy, naturopathy as defined in s. 462.003, nutrition, traditional Chinese medicine, or other natural therapy included as part of the practice of naturopathic medicine, as defined in s. 462.003; or

2. From using terms, including, but not limited to, "certified naturopath," "naturopath," "naturopathy," "traditional naturopath," or "traditional naturopath," provided that the person does not:

a. Use a title protected under s. 462.006; or

b. Represent or assume the character or appearance of a person described in s. 462.006.

Section 4. Section 462.01, Florida Statutes, is renumbered as section 462.003, Florida Statutes, and amended to read:

462.003 ~~462.01~~ Definitions.—As used in this chapter, the term:

(1) "Board" means the Board of Naturopathic Medicine.

(2) "Department" means the Department of Health.

(3) "Naturopathic doctor" means a person who is licensed to practice naturopathic medicine under this chapter.

(4)(a) "Naturopathic medicine" and "practice of naturopathic medicine" mean the diagnosis, prevention, and treatment by a naturopathic doctor of any deformity, disease, injury, pain, or other physical or mental condition using botanical or fungal extracts, clinical nutrition, counseling techniques, dietary supplements, environmental medicine, homeopathic remedies, imaging studies, laboratory testing, lifestyle medicine, natural substances, physical exam, or physical medicine in a manner consistent with the education offered by naturopathic doctoral degree programs accredited by, or having candidacy status with, the Council on Naturopathic Medical Education or another accrediting agency recognized by the United States Department of Education or the board, and applied in a manner consistent with the principles of naturopathic medicine and the naturopathic therapeutic order defined herein.

(b) The term does not include any of the following:

1. Prescribing, dispensing, or administering any legend drug or prescription drug outside of natural, non-pharmacologic

substances, including, but not limited to, vitamin B12.

2. Performing any surgical procedure.

3. Practicing or claiming to practice as a medical doctor or physician, an osteopathic physician, a dentist, a podiatric physician, an optometrist, a psychologist, a nurse practitioner, a physician assistant, a chiropractic physician, a physical therapist, an acupuncturist, a midwife, or a health care practitioner as defined in s. 456.001.

4. Using general or spinal anesthetics.

5. Administering ionizing radioactive substances.

6. Performing chiropractic or osteopathic adjustments or manipulations that include high-velocity thrusts at or beyond the end range of normal joint motion, unless the naturopathic doctor is also licensed as a chiropractic physician or an osteopathic physician.

7. Performing acupuncture, unless the naturopathic doctor is also licensed as an acupuncturist.

8. Managing labor and delivery, unless the naturopathic doctor is also a licensed midwife.

(5) "Naturopathic therapeutic order" means a principle defined by the American Association of Naturopathic Physicians to guide naturopathic doctors in resolving a patient's symptoms and addressing the root cause of a patient's disease while using the least amount of therapeutic force necessary.

(6)~~(1) "Naturopathy" and~~ "Naturopathy" is ~~shall be construed as~~ synonymous with "traditional naturopathy" and is understood to be distinct from naturopathic medicine, and means the traditional, noninvasive health practice offered by naturopaths and traditional naturopaths focusing on education

about natural practices and substances that can be used to promote general health and well-being ~~terms and mean the use and practice of psychological, mechanical, and material health sciences to aid in purifying, cleansing, and normalizing human tissues for the preservation or restoration of health, according to the fundamental principles of anatomy, physiology, and applied psychology, as may be required. Naturopathic practice employs, among other agencies, phytotherapy, dietetics, psychotherapy, suggestotherapy, hydrotherapy, zone therapy, biochemistry, external applications, electrotherapy, mechanotherapy, mechanical and electrical appliances, hygiene, first aid, sanitation, and heliotherapy; provided, however, that nothing in this chapter shall be held or construed to authorize any naturopathic physician licensed hereunder to practice materia medica or surgery or chiropractic medicine, nor shall the provisions of this law in any manner apply to or affect the practice of osteopathic medicine, chiropractic medicine, Christian Science, or any other treatment authorized and provided for by law for the cure or prevention of disease and ailments.~~

~~(2) "Department" means the Department of Health~~.

(7) "Principles of naturopathic medicine" means the foundations of naturopathic medical education and practice as set forth by the American Association of Naturopathic Physicians or the board and embodied in the education offered by naturopathic doctoral degree programs accredited by, or having candidacy status with, the Council on Naturopathic Medical Education or another accrediting agency recognized by the United States Department of Education or the board, and including all

of the following principles:

(a) The healing power of nature.

(b) Identify and treat the causes.

(c) First do no harm.

(d) Doctor as teacher.

(e) Treat the whole person.

(f) Prevention.

Section 5. Section 462.004, Florida Statutes, is created to read:

462.004 Board of Naturopathic Medicine.—

(1) There is created within the department the Board of Naturopathic Medicine, composed of seven members appointed by the Governor and confirmed by the Senate.

(2)(a) Four members of the board must be licensed naturopathic doctors who are residents of this state.

(b) Two members of the board must be physicians licensed under chapter 458 or chapter 459 who are residents of this state.

(c) One member of the board must be a resident of this state who is not, and has never been, licensed as a naturopathic doctor, an osteopathic physician, a physician, or any other closely related profession.

(d) At least one member of the board must be 60 years of age or older.

(3) As the terms of the members expire, the Governor shall appoint successors for terms of 4 years, and such members shall serve until their successors are appointed.

(4) All provisions of chapter 456 relating to the board shall apply.

Section 6. Section 462.023, Florida Statutes, is renumbered as section 462.005, Florida Statutes, and amended to read:

462.005 ~~462.023~~ Rulemaking authority; powers and duties of the board ~~department~~.—The board ~~department~~ may adopt ~~such~~ rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter conferring duties upon it ~~as are necessary to carry out the purposes of this chapter, initiate disciplinary action as provided by this chapter, and shall establish fees based on its estimates of the revenue required to administer this chapter but shall not exceed the fee amounts provided in this chapter. The department shall not adopt any rules which would cause any person who was not licensed in accordance with this chapter on July 1, 1959, and had not been a resident of the state for 2 years prior to such date, to become licensed~~.

Section 7. Section 462.006, Florida Statutes, is created to read:

462.006 License required.—

(1) Unless licensed under this chapter, a person may not practice naturopathic medicine in this state and may not promote, identify, or describe herself or himself as a "doctor of naturopathic medicine," or a "naturopathic doctor" or use the post-nominals "N.D." or "N.M.D."

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

Section 8. Section 462.007, Florida Statutes, is created to read:

462.007 Licensure by examination.—

(1) Any person desiring to be licensed as a naturopathic doctor must apply to the department on forms furnished by the department. The department shall license each applicant who completes the application form and who the board certifies has met all of the following criteria:

(a) Is at least 21 years of age.

(b) Has received a bachelor's degree from one of the following:

1. A college or university accredited by an accrediting agency recognized by the United States Department of Education or the Council for Higher Education Accreditation or a successor entity recognized by the board;

2. A college or university in Canada which is a member of Universities Canada or a successor entity recognized by the board; or

3. A college or university in a foreign country, other than Canada, when such applicant has provided evidence that her or his educational credentials are deemed equivalent to those provided in this country or Canada. To have educational credentials deemed equivalent, the applicant must provide her or his foreign educational credentials, including transcripts, course descriptions or syllabi, and diplomas, to a nationally recognized educational credential evaluating agency approved by the board for the evaluation and determination of equivalency of the foreign educational credentials.

(c) Has received a naturopathic doctoral degree from a college or program accredited by, or having candidacy status with, the Council on Naturopathic Medical Education or another accrediting agency recognized by the United States Department of

Education or the board.

(d) Is physically and mentally fit to practice as a naturopathic doctor.

(e) Is of good moral character.

(f) Has submitted to the department a set of fingerprints on a form and in accordance with procedures specified by the department, along with payment in an amount equal to the costs incurred by the department for a criminal background check of the applicant.

(g) Has obtained a passing score on Part I - Biomedical Science Examination and Part II - Core Clinical Science Examination of the competency-based national Naturopathic Physician Licensing Examination administered by the North American Board of Naturopathic Examiners, or an equivalent examination offered by an equivalent or successor entity, as approved by the board.

(2) The department and the board shall ensure that applicants for licensure satisfy the applicable criteria in this section through an investigative process. If the investigative process is not completed within the timeframe established in s. 120.60(1) and the department or board has reason to believe that the applicant does not meet such criteria, the State Surgeon General or her or his designee may issue a 90-day licensure delay, which must be in writing and sufficient to notify the applicant of the reason for the delay. This subsection prevails over any conflicting provision of s. 120.60(1).

(3) The board may not certify to the department for licensure any applicant who is under investigation in another jurisdiction for an offense that would constitute a violation of

this chapter or chapter 456 until the investigation has been completed.

(4) If the board determines that an applicant for licensure has failed to meet, to the board's satisfaction, any of the requirements of this section, the board may take one of the following actions:

(a) Refuse to certify to the department an application for licensure.

(b) Certify to the department an application for licensure with restrictions on the scope of practice of the naturopathic doctor.

(c) Certify to the department an application for licensure with a probationary period for the applicant, subject to such conditions as the board specifies, including, but not limited to, requiring the naturopathic doctor to submit to treatment, attend continuing education courses, submit to reexamination, or work under the supervision of another naturopathic doctor.

Section 9. Section 462.008, Florida Statutes, is created to read:

462.008 Licensure by endorsement.—The department shall issue a license to practice naturopathic medicine by endorsement to an applicant who, upon applying to the department on forms furnished by the department, the board certifies has met the requirements for licensure by endorsement under s. 456.0145.

Section 10. Section 462.08, Florida Statutes, is renumbered as section 462.009, Florida Statutes, and amended to read:

462.009 ~~462.08~~ Renewal of license to practice naturopathic medicine ~~naturopathy~~.—

(1) In order to continue practicing naturopathic medicine

in this state, each licensed naturopathic doctor must ~~licenseholder shall~~ biennially renew her or his license to practice naturopathic medicine ~~naturopathy~~. The applicant for license renewal must furnish to the board ~~department~~ such evidence as it requires of the applicant's compliance with s. 462.011 ~~s. 462.18~~, relating to continuing education ~~educational~~ requirements. The nonrefundable biennial renewal fee, the amount of which shall be determined by the department but which may not exceed $1,000, must be paid at the time the application for renewal of the license is filed.

(2) The department shall adopt rules establishing procedures for the biennial renewal of licenses under this chapter.

Section 11. Section 462.18, Florida Statutes, is renumbered as section 462.011, Florida Statutes, and amended to read:

462.011 ~~462.18~~ Continuing education ~~Educational~~ requirements.—

(1) At the time each licensee renews ~~shall renew~~ her or his license as ~~otherwise~~ provided in s. 462.009 ~~this chapter~~, each licensee must~~, in addition to the payment of the regular renewal fee, shall~~ furnish to the department satisfactory evidence that, in the preceding biennial period, the licensee has completed the continuing education requirements of this section.

(2) The board shall require each licensee to complete at least 60 hours of continuing education during each biennial renewal period.

(a) The board shall approve organizations that accredit naturopathic continuing education providers, including, but not limited to, the American Association of Naturopathic Physicians

and the North American Naturopathic Continuing Education Accreditation Council.

(b) The determination of whether substitute continuing education programs are permissible is solely within the discretion of the board.

(3) The licensee must use the electronic continuing education tracking system developed by the department under s. 456.0361 to demonstrate compliance with the continuing education requirements of this section ~~year preceding each such application for renewal, the licensee has attended the 2-day educational program as promulgated and conducted by the Florida Naturopathic Physicians Association, Inc., or, as a substitute therefor, the equivalent of that program as approved by the department. The department shall send a written notice to this effect to every person holding a valid license to practice naturopathy within this state at least 30 days prior to May 1 in each even-numbered year, directed to the last known address of such licensee, and shall enclose with the notice proper blank forms for application for annual license renewal. All of the details and requirements of the aforesaid educational program shall be adopted and prescribed by the department. In the event of national emergencies, or for sufficient reason, the department shall have the power to excuse the naturopathic physicians as a group or as individuals from taking this postgraduate course.~~

~~(2) The determination of whether a substitute annual educational program is necessary shall be solely within the discretion of the department~~.

Section 12. Section 462.19, Florida Statutes, is renumbered

as section 462.012, Florida Statutes, and amended to read:

462.012 ~~462.19~~ Renewal of license; inactive status; reactivation of license.—

(1) A licensee may reactivate an inactive license by applying to the department.

(2) The board shall adopt rules relating to the reactivation of licenses that have become inactive and the renewal of inactive licenses. The rules must include continuing education requirements as a condition for reactivating a license. The continuing education requirements for reactivating a license may not be fewer than 20 classroom hours for each year the license was inactive.

~~(1) The department shall renew a license upon receipt of the renewal application and fee.~~

~~(2) A licensee may request that her or his license be placed in an inactive status by making application to the department and paying a fee in an amount set by the department not to exceed $50~~.

Section 13. Section 462.14, Florida Statutes, is renumbered as section 462.017, Florida Statutes, and amended to read:

462.017 ~~462.14~~ Grounds for disciplinary action~~; action by the department~~.—

~~(1)~~ The following acts constitute grounds for denial of a license or disciplinary action, as specified in s. 456.072(2):

(1)~~(a)~~ Attempting to obtain, obtaining, or renewing a license to practice naturopathic medicine by bribery, by fraudulent misrepresentation, or through an error of the department.

(2)~~(b)~~ Having a license to practice naturopathic medicine

revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country.

(3)~~(c)~~ Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which directly relates to the practice of naturopathic medicine or to the ability to practice naturopathic medicine. Any plea of nolo contendere shall be considered a conviction for purposes of this chapter.

(4)~~(d)~~ False, deceptive, or misleading advertising related to the practice of naturopathic medicine.

(5)~~(e)~~ Advertising, practicing, or attempting to practice under a name other than one's own.

(6)~~(f)~~ Failing to report to the department any person who the licensee knows is in violation of this chapter or of the rules of the department. However, a person who the licensee knows is unable to practice naturopathic medicine with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material, or as a result of a mental or physical condition, may be reported to a consultant operating an impaired practitioner program as described in s. 456.076 rather than to the department.

(7)~~(g)~~ Aiding, assisting, procuring, employing, or advising any unlicensed person to practice naturopathic medicine contrary to this chapter or to a rule of the department.

(8)~~(h)~~ Failing to perform any statutory or legal obligation placed upon a licensed naturopathic doctor ~~physician~~.

(9)~~(i)~~ Making or filing a report which the licensee knows

to be false, intentionally or negligently failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing or inducing another person to do so. Such reports or records shall include only those which are signed in the capacity as a licensed naturopathic doctor ~~physician~~.

~~(j) Paying or receiving any commission, bonus, kickback, or rebate, or engaging in any split-fee arrangement in any form whatsoever with a physician, organization, agency, or person, either directly or indirectly, for patients referred to providers of health care goods and services, including, but not limited to, hospitals, nursing homes, clinical laboratories, ambulatory surgical centers, or pharmacies. The provisions of This paragraph shall not be construed to prevent a naturopathic physician from receiving a fee for professional consultation services.~~

(10)~~(k)~~ Exercising influence within a patient-physician relationship for purposes of engaging a patient in sexual activity. A patient is ~~shall be~~ presumed to be incapable of giving free, full, and informed consent to sexual activity with her or his naturopathic doctor ~~physician~~.

~~(l) Making deceptive, untrue, or fraudulent representations in the practice of naturopathic medicine or employing a trick or scheme in the practice of naturopathic medicine when such scheme or trick fails to conform to the generally prevailing standards of treatment in the medical community.~~

~~(m) Soliciting patients, either personally or through an agent, through the use of fraud, intimidation, undue influence, or a form of overreaching or vexatious conduct. A "solicitation"~~

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~~is any communication which directly or implicitly requests an immediate oral response from the recipient.~~

(11)~~(n)~~ Failing to keep written medical records justifying the course of treatment of the patient~~, including, but not limited to, patient histories, examination results, test results, X-rays, and records of the prescribing, dispensing and administering of drugs~~.

(12)~~(o)~~ Exercising influence on the patient ~~or client~~ in such a manner as to exploit the patient ~~or client~~ for the financial gain of the licensee or of a third party~~, which shall include, but not be limited to, the promoting or selling of services, goods, appliances, or drugs and the promoting or advertising on any prescription form of a community pharmacy unless the form also states "This prescription may be filled at any pharmacy of your choice."~~

~~(p) Performing professional services which have not been duly authorized by the patient or client, or her or his legal representative, except as provided in s. 743.064, s. 766.103, or s. 768.13.~~

~~(q) Prescribing, dispensing, administering, mixing, or otherwise preparing a legend drug, including any controlled substance, other than in the course of the naturopathic physician's professional practice. For the purposes of this paragraph, it shall be legally presumed that prescribing, dispensing, administering, mixing, or otherwise preparing legend drugs, including all controlled substances, inappropriately or in excessive or inappropriate quantities is not in the best interest of the patient and is not in the course of the naturopathic physician's professional practice, without regard~~

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~~to her or his intent.~~

~~(r) Prescribing, dispensing, or administering any medicinal drug appearing on any schedule set forth in chapter 893 by the naturopathic physician to herself or himself, except one prescribed, dispensed, or administered to the naturopathic physician by another practitioner authorized to prescribe, dispense, or administer medicinal drugs~~.

(13)~~(s)~~ Being unable to practice naturopathic medicine with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical condition. In enforcing this paragraph, ~~the department shall have~~, upon a finding of the State Surgeon General or his or her designee that probable cause exists to believe that the licensee is unable to serve as a naturopathic doctor due to the reasons stated in this paragraph, the department shall have the authority to issue an order to compel the licensee~~, authority to compel a naturopathic physician~~ to submit to a mental or physical examination by a physician ~~physicians~~ designated by the department. If the licensee does not comply with such order, the department's order directing ~~failure of a naturopathic physician to submit to~~ such ~~an~~ examination may be enforced by filing a petition for enforcement in the circuit court for the county in which the naturopathic doctor resides or does business. The naturopathic doctor against whom the petition is filed may not be named or identified by initials in any public court record or document, and the proceedings must be closed to the public. The department is entitled to the summary procedure provided in s. 51.011 ~~when so directed shall constitute an admission of the allegations~~

~~against her or him upon which a default and final order may be entered without the taking of testimony or presentation of evidence, unless the failure was due to circumstances beyond the naturopathic physician's control~~. A naturopathic doctor subject to an order issued ~~physician affected~~ under this paragraph must, ~~shall~~ at reasonable intervals, be afforded an opportunity to demonstrate that she or he can resume the competent practice of naturopathic medicine with reasonable skill and safety to patients. In any proceeding under this paragraph, neither the record of proceedings nor the orders entered by the department may be used against a naturopathic doctor ~~physician~~ in any other proceeding.

(14)~~(t)~~ Gross or repeated malpractice or the failure to practice naturopathic medicine with that level of care, skill, and treatment which is recognized by a reasonably prudent similar physician as being acceptable under similar conditions and circumstances. ~~The department shall give great weight to the provisions of s. 766.102 when enforcing this paragraph.~~

~~(u) Performing any procedure or prescribing any therapy which, by the prevailing standards of medical practice in the community, constitutes experimentation on a human subject, without first obtaining full, informed, and written consent.~~

(15)~~(v)~~ Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities which the licensee knows or has reason to know ~~that~~ she or he is not competent to perform.

(16)~~(w)~~ Delegating professional responsibilities to a person when the licensee delegating such responsibilities knows or has reason to know that such person is not qualified by

training, experience, or licensure to perform them.

(17) ~~(x)~~ Violating a lawful order of the board ~~the department~~ previously entered in a disciplinary hearing or failing to comply with a lawfully issued subpoena of the board or department.

(18) ~~(y)~~ Conspiring with another licensee or with any other person to commit an act, or committing an act, which would tend to coerce, intimidate, or preclude another licensee from lawfully advertising her or his services.

(19) Fraud or deceit or gross negligence, incompetence, or misconduct in the operation of a course of study.

~~(z) Procuring, or aiding or abetting in the procuring of, an unlawful termination of pregnancy.~~

~~(aa) Presigning blank prescription forms.~~

~~(bb) Prescribing by the naturopathic physician for office use any medicinal drug appearing on Schedule II in chapter 893.~~

~~(cc) Prescribing, ordering, dispensing, administering, supplying, selling, or giving any drug which is an amphetamine or sympathomimetic amine drug, or a compound designated pursuant to chapter 893 as a Schedule II controlled substance to or for any person except for:~~

~~1. The treatment of narcolepsy; hyperkinesis; behavioral syndrome in children characterized by the developmentally inappropriate symptoms of moderate to severe distractability, short attention span, hyperactivity, emotional lability, and impulsivity; or drug-induced brain dysfunction.~~

~~2. The differential diagnostic psychiatric evaluation of depression or the treatment of depression shown to be refractory to other therapeutic modalities.~~

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~~3. The clinical investigation of the effects of such drugs or compounds when an investigative protocol therefor is submitted to, reviewed, and approved by the department before such investigation is begun.~~

~~(dd) Prescribing, ordering, dispensing, administering, supplying, selling, or giving growth hormones, testosterone or its analogs, human chorionic gonadotropin (HCG), or other hormones for the purpose of muscle building or to enhance athletic performance. For the purposes of this subsection, the term "muscle building" does not include the treatment of injured muscle. A prescription written for the drug products listed above may be dispensed by the pharmacist with the presumption that the prescription is for legitimate medical use.~~

(20) Failing to comply with state, county, or municipal regulations or reporting requirements relating to public health and the control of contagious and infectious diseases.

(21) ~~(ee)~~ Violating any provision of this chapter or chapter 456, or any rule ~~rules~~ adopted pursuant thereto.

~~(2) The department may enter an order denying licensure or imposing any of the penalties in s. 456.072(2) against any applicant for licensure or licensee who is found guilty of violating any provision of subsection (1) of this section or who is found guilty of violating any provision of s. 456.072(1).~~

~~(3) The department shall not reinstate the license of a naturopathic physician until such time as the department is satisfied that such person has complied with all the terms and conditions set forth in the final order and that such person is capable of safely engaging in the practice of naturopathic medicine.~~

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~~(4) The department shall by rule establish guidelines for the disposition of disciplinary cases involving specific types of violations. Such guidelines may include minimum and maximum fines, periods of supervision or probation, or conditions of probation or reissuance of a license.~~

Section 14. Section 462.17, Florida Statutes, is repealed.

Section 15. Paragraph (g) of subsection (3) of section 20.43, Florida Statutes, is amended to read:

20.43 Department of Health.—There is created a Department of Health.

(3) The following divisions of the Department of Health are established:

(g) Division of Medical Quality Assurance, which is responsible for the following boards and professions established within the division:

1. The Board of Acupuncture, created under chapter 457.

2. The Board of Medicine, created under chapter 458.

3. The Board of Osteopathic Medicine, created under chapter 459.

4. The Board of Chiropractic Medicine, created under chapter 460.

5. The Board of Podiatric Medicine, created under chapter 461.

6. The Board of Naturopathic Medicine ~~Naturopathy~~, as provided under chapter 462.

7. The Board of Optometry, created under chapter 463.

8. The Board of Nursing, created under part I of chapter 464.

9. Nursing assistants, as provided under part II of chapter

464.

10. The Board of Pharmacy, created under chapter 465.

11. The Board of Dentistry, created under chapter 466.

12. Midwifery, as provided under chapter 467.

13. The Board of Speech-Language Pathology and Audiology, created under part I of chapter 468.

14. The Board of Nursing Home Administrators, created under part II of chapter 468.

15. The Board of Occupational Therapy, created under part III of chapter 468.

16. Respiratory therapy, as provided under part V of chapter 468.

17. Dietetics and nutrition practice, as provided under part X of chapter 468.

18. The Board of Athletic Training, created under part XIII of chapter 468.

19. The Board of Orthotists and Prosthetists, created under part XIV of chapter 468.

20. Electrolysis, as provided under chapter 478.

21. The Board of Massage Therapy, created under chapter 480.

22. The Board of Clinical Laboratory Personnel, created under part I of chapter 483.

23. Medical physicists, as provided under part II of chapter 483.

24. The Board of Opticianry, created under part I of chapter 484.

25. The Board of Hearing Aid Specialists, created under part II of chapter 484.

26. The Board of Physical Therapy Practice, created under chapter 486.

27. The Board of Psychology, created under chapter 490.

28. School psychologists, as provided under chapter 490.

29. The Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling, created under chapter 491.

30. Emergency medical technicians and paramedics, as provided under part III of chapter 401.

Section 16. Subsection (2) of section 381.0031, Florida Statutes, is amended to read:

381.0031 Epidemiological research; report of diseases of public health significance to department.—

(2) Any practitioner licensed in this state to practice medicine, osteopathic medicine, chiropractic medicine, naturopathic medicine ~~naturopathy~~, or veterinary medicine; any licensed pharmacist authorized under a protocol with a supervising physician under s. 465.1895, or a collaborative pharmacy practice agreement, as defined in s. 465.1865, to perform or order and evaluate laboratory and clinical tests; any hospital licensed under part I of chapter 395; or any laboratory appropriately certified by the Centers for Medicare and Medicaid Services under the federal Clinical Laboratory Improvement Amendments and the federal rules adopted thereunder which diagnoses or suspects the existence of a disease of public health significance shall immediately report the fact to the Department of Health.

Section 17. Subsection (11) of section 468.301, Florida Statutes, is amended to read:

468.301 Definitions.—As used in this part, the term:

(11) "Licensed practitioner" means a person who is licensed or otherwise authorized by law to practice medicine, podiatric medicine, chiropody, osteopathic medicine, naturopathic medicine ~~naturopathy~~, or chiropractic medicine in this state.

Section 18. Subsection (1) of section 476.044, Florida Statutes, is amended to read:

476.044 Exemptions.—This chapter does not apply to the following persons when practicing pursuant to their professional responsibilities and duties:

(1) Persons authorized under the laws of this state to practice medicine, surgery, osteopathic medicine, chiropractic medicine, naturopathic medicine ~~naturopathy~~, or podiatric medicine;

Section 19. Paragraph (a) of subsection (1) of section 477.0135, Florida Statutes, is amended to read:

477.0135 Exemptions.—

(1) This chapter does not apply to the following persons when practicing pursuant to their professional or occupational responsibilities and duties:

(a) Persons authorized under the laws of this state to practice medicine, surgery, osteopathic medicine, chiropractic medicine, massage therapy, naturopathic medicine ~~naturopathy~~, or podiatric medicine.

Section 20. Subsections (2) and (3) of section 485.003, Florida Statutes, are amended to read:

485.003 Definitions.—In construing this chapter, the words, phrases, or terms, unless the context otherwise indicates, shall have the following meanings:

(2) "Healing arts" shall mean the practice of medicine, surgery, psychiatry, dentistry, osteopathic medicine, chiropractic medicine, naturopathic medicine ~~naturopathy~~, podiatric medicine, chiropody, psychology, clinical social work, marriage and family therapy, mental health counseling, and optometry.

(3) "Practitioner of the healing arts" shall mean a person licensed under the laws of the state to practice medicine, surgery, psychiatry, dentistry, osteopathic medicine, chiropractic medicine, naturopathic medicine ~~naturopathy~~, podiatric medicine, chiropody, psychology, clinical social work, marriage and family therapy, mental health counseling, or optometry within the scope of his or her professional training and competence and within the purview of the statutes applicable to his or her respective profession, and who may refer a patient for treatment by a qualified person, who shall employ hypnotic techniques under the supervision, direction, prescription, and responsibility of such referring practitioner.

Section 21. Subsection (1) of section 486.161, Florida Statutes, is amended to read:

486.161 Exemptions.—

(1) ~~No provision of~~ This chapter does not ~~shall be construed to~~ prohibit any person licensed in this state from using any physical agent as a part of, or incidental to, the lawful practice of her or his profession under the statutes applicable to the profession of chiropractic physician, podiatric physician, doctor of medicine, massage therapist, nurse, osteopathic physician or surgeon, occupational therapist, or naturopathic doctor ~~naturopath~~.

Section 22. Paragraph (h) of subsection (4) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(4) MEDICAL MALPRACTICE RISK APPORTIONMENT; ASSOCIATION CONTRACTS AND PURCHASES.—

(h) As used in this subsection:

1. "Health care provider" means hospitals licensed under chapter 395; physicians licensed under chapter 458; osteopathic physicians licensed under chapter 459; podiatric physicians licensed under chapter 461; dentists licensed under chapter 466; chiropractic physicians licensed under chapter 460; naturopathic doctors ~~naturopaths~~ licensed under chapter 462; nurses licensed under part I of chapter 464; midwives licensed under chapter 467; physician assistants licensed under chapter 458 or chapter 459; physical therapists and physical therapist assistants licensed under chapter 486; health maintenance organizations certificated under part I of chapter 641; ambulatory surgical centers licensed under chapter 395; other medical facilities as defined in subparagraph 2.; blood banks, plasma centers, industrial clinics, and renal dialysis facilities; or professional associations, partnerships, corporations, joint ventures, or other associations for professional activity by health care providers.

2. "Other medical facility" means a facility the primary purpose of which is to provide human medical diagnostic services or a facility providing nonsurgical human medical treatment, to which facility the patient is admitted and from which facility the patient is discharged within the same working day, and which facility is not part of a hospital. However, a facility existing

for the primary purpose of performing terminations of pregnancy or an office maintained by a physician or dentist for the practice of medicine may not be construed to be an "other medical facility."

3. "Health care facility" means any hospital licensed under chapter 395, health maintenance organization certificated under part I of chapter 641, ambulatory surgical center licensed under chapter 395, or other medical facility as defined in subparagraph 2.

Section 23. Subsection (23) of section 893.02, Florida Statutes, is amended to read:

893.02 Definitions.—The following words and phrases as used in this chapter shall have the following meanings, unless the context otherwise requires:

(23) "Practitioner" means a physician licensed under chapter 458, a dentist licensed under chapter 466, a veterinarian licensed under chapter 474, an osteopathic physician licensed under chapter 459, an advanced practice registered nurse licensed under chapter 464, a naturopathic doctor ~~naturopath~~ licensed under chapter 462, a certified optometrist licensed under chapter 463, a psychiatric nurse as defined in s. 394.455, a podiatric physician licensed under chapter 461, or a physician assistant licensed under chapter 458 or chapter 459, provided such practitioner holds a valid federal controlled substance registry number.

Section 24. Paragraph (g) of subsection (3) of section 921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

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(3) OFFENSE SEVERITY RANKING CHART

(g) LEVEL 7

Florida Statute	Felony Degree	Description
316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
327.35(3)(a)3.b.	3rd	Vessel BUI resulting in serious bodily injury.
402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration,

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		permanent disability, or death.
409.920 (2)(b)1.a.	3rd	Medicaid provider fraud; $10,000 or less.
409.920 (2)(b)1.b.	2nd	Medicaid provider fraud; more than $10,000, but less than $50,000.
456.065(2)	3rd	Practicing a health care profession without a license.
456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
458.327(1)	3rd	Practicing medicine without a license.
459.013(1)	3rd	Practicing osteopathic medicine without a license.
460.411(1)	3rd	Practicing chiropractic medicine without a license.
461.012(1)	3rd	Practicing podiatric medicine without a license.

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~~462.17~~	~~3rd~~	~~Practicing naturopathy without a license.~~
463.015(1)	3rd	Practicing optometry without a license.
464.016(1)	3rd	Practicing nursing without a license.
465.015(2)	3rd	Practicing pharmacy without a license.
466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
467.201	3rd	Practicing midwifery without a license.
468.366	3rd	Delivering respiratory care services without a license.
483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
483.901(7)	3rd	Practicing medical physics without a license.
484.013(1)(c)	3rd	Preparing or dispensing optical

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		devices without a prescription.
484.053	3rd	Dispensing hearing aids without a license.
494.0018(2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded $50,000 and there were five or more victims.
560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding $300 but less than $20,000 by a money services business.
560.125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding $300 but less than $20,000.
655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding $300 but less than $20,000 by financial institution.
775.21(10)(a)	3rd	Sexual predator; failure to

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		register; failure to renew driver license or identification card; other registration violations.
775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).

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

782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
784.048(4)	3rd	Aggravated stalking; violation of injunction or court order.
784.048(7)	3rd	Aggravated stalking; violation of court order.
784.07(2)(d)	1st	Aggravated battery on law enforcement officer.
784.074(1)(a)	1st	Aggravated battery on sexually violent predators facility staff.

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

784.08(2)(a)	1st	Aggravated battery on a person 65 years of age or older.
784.081(1)	1st	Aggravated battery on specified official or employee.
784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
784.083(1)	1st	Aggravated battery on code inspector.
787.025(2)(b)	2nd	Luring or enticing a child; second or subsequent offense.
787.025(2)(c)	2nd	Luring or enticing a child with a specified prior conviction.
787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
787.06(3)(e)2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.

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790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
790.16(1)	1st	Discharge of a machine gun under specified circumstances.
790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided

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		for in s. 874.04.
794.08(4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
800.04(5)(c)2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
800.04(5)(e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years;

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		offender 18 years or older; prior conviction for specified sex offense.
806.01(2)	2nd	Maliciously damage structure by fire or explosive.
810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
810.02(3)(e)	2nd	Burglary of authorized emergency vehicle.
812.014(2)(a)1.	1st	Property stolen, valued at $100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.

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812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than $50,000, grand theft in 2nd degree.
812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
812.014(2)(b)4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
812.014(2)(g)	2nd	Grand theft; second degree; firearm with previous conviction of s. 812.014(2)(c)5.
812.0145(2)(a)	1st	Theft from person 65 years of age or older; $50,000 or more.
812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
812.131(2)(a)	2nd	Robbery by sudden snatching.
812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.

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817.034(4)(a)1.	1st	Communications fraud, value greater than $50,000.
817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
817.234(11)(c)	1st	Insurance fraud; property value $100,000 or more.
817.2341 (2)(b) & (3)(b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
817.418(2)(a)	3rd	Offering for sale or advertising personal protective equipment with intent to defraud.
817.504(1)(a)	3rd	Offering or advertising a vaccine with intent to defraud.
817.535(2)(a)	3rd	Filing false lien or other unauthorized document.
817.611(2)(b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
825.102(3)(b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
825.103(3)(b)	2nd	Exploiting an elderly person or disabled adult and property is valued at $10,000 or more, but less than $50,000.
827.03(2)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
827.04(3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote

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		or direct such performance.
827.071(4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
838.015	2nd	Bribery.
838.016	2nd	Unlawful compensation or reward for official behavior.
838.021(3)(a)	2nd	Unlawful harm to a public servant.
838.22	2nd	Bid tampering.
843.0855(2)	3rd	Impersonation of a public officer or employee.
843.0855(3)	3rd	Unlawful simulation of legal process.
843.0855(4)	3rd	Intimidation of a public officer or employee.

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847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
872.06	2nd	Abuse of a dead human body.
874.05(2)(b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned

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			recreational facility or community center.
952			
	893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5., within 1,000 feet of property used for religious services or a specified business site.
953			
	893.13(4)(a)	1st	Use or hire of minor; deliver to minor other controlled substance.
954			
	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
955			
	893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
956			
	893.135 (1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
957			
	893.135	1st	Trafficking in hydrocodone, 28

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	(1)(c)2.a.		grams or more, less than 50 grams.
958			
	893.135 (1)(c)2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
959			
	893.135 (1)(c)3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
960			
	893.135 (1)(c)3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
961			
	893.135 (1)(c)4.b.(I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
962			
	893.135 (1)(d)1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
963			
	893.135(1)(e)1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
964			
	893.135(1)(f)1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28

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		grams.
893.135 (1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
893.135 (1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
893.135 (1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
893.135 (1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
893.135 (1)(m)2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
893.135 (1)(m)2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
893.135 (1)(n)2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or

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		more, less than 100 grams.
893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
896.101(5)(a)	3rd	Money laundering, financial transactions exceeding $300 but less than $20,000.
896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding $300 but less than $20,000.
943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.

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943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

Section 25. This act shall take effect December 31, 2026.

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The Florida Senate

APPEARANCE RECORD

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

3/2/2026
Meeting Date

Fiscal Policy
Committee

SB688
Bill Number or Topic

558882
Amendment Barcode (if applicable)

Name Erin Ballas

Phone 8507286387

Address 730 E. Park Ave
Street

Email erinballas@paconsultants.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:
Florida Academy of Nutrition and Dietetics

☐ 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

3-2-26
Meeting Date

Fiscal Policy
Committee

SB 688
Bill Number or Topic

Amendment Barcode (if applicable)

Name Daniel Martinez

Phone 305-240-2917

Address 107 E College Ave
Street

Tallahassee FL 32301
City State Zip

Email DMartinez@AFPHQ.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: 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. 2020-2022JointRules.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

3-2-26
Meeting Date

Fiscal
Committee

688
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jarrod Fowler

Phone 904-528-4446

Address 1930 Ptedmont Dr. E
Street
Tallahassee FL 32308
City State Zip

Email Jcfowler75@gmail

Speaking: ☐ For ☐ Against ☐ Information **OR** 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 Medical 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)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

03/02/2026	SB 688
Meeting Date	Bill Number or Topic
Fiscal Policy	
Committee	Amendment Barcode (if applicable)

Name Jann Bellamy

Phone 850-509-0517

Address 1485 Vieux Carre Dr
Street

Email jannbellamy@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. 2020-2022JointRules.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

Meeting Date	Bill Number or Topic
	688
Committee	**Amendment Barcode (if applicable)**

Name Todd Robinson Phone 904-207-3434

Address 414 3rd Ave N Email president@fnpa.org
Street

Jax Beach, FL 32250
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

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 762
INTRODUCER:	Appropriations Committee on Criminal and Civil Justice; Judiciary Committee; and Senator Martin
SUBJECT:	Offices of Criminal Conflict and Civil Regional Counsel
DATE:	February 27, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Davis	Cibula	JU	**Fav/CS**
2.	Kolich	Harkness	ACJ	**Fav/CS**
3.	Davis	Siples	FP	**Favorable**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 762 authorizes a court to appoint a different Office of Criminal Conflict and Civil Regional Counsel, in lieu of private counsel, to represent an indigent defendant in a death penalty case if certain conditions are met. Before this appointment may occur, the primary office must provide written notice to the court stating that: the client is indigent, the state has filed a notice that it intends to seek the death penalty, and legal representation may no longer be provided by the office due to a conflict of interest or a lack of qualified attorneys. The court is authorized to make the appointment if the designated counsel is qualified to provide competent representation in a death penalty case. However, the court must consider judicial economy and geographic proximity when evaluating a case for referral and appointment.

The office that is appointed to represent the defendant must submit documentation for all due process costs and services of representation to the Judicial Administrative Commission and file reports containing specified information relating to the case.

If another regional office is unable to accept an appointment because of a conflict of interest or a lack of qualified death penalty attorneys, private counsel must be appointed to represent the client.

The bill may decrease state expenditures for private court-appointed counsel in death penalty cases. See Section V., Fiscal Impact Statement.

The bill takes effect July 1, 2026.

II. Present Situation:

Overview

Under current law, if an indigent defendant in a death penalty case cannot be represented by a public defender due to a conflict of interest, the case is assigned to an Office of Criminal Conflict and Civil Regional Counsel in that same region. If that office is unable to accept the case, the case is assigned to a private court-appointed attorney. The costs of representation by a private court-appointed attorney are significantly higher than the costs of representation by attorneys within the offices of the public defender or regional counsel.

The Office of Criminal Conflict and Civil Regional Counsel

The Legislature created the Office of Criminal Conflict and Civil Regional Counsel in 2007. When creating the office, the Legislature stated that its purpose was to provide representation for people entitled to court-appointed counsel "in a fiscally sound manner, while safeguarding constitutional principles."[1] Five regional offices were established in the state based on the geographic boundaries established for the five District Courts of Appeal that existed at that time.[2]

The Office primarily represents indigent people[3] who are charged with crimes that public defenders are not able to represent because of a legal conflict of interest among the clients.[4] A conflict of interest occurs when two or more defendants are being represented by one office and the interest of one defendant is adverse or hostile to the interest of another defendant such that the office cannot, in good faith, represent both defendants.[5]

Each of the five district offices is led by a regional counsel who is appointed to a 4-year term. The regional counsel is chosen by the Governor from a list of names submitted by the Supreme Court Nominating Commission and is subject to Senate confirmation.[6]

For administrative purposes, each office is assigned to the Justice Administrative Commission. The Commission is charged with providing administrative support and service as requested by each office, within the Commission's available resources.[7]

[1] Section 27.511(1), F.S.
[2] Chapter 2007-62, s. 1, Laws of Fla. and s. 27.511(1), F.S. A sixth regional office has not been created although a Sixth District Court of Appeals was created in 2022. See ch. 2022-163, s. 2, 8, and 9, Laws of Fla.
[3] To determine whether a person is "indigent" to qualify for the appointment of a public defender, he or she must fill out an application with the clerk of court and meet the criteria set forth in s. 27.52, F.S.
[4] Section 27.511(5) and (6)(a), F.S.
[5] See s. 27.511(5), F.S.
[6] Section 27.511(3)(a), F.S.
[7] Section 27.511(2), F.S.

If a public defender's office and a regional counsel's office cannot represent an indigent client due to a conflict of interest, the court will appoint an attorney in private practice from a registry of qualified attorneys.[8]

The Justice Administrative Commission

The Justice Administrative Commission (JAC) is a state agency that was created in 1965 to provide administrative services for judicial-related offices. Currently, the JAC provides administrative services to all state attorney and public defender offices, each Office of Criminal Conflict and Civil Regional Counsel, the Capital Collateral Regional Counsel, and the Statewide Guardian ad Litem Office. The JAC primarily provides accounting, budgeting, financial, and human resource services to these entities. In addition, the JAC reviews the billing records of private attorneys who are appointed by the court to represent indigent clients.[9]

Cost Data for Court-Appointed Attorneys in Capital First Degree Murder Cases

According to payment data supplied by the JAC, the total amount of funds expended over the last 6 years for private court-appointed counsel in these cases is $49,315,531.89.[10] The chart below shows the annual due process costs[11] and attorney fees.

Fiscal Year	Due Process	Attorney Fees	Annual Total
2019-20	$4,059,331.44	$7,876,301.53	**$11,935,632.97**
2020-21	$2,189,866.79	$3,629,874.60	**$5,819,741.39**
2021-22	$2,481,876.64	$3,897,727.77	**$6,379,604.41**
2022-23	$3,192,762.32	$4,815,264.00	**$8,008,026.32**
2023-24	$3,354,407.70	$6,355,549.85	**$9,709,957.55**
2024-25	$3,137,753.35	$4,324,815.90	**$7,462,569.25**
Totals	**$18,415,998.24**	**$30,899,533.65**	**$49,315,531.89**

Minimum Standards for an Attorney to Defend a Death Penalty Case

To ensure that a defendant has competent representation in a death penalty case, The Florida Supreme Court has established minimum standards that an attorney must meet. Each judicial circuit must keep a list of qualified conflict counsel in each of three categories: lead trial counsel, trial co-counsel, and appellate counsel.[12]

[8] Sections 27.40(1), (2), and (3), and 27.5303(1), F.S.
[9] See Justice Administrative Commission at https://www.justiceadmin.org/ (last visited Feb. 22, 2026).
[10] Email from Cris Martinez, General Counsel for the Justice Administrative Commission (Jan. 8, 2025) (on file with the Judiciary Committee). These figures also include cases where the death penalty had not been waived by the time the court-appointed attorney was appointed.
[11] Due process costs for indigent clients include the costs for: court reporting and transcription; copying and transcribing depositions; foreign language interpreters and translators, if needed; witnesses and expert witnesses; mental health professionals; reasonable transportation services; some travel expenses; library and electronic legal research services; and reasonable pretrial consultant fees and costs. See s. 29.006, F.S.
[12] Fla. R. Crim. P. 3.112, available at https://www-media.floridabar.org/uploads/2026/01/2026_07-JAN-Criminal-Procedure-Rules-1-1-2026.pdf (last visited Feb. 22, 2026).

To qualify as lead trial counsel, the attorney should have at least five years of litigation experience in criminal law and have served as lead counsel in no fewer than nine state or federal jury trials of serious and complex cases which were tried to completion. He or she should have served as lead defense counsel or co-counsel in at least two state or federal death penalty cases that were tried to completion. Additionally, of the nine jury trials that were tried to completion, the attorney should have served as lead counsel in at least three cases in which the charge was murder, or alternatively, of the nine jury trials, at least one was a murder trial, and an additional five were felony jury trials. Additional requirements that lead and co-counsel should have , including continuing legal requirements, for private attorneys in capital cases are set forth in Rule 3.112 of the Florida Rules of Criminal Procedure.[13]

III. Effect of Proposed Changes:

The bill authorizes a court to appoint a different Office of Criminal Conflict and Civil Regional Counsel, in lieu of private counsel, to represent an indigent defendant in a death penalty case once certain conditions are met. This appointment may occur at any time during representation after the office provides written notice to the court that:

- The defendant is indigent;
- The state has filed a notice of intent to seek the death penalty; and
- Legal counsel in the first regional office has determined it can no longer represent the person because of a conflict of interest or a lack of qualifications.

The court is authorized to make the appointment provided that the designated counsel is qualified to provide competent representation in a death penalty case. However, the court must consider judicial economy and geographic proximity when evaluating a case for referral and appointment.

For clarification, this process does not transfer venue of the case from one circuit to another. Rather, it simply authorizes a different Office of Criminal Conflict and Civil Regional Counsel to handle the case.

Reporting Requirements

The regional office that is appointed to represent a defendant who was previously represented by another regional office must document all due process costs and services for representation to the JAC to receive reimbursement. Payment is subject to legislative appropriation.

By February 1 and August 1 of each year, the regional office that accepts an appointment to represent an indigent person in which the state has filed a notice that it intends to seek the death penalty must submit a report to the JAC that includes all of the following:

- The names of the regional office and the counsel appointed with the date of the appointment.
- The amount of time the case has been pending.
- The date the state filed a notice of intent to seek the death penalty.
- The number of victims in the case.
- The status of ongoing discovery, if any, including any discovery deadline set by the court.
- The number of outstanding motions.

[13] *Id*.

- Whether the case involves a mitigation specialist and if so, the date of his or her employment and any mitigation work product.

When Another Regional Office Cannot Accept an Appointment

If the office from another region cannot accept an appointment to represent the defendant due to a conflict of interest or due to a lack of qualified attorneys, private counsel must then be appointed. The bill takes effect July 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.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

If a court appoints another regional office to represent a client, this eliminates the need for a private court-appointed attorney to handle the case. As such, the number of private attorneys receiving fees from these cases would be reduced as would their income from these cases.

Currently, the Legislature authorizes a flat fee of $25,000 for the lead counsel and $25,000 for the co-counsel in first degree murder cases.[14] The lead counsel and co-

[14] Chapter 2025-198, s.148, Laws of Fla. and Justice Administrative Commission, Forms and Rates, July 1, 2024 through June 30, 2026, available at

counsel may petition the court for an award of extraordinary fees in an evidentiary hearing. Because of the complexity and duration of indigent death-penalty cases, the request for extraordinary fees is generally granted and the total fees paid are much higher than the flat fee.

C. Government Sector Impact:

In most cases, the cost of appointing a regional office to a death penalty case will be significantly less than the cost of representation by private court-appointed counsel, particularly with respect to attorneys' fees.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 27.511 and 744.331.

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 Appropriations Committee on Criminal and Civil Justice on February 25, 2026:
The committee substitute requires the court to consider judicial economy and geographic proximity when evaluating a case for referral and appointment to a different Office of Criminal Conflict and Civil Regional Counsel to represent an indigent defendant in a death penalty case due to a conflict of interest or lack of qualifications.

CS by Judiciary on January 12, 2026:
The committee substitute differs from the underlying bill by deleting the requirement that the JAC submit reports to the Legislature and by deleting the program's expiration date of July 1, 2027. The language authorizing the appointment of counsel in another region, paragraph (6)(a), is edited for clarity and the committee substitute replaces the reference to the chief judge with references to the court.

https://www.justiceadmin.org/court_app_counsel/CAC%20Flat%20Fee%20Rates%20(7%201%2025)Updated070825.pdf (last visited Feb. 22, 2026).

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 the Appropriations Committee on Criminal and Civil Justice; the Committee on Judiciary; and Senators Martin and Rouson

A bill to be entitled

An act relating to offices of criminal conflict and civil regional counsel; amending s. 27.511, F.S.; requiring that an office of criminal conflict and civil regional counsel provide a certain written notice to the court under specified conditions; providing requirements for the written notice; authorizing the court to appoint an office of criminal conflict and civil regional counsel in another region for certain cases in certain circumstances; providing construction; requiring the court to consider judicial economy and geographic proximity when making certain appointments; requiring such appointed counsel to provide certain documentation to the Justice Administrative Commission for reimbursement, subject to legislative appropriation; requiring each regional office that accepts such appointments to biannually submit a specified report to the commission; requiring the appointment of private counsel in certain circumstances; amending s. 744.331, F.S.; conforming a cross-reference; providing an effective date.

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

Section 1. Present subsections (6) through (10) of section 27.511, Florida Statutes, are redesignated as subsections (7) through (11), respectively, and a new subsection (6) is added to that section, to read:

27.511 Offices of criminal conflict and civil regional counsel; legislative intent; qualifications; appointment; duties.—

(6)(a) At any time that an office of criminal conflict and civil regional counsel determines that it can no longer represent an indigent defendant in a death penalty case due to a conflict of interest or a lack of qualifications, it must provide written notice to the court. The written notice must state that the person has been determined to be indigent under s. 27.52, that the state has filed a notice of intent to seek the death penalty, and that it can no longer provide representation due to a conflict of interest or a lack of qualifications. Upon receiving the notice, the court is authorized to appoint an office of criminal conflict and civil regional counsel from another region to represent the defendant provided that their designated counsel is qualified to provide competent representation in death penalty cases. These provisions are effective notwithstanding ss. 27.40 and 27.5305, which authorize the appointment of a private attorney to represent the defendant. When evaluating a case for referral and appointment to an office of criminal conflict and civil regional counsel under this section, the court shall consider judicial economy and geographic proximity.

(b) Subject to legislative appropriation, the office of criminal conflict and civil regional counsel appointed from another region under paragraph (a) shall provide documentation for all due process costs and services of representation to the Justice Administrative Commission for reimbursement.

(c) Biannually, by February 1 and August 1, each regional office of the office of criminal conflict and civil regional

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

counsel which accepts an appointment under paragraph (a) in a case involving a person determined to be indigent under s. 27.52 in which the state has filed a notice of intent to seek the death penalty shall submit a report to the commission. For each case, the report must contain all of the following information:

1. The office of criminal conflict and civil regional counsel appointed and the date of appointment, including the name of counsel assigned.

2. The length of time the capital case has been pending.

3. The date the state filed a notice of intent to seek the death penalty.

4. The number of victims.

5. The status of any ongoing discovery, including any discovery deadline set by the court.

6. The number of outstanding motions.

7. Whether there is a mitigation specialist, and, if so, the date of his or her employment, as well as any mitigation work product.

(d) If the office of criminal conflict and civil regional counsel from another region cannot accept an appointment under paragraph (a) because of a conflict of interest or a lack of qualified attorneys, private counsel must be appointed.

Section 2. Paragraph (a) of subsection (2) of section 744.331, Florida Statutes, is amended to read:

744.331 Procedures to determine incapacity.—

(2) ATTORNEY FOR THE ALLEGED INCAPACITATED PERSON.—

(a) When a court appoints an attorney for an alleged incapacitated person, the court must appoint the office of criminal conflict and civil regional counsel or a private

attorney as prescribed in s. 27.511(7) ~~s. 27.511(6)~~. A private attorney must be one who is included in the attorney registry compiled pursuant to s. 27.40. Appointments of private attorneys must be made on a rotating basis, taking into consideration conflicts arising under this chapter.

Section 3. This act shall take effect July 1, 2026.

The Florida Senate

APPEARANCE RECORD

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

3/2/26
Meeting Date

Senate Fiscal Policy
Committee

Senate Bill 762
Bill Number or Topic

/
Amendment Barcode (if applicable)

Name Abram Dale

Phone 850-264-6243

Address 6335 Belgrand Drive
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Email Adale@rc2fl.com

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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:

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
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3/2/26
Meeting Date

Senate Fiscal Policy
Committee

Senate Bill 762
Bill Number or Topic

-
Amendment Barcode (if applicable)

Name Ita Neymotin

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

PLEASE CHECK ONE OF THE FOLLOWING:

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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 794
INTRODUCER:	Appropriations Committee on Health and Human Services; Children, Families, and Elder Affairs Committee; and Senator Jones
SUBJECT:	Agency for Persons with Disabilities
DATE:	February 27, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fiore	Tuszynski	CF	**Fav/CS**
2.	Howard	McKnight	AHS	**Fav/CS**
3.	Fiore	Siples	FP	**Favorable**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 794 strengthens protections for individuals with developmental disabilities by expanding the definition of development disabilities, enhancing workforce screening and improving the quality, consistency, and accountability of support coordination services statewide. Specifically, the bill:

- Adds Tatton-Brown-Rahman syndrome (TBRS) to the definition of "developmental disability," thereby qualifying someone diagnosed with TBRS to receive services from the Agency for Persons with Disabilities (APD);
- Expands Level 2 background screening requirements to include all employees, not just managers and supervisors, of residential facilities and adult day training programs licensed under ch. 393, F.S.;
- Requires the APD to contract with a state university to develop and administer surveys of owners and operators of qualified organizations that provide care coordination services;
- Requires the APD to solicit input on enhancing waiver support coordinator services from relevant stakeholders and conduct at least one public hearing for this purpose in each service region of the state;
- Requires the APD to conduct or contract for a gap analysis to assess the caseload capacity of support coordinators; and
- Requires the APD to submit a report to the Governor and Legislature.

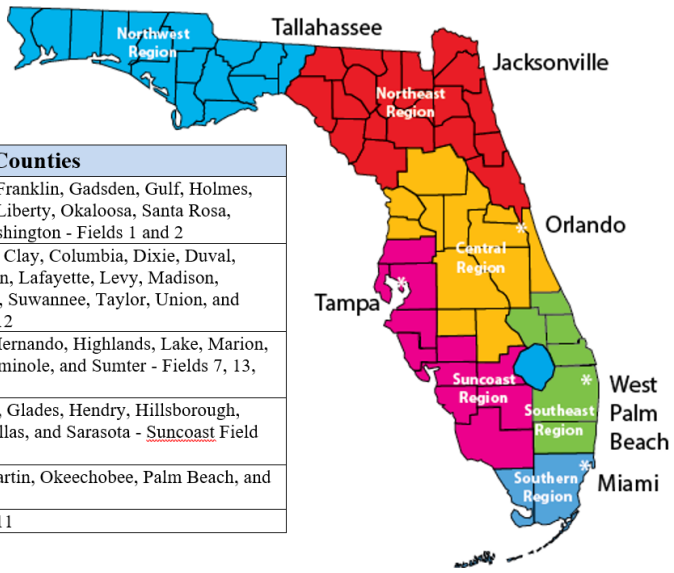
The bill will likely have a significant, negative fiscal impact on the private and public sector. **See Section V., Fiscal Impact Statement**.

Except as otherwise expressly provided in the bill, the bill takes effect July 1, 2026.

II. Present Situation:

Agency for Persons with Disabilities (APD)

The APD is the state agency responsible for providing services to persons with developmental disabilities throughout Florida.[1] Legislative intent stipulates that the greatest priority shall be to provide community-based services and programs for individuals with developmental disabilities that enable individuals to achieve their greatest potential for independent living while reducing the number of individuals in unnecessary institutional placements.[2] In furtherance of this directive, the APD administers several programs, including residential services, adult day training programs, and the Developmental Disabilities Individual Budgeting (iBudget) Home and Community-Based Services Waiver. In addition to a central headquarters in Tallahassee, the APD operates a total of six regional offices and 14 field offices throughout the state, as detailed below:[3]



Region	Counties
Northwest	Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Okaloosa, Santa Rosa, Wakulla, Walton, and Washington - Fields 1 and 2
Northeast	Alachua, Baker, Bradford, Clay, Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette, Levy, Madison, Nassau, Putnam, St. Johns, Suwannee, Taylor, Union, and Volusia - Fields 3, 4, and 12
Central	Brevard, Citrus, Hardee, Hernando, Highlands, Lake, Marion, Orange, Osceola, Polk, Seminole, and Sumter - Fields 7, 13, and 14
Suncoast	Charlotte, Collier, DeSoto, Glades, Hendry, Hillsborough, Lee, Manatee, Pasco, Pinellas, and Sarasota - Suncoast Field (23) and Field 8
Southeast	Broward, Indian River, Martin, Okeechobee, Palm Beach, and St. Lucie - Fields 9 and 10
Southern	Dade and Monroe - Field 11

Eligibility Determination

To receive services, an individual must have a condition that meets the statutory definition of developmental disability and be determined eligible by the APD following review of medical, psychological, and functional documentation.[4] Current law defines a developmental disability as a disorder or syndrome that:

- Is attributable to one of several specifically enumerated conditions;

[1] Chapter 393, F.S.; *see also* Agency for Persons with Disabilities, *Who We Are, Who We Serve*, https://apd.myflorida.com/about/whoweare.htm (last visited on 02/05/2026).
[2] Section 393.062, F.S.
[3] Agency for Persons with Disabilities, *Local Offices,* available at: https://apd.myflorida.com/region/ (last visited on 02/05/2026).
[4] Section 393.065, F.S.; and 65G-4.017, F.A.C.

- Manifests before age 18; and
- Constitutes a substantial handicap expected to continue indefinitely.[5]

The currently enumerated qualifying conditions include:
- Intellectual disability;
- Cerebral palsy;
- Autism;
- Spina bifida;
- Down syndrome;
- Phelan-McDermid syndrome; and
- Prader-Willi syndrome.[6]

Even when eligibility for services is established, if funding is unavailable, individuals may be placed on the APD priority-based pre-enrollment list that ranks individuals according to their urgency of need.[7]

Tatton-Brown-Rahman syndrome (TBRS)

TBRS, first identified in 2014, is a rare genetic overgrowth disorder caused by mutations in the DNMT3A gene.[8] It is associated with tall stature, increased weight or obesity, abnormal spine curvature, large head circumference, joint hypermobility, cardiac issues, blood cancers, seizures, and mild to severe intellectual disability. However, not all individuals have every clinical finding reported and the syndrome varies considerably in its severity.[9] Individuals have been diagnosed at different ages, and the syndrome seems to affect males and females equally.[10]

The incidence and prevalence of TBRS is unknown. Since 2014, there have been approximately 450 known TBRS diagnoses worldwide.[11] In 2022, a known sample of 202 TBRS cases showed 90 cases were from North America and 89 were from Europe.[12] Current therapies for TBRS involve management of symptoms. For example, speech therapy and occupational therapy may help individuals with TBRS develop necessary skills. Behavioral therapy may also be helpful for individuals with TBRS, and physical therapy may be useful to treat low muscle tone and orthopedic problems.[13]

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[5] Section 393.063(11), F.S.
[6] *Id.*
[7] Section 393.065(5), F.S.
[8] National Library of Medicine, *Tatton-Brown-Rahman Syndrome,* https://www.ncbi.nlm.nih.gov/books/NBK581652/# (last visited on 02/25/2026).
[9] National Organization for Rare Disorders, *Tatton Brown Rahman Syndrome,* https://rarediseases.org/rare-diseases/tatton-brown-rahman-syndrome/ (last visited on 02/25/20216).
[10] Supra, note 8.
[11] TBRS Community, *Tatton Brown Rahman Syndrome (TBRS) and DNMT3A Patient Registry*, https://tbrsregistry.iamrare.org/ (last visited on 02/25/2026).
[12] National Library of Medicine, *DNMT3A Overgrowth Syndrome is Associated with the Development of Hematopoietic Malignancies in Children and Young Adults,* https://pmc.ncbi.nlm.nih.gov/articles/PMC8777205/#:~:text=The%20incidence%20of%20DOS%20is,estimated%20prevalence%20of%20%E2%88%BC4%25 (last visited on 2/26/2026).
[13] *Supra*, note 9.

Residential Facilities and Adult Day Training

A residential facility is a facility that provides room and board and personal care for people who have developmental disabilities.[14] The APD licenses several types of residential facilities, including:

- **Foster care facilities** which provide a family living environment including supervision and care necessary to meet the physical, emotional, and social needs of its residents;[15]
- **Group homes** which provide a family living environment including supervision and care necessary to meet the physical, emotional, and social needs of its residents;[16] and
- **Residential habilitation centers** which are community residential facilities that provide habilitation services that assist the recipient to acquire, maintain, or improve skills related to activities of daily living.[17]

Adult day training services support iBudget clients in meaningful and valued routines of the community, such as volunteering, job exploration, accessing community resources, and self-advocacy. Adult day training programs take place in a nonresidential setting, separate from the home or facility where a client resides.[18] Services can include meaningful day activities and training in the activities of daily living, adaptive skills, and employment. The training, activities, and routine established by the trainer must be meaningful to the recipient and provide an appropriate level of variation and interest. These services generally are offered for individuals age 22 and above, when a recipient is out of the public-school system.[19]

Background Screening of Direct Service Providers

Chapter 393, F.S., establishes minimum standards for the background screening of direct service providers who are unrelated to their clients. Specifically, it requires Level 2 employment screening, as defined in c. 435, F.S., for direct service providers, including support coordinators, and *managers and supervisors* of licensed residential facilities or adult day training programs and any other persons, including volunteers, who provide care or services, who have access to clients' living areas or personal property.[20] Other employees of residential facilities or adult day training programs are not expressly identified in statute as subject to screening.

The background screening under c. 393, F.S., entails the following:

- Employment history checks as provided in s. 435.03(1), F.S.;
- Fingerprint-based state and national criminal history checks;
- Searches of sexual offender and predator registries; and

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[14] Section 393.063(33), F.S.
[15] Section 393.063(18), F.S.
[16] Section 393.063(19), F.S.
[17] Section 393.063(35), F.S.; and Agency for Persons with Disabilities, *Residential Services,* https://apd.myflorida.com/providers/residential.htm (last visited on 02/10/2026).
[18] Section 393.063(1), F.S.
[19] Agency for Health Care Administration, *Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook* (May 2023), at pg. 2-20, available at https://www.apd.myflorida.com/ibudget/docs/iBudget%20Handbook%20with%20ADT%20Redesign%20Final.pdf (last visited on 02/10/2026).
[20] Section 393.0655(1), F.S.

- Review of disqualifying offenses listed in s. 435.04, F.S.[21]

In addition to the disqualifying offenses listed in s. 435.04, F.S., chapter 393, F.S., specifies the following violations of law as disqualifying.[22]

- Any authorizing statutes, if the offense was a felony.[23]
- Chapter 393, F.S., if the offense was a felony.
- Section 409.920, F.S., relating to Medicaid provider fraud.
- Section 409.9201, F.S., relating to Medicaid fraud.
- Section 817.034, F.S., relating to fraudulent acts through mail, wire, radio, electromagnetic, photoelectronic, or photooptical systems.
- Section 817.234, F.S., relating to false and fraudulent insurance claims.
- Section 817.505, F.S., relating to patient brokering.
- Section 817.568, F.S., relating to criminal use of personal identification information.
- Section 817.60, F.S., relating to obtaining a credit card through fraudulent means.
- Section 817.61, F.S., relating to fraudulent use of credit cards, if the offense was a felony.
- Section 831.01, F.S., relating to forgery.
- Section 831.02, F.S., relating to uttering forged instruments.
- Section 831.07, F.S., relating to forging bank bills, checks, drafts, or promissory notes.
- Section 831.09, F.S., relating to uttering forged bank bills, checks, drafts, or promissory notes.

The following individuals are exempt from these screening requirements.

- Volunteers assisting less than 10 hours per month under continuous supervision of someone who has been screened;[24]
- Licensed health care professionals regulated by the Department of Health acting within the scope of their licenses;[25]
- Individuals selected and paid directly by a client or the client's family;[26] and
- Persons 12 years of age or older, including family members, residing with a direct services provider who provides services to clients in his or her own place of residence (subject only to delinquency records screening).[27]

As of January 2026, there are currently 5,880 providers who administer services to the APD's clients. Of these, 70,636 employees have completed background screening.[28]

[21] Section 393.0655(1), F.S.
[22] Section 393.0655(5), F.S.
[23] The term "authorizing statutes" refers to the statutory provisions that authorize and regulate the licensure or operation of the facility, program, or service that is subject to the background screening. Accordingly, any felony offense prohibited under statutes authorizing the regulated activity, constitutes a disqualifying offense for purposes of background screening.
[24] Section 393.0655(1)(a), F.S.
[25] Section 393.0655(1)(b), F.S.
[26] Section 393.0655(1)(c), F.S.
[27] Section 393.0655(1)(d), F.S.
[28] Agency for Persons with Disabilities, 2026 Agency Legislative Bill Analysis SB 794, on file with the Committee on Children, Families, and Elder Affairs.

The Department of Children and Families is the agency that facilitates and conducts employment screening for programs relating to children and vulnerable adults.[29] For individuals who are disqualified from employment due to their criminal history, c. 435, F.S., includes an exemption process. An exemption allows that individual to be employed in a profession or workplace where background screening is statutorily required despite the disqualifying offense in that person's past if that person meets certain criteria. The individual must demonstrate by clear and convincing evidence that they have been rehabilitated, will not present a danger, and should not be disqualified from employment.[30] The agency head may grant the exemption from disqualification if all court ordered fees, fines, liens, applications, costs of prosecution, trusts, or restitution have been paid, and either:[31]

- Two years have elapsed since the individual has completed or been lawfully released from confinement supervision, or nonmonetary condition imposed by a court for a disqualifying felony; or
- The individual has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by a court for a misdemeanor or an offense that was a felony at the time of commission but is now a misdemeanor.

Receiving an exemption allows that individual to work despite the disqualifying crime in that person's past. However, an individual who is considered a sexual predator,[32] career offender,[33] or a registered sexual offender[34] is not eligible for exemption.[35]

The Care Provider Background Screening Clearinghouse (Clearinghouse) is a single statewide screening program, administered by the Agency for Health Care Administration, in consultation with the Florida Department of Law Enforcement, which allows for results of criminal history checks of persons acting as covered care providers to be shared among specified agencies.[36] The Clearinghouse allows for constant review of new criminal history information through the federal Rap Back Service,[37] which continually matches fingerprints retained in the Clearinghouse against fingerprints received for new arrests that occur after the individual was originally screened.[38] Once a person's screening record is in the Clearinghouse, that person may avoid the need for any future state screens and related fees for screenings, depending on the screening agencies or organizations.[39]

[29] Section 435.02(2), F.S.; and *see generally* Florida Department of Children and Families, *Background Screening*, available at https://myflfamilies.com/services/background-screening (last visited on 02/10/2026).
[30] Section 435.07, F.S.
[31] *Id.*
[32] Section 775.21, F.S.
[33] Section 775.261, F.S.
[34] Section 943.0435, F.S.
[35] Section 435.07(4)(b), F.S.
[36] Section 435.12, F.S.
[37] The Rap Back Service is managed by the FBI's Criminal Justice Information Services Division. For more information, see the Federal Bureau of Investigation, *Privacy Impact Assessment for the Next Generation Identification (NGI) Rap Back Service*, available at https://www.fbi.gov/file-repository/pia-ngi-rap-back-service.pdf/view (last visited on 02/10/2026).
[38] Section 435.12(2), F.S.
[39] Agency for Health Care Administration, *Clearinghouse Renewals*. available at https://ahca.myflorida.com/MCHQ/Central_Services/Background_Screening/Renewals.shtml (last visited on 02/10/2026). Fingerprints are retained for five years. Employers have an option to renew screenings at the end of the five-year period through a "Clearinghouse Renewal" process which allows employee's fingerprints to be retained without being re-fingerprinted.

Support Coordination Services and Qualified Organizations

The APD contracts with qualified organizations to provide support coordination services to individuals receiving services through the iBudget waiver.[40] Support coordinators assist clients and their families in identifying needs and resources, accessing and coordinating services, advocating on their behalf, and monitoring whether supports are effectively meeting the goals of the individual's support plan.[41] Current law establishes criteria that organizations must meet to qualify as support coordination providers, which include staffing requirements, ethics and disciplinary standards, compliance with agency policies, training and competency requirements, and client education related to abuse, neglect, and exploitation.[42]

III. Effect of Proposed Changes:

Section 1 amends s. 393.0655, F.S., to broaden who is required to be Level 2 background screened in licensed residential facilities and adult day training programs. This change removes the specific reference to only managers and supervisors and instead requires Level 2 employment screening for *all employees* of these facilities and programs. As a result, the screening requirement is broadened to apply uniformly to all employees of these facilities and programs, regardless of job title or supervisory status.

The section also clarifies that background screening for all employees must include employment history checks pursuant to s. 435.03(1), F.S., and local criminal records checks through local law enforcement agencies. Existing statutory exemptions for certain volunteers, licensed health care professionals, family-selected providers, and household members remain unchanged.[43]

Section 2 directs the Agency for Persons with Disabilities (APD) to contract with a state university to develop and administer surveys regarding waiver support coordination services for the purposes of enhancing the quality, capacity, and consistency of such services. The university must survey the owners and operators of all qualified organizations in this state, waiver support coordinators currently employed by a qualified organization, and iBudget clients and their parents, caregivers, or legal guardians. The section requires the state university, by October 1, 2026, to submit a final report to the APD that includes a compilation and analysis of the survey results.

At a minimum, the surveys must solicit data and input on:

- The quality, consistency, and accessibility of services provided by waiver support coordinators;
- Attributes and behaviors that define high-quality support coordination;

[40] Section 393.0663, F.S.
[41] Section 393.063(43), F.S.
[42] Section 393.0663(2)(b), F.S.
[43] Licensed residential facilities and adult day training programs are not employees of the APD and do not have to report the number of employees of each facility or program. In Florida, there are both large and small licensed residential facilities and adult training programs some employ a small number of individuals who are all screened as direct care providers while other facilities and programs are large and may have administrative employees who do not have face to face interaction with clients and would not necessarily be required to complete a screening. Due to licensed residential facilities and adult day training programs not being required to report specific number of employees, the APD is unable to determine the specific number of employees who will be required to be screened under this legislation. Agency for Persons with Disabilities, *2026 Agency Legislative Bill Analysis SB 794*, on file with the Committee on Children, Families, and Elder Affairs.

- Best practices and areas for improvement;
- Quantitative and qualitative metrics to assess waiver support coordinator performance; and
- Any other factors to improve service delivery.

The surveys of qualified organizations must also specifically address:
- Professional and educational prerequisites required by the qualified organization for employment as a waiver support coordinator;
- Methods to assess core competencies;
- The efficacy of the required waiver support coordinator mentoring program; and
- Operational and systemic challenges of recruiting and retaining qualified waiver support coordinators.

The surveys of waiver support coordinators must also specifically address:
- Individual caseload ratios, capacity, and geographic service areas;
- The efficacy of the required waiver support coordinator mentoring program; and
- Operational and systemic challenges of delivering effective support coordination.

The surveys of iBudget clients and their parents, caregivers, or legal guardians must also specifically address overall satisfaction with support coordination services.

The section directs the APD to hold at least one public hearing in each service region to solicit input on enhancing waiver support coordinator services from relevant stakeholders. The APD must also conduct or contract for a gap analysis to assess the geographic distribution and caseload capacity of waiver support coordinators across the state.

The section requires the APD, by February 15, 2027, to submit a report to the Governor, President of the Senate, and Speaker of the House of Representatives that:
- Identifies waiver support coordinator core competencies and performance measures to assess those core competencies;
- Provides recommendations on how to standardize assessment of waiver support coordinators; and
- Includes the full, final survey report submitted to the APD by the state university.

This section takes effect upon becoming a law.

Section 3 amends s. 393.063, F.S., to add Tatton-Brown-Rahman syndrome (TBRS) to the list of conditions included within the definition of "developmental disability." In doing so, individuals diagnosed with TBRS may qualify for eligibility determinations and services by the APD.[44] The section also defines TBRS as disorder caused by a mutation in the DNMT3A gene typified by mild to severe intellectual disability, macrocephaly, stature and weight that is greater than or

[44] Although adding TBRS to the definition of "developmental disability" in s. 393.063, F.S., can make someone eligible for services from the APD, it does not automatically qualify someone for iBudget Waiver services. Medicaid Home and Community-Based Services (HCBS) waiver programs are authorized in §1915(c) of the Social Security Act and require participants to meet the level of care required for institutional services. Email from Emily Reeves, Director of Legislative Affairs for the Agency for Persons with Disabilities, *HB 411 Fiscal Impact*, on file with the Committee on Children Families and Elder Affairs.

equal to two or more standard deviations above the mean for the person's age and sex, and any of the following features presenting in infancy, childhood, or adolescence:

- Mild facial dysmorphism.
- Joint hypermobility.
- Hypotonia.
- Kyphoscoliosis.
- Seizures.
- Cryptorchidism.
- Deficits in behavior.
- Hematologic malignancies.

Section 4 provides that unless otherwise expressly specified, the bill has an effective date of July 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:

There may be a negative private sector fiscal impact. Providers will have to cover the cost of the additional screenings. They will have increased administrative and financial obligations to ensure all employees meet screening requirements prior to employment. The cost for screening ranges from $44, if no vendor processing fee is charged, to $125,

for an average cost of $87. Residential facilities and Adult Training providers are not required to report the exact number of employees. Due to this, the APD has provided a chart below that outlines a range of the potential financial impact on providers based on the cost range above and the 5,880 providers.[45]

Additional Background Screening Breakdown	
Average Cost per Background Screening	$ 87
# Provider Staff Currently in Clearinghouse	70,636

Additional % Added to Clearinghouse	Additional # Screened	Projected Annual Cost for Additional Individuals Screened
5.0%	3,532	$ 307,267
10.0%	7,064	$ 614,533
15.0%	10,595	$ 921,800
20.0%	14,127	$ 1,229,066

C. Government Sector Impact:

There may be an indeterminate negative fiscal impact for the Agency for Health Care Administration (AHCA) and the Department of Children and Families (DCF), which will see an increase in administrative workload related to the increase in background screening processing and retainment. The AHCA and the DCF can absorb this workload with existing staff and resources.

To implement the requirements of Section 2 of the bill, the Agency for Persons with Disabilities (APD) estimates a total cost of $1,241,927 that includes $203,973 in recurring costs and $1,037,954 in nonrecurring costs for the following:

- $500,000 to contract with a state university to develop and administer surveys and produce a report by October 1, 2026.
- $25,080 for six employees to attend and host the six regional meetings.
- $500,000 to contract for conduction of the gap analysis to assess the geographic distribution and caseload capacity of waiver support coordinators across Florida.
- $216,847 for one FTE and one OPS position to oversee the day-to-day operations required to implement this section, including accurate and timely submission of the February 15, 2027, report.[46]

To provide services for the expanded population of individuals with Tatton-Brown-Rahman syndrome (TBRS), the APD estimates an anticipated cost of $1,276,000. There are an estimated 22 additional individuals who may be eligible for iBudget waiver services based on a diagnosis of TBRS. Currently, the average cost for a client on the waiver is $58,000 per year. This estimate is based on the assumption that all 22 of the

[45] Agency for Persons with Disabilities, *2026 Agency Legislative Bill Analysis SB 794*, on file with the Committee on Children, Families, and Elder Affairs.
[46] Agency for Persons with Disabilities, *2026 Agency Legislative Bill Analysis CS/SB 794*, on file with the Committee on Children, Families, and Elder Affairs

individuals who would be eligible for waiver services meet the institutional level of care to qualify for services. If these individuals do not meet the institutional level of care, they would still qualify for Individual and Family Supports (IFS) funding. For state fiscal year 2025-2026, $3,580,000 is appropriated from the General Revenue Fund for IFS.[47]

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 393.063 and 393.0655.

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 Appropriations Committee on Health and Human Services on February 25, 2026:
The committee substitute adds Tatton-Brown-Rahman syndrome to the definition of developmental disability, defines Tatton-Brown-Rahman syndrome, and amends the effective date of the bill to July 1, 2026, while maintaining the effective-upon-becoming-law date for the Section pertaining to waiver support coordinator workforce analysis and report.

CS by Children, Families, and Elder Affairs on February 10, 2026:
The CS removes:

- The revisions to criteria that organizations must meet to qualify as support coordination providers; and
- The revisions to the APD's ability to impose administrative fines.

The CS adds the following:

- Requires the APD to contract with a state university to survey support coordinators and submit a final report to the agency with a compilation and analysis of the survey results;
- Requires the APD to solicit input on enhancing support coordinator quality capacity and consistency;
- Requires the APD to conduct a gap analysis to assess geographic distribution and caseload capacity of support coordinators;

[47] Agency for Persons with Disabilities, CS/SB 794 amendment 539302 fiscal impact analysis email, on file with the Appropriations Committee on Health and Human Services.

- Requires the APD to submit a report that identifies core competencies, specific performance metrics, and recommendations to standardize assessment of support coordinators; and
- Provides an earlier effective date.

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 the Appropriations Committee on Health and Human Services; the Committee on Children, Families, and Elder Affairs; and Senators Jones and Garcia

603-03212-26 2026794c2

A bill to be entitled

An act relating to the Agency for Persons with Disabilities; amending s. 393.0655, F.S.; requiring level 2 employment screening for all employees of residential facilities and adult day training programs; providing background screening requirements for such employees; requiring the agency to contract with a state university to develop and administer certain surveys for a specified purpose; specifying requirements for such surveys; requiring the state university to submit a final report to the agency by a specified date; requiring the agency to solicit input and conduct publicly noticed hearings for a specified purpose in each service region; requiring the agency to conduct or contract for a gap analysis to make certain assessments; requiring the agency to use certain information to identify certain core competencies and performance metrics and make recommendations for standardizing assessments; requiring the agency to submit a report of its findings and recommendations to the Governor and the Legislature by a specified date; amending s. 393.063, F.S.; revising the definition of the term "developmental disability"; defining the term "Tatton-Brown-Rahman syndrome"; providing effective dates.

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

Section 1. Subsection (1) of section 393.0655, Florida

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

603-03212-26 2026794c2

Statutes, is amended to read:

393.0655 Screening of direct service providers.—

(1) MINIMUM STANDARDS.—The agency shall require level 2 employment screening pursuant to chapter 435 for direct service providers who are unrelated to their clients, including support coordinators, and all employees ~~managers and supervisors~~ of residential facilities or adult day training programs licensed under this chapter and any other persons, including volunteers, who provide care or services, who have access to a client's living areas, or who have access to a client's funds or personal property. Background screening for all employees must include employment history checks as provided in s. 435.03(1) and local criminal records checks through local law enforcement agencies.

(a) A volunteer who assists on an intermittent basis for less than 10 hours per month does not have to be screened if a person who meets the screening requirement of this section is always present and has the volunteer within his or her line of sight.

(b) Licensed physicians, nurses, or other professionals licensed and regulated by the Department of Health are not subject to background screening pursuant to this section if they are providing a service that is within their scope of licensed practice.

(c) A person selected by the family or the individual with developmental disabilities and paid by the family or the individual to provide supports or services is not required to have a background screening under this section.

(d) Persons 12 years of age or older, including family members, residing with a direct services provider who provides

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

services to clients in his or her own place of residence are subject to background screening; however, such persons who are 12 to 18 years of age shall be screened for delinquency records only.

Section 2. (1)(a) For purposes of enhancing the quality, capacity, and consistency of waiver support coordination services, the Agency for Persons with Disabilities shall contract with a state university to develop and administer surveys regarding waiver support coordination services. The university shall administer surveys to owners and operators of all qualified organizations in this state; support coordinators currently employed by a qualified organization; and iBudget clients and their parents, caregivers, or legal guardians.

1. The surveys must, at a minimum, solicit data and input regarding:

a. The quality, consistency, and accessibility of services provided by support coordinators.

b. Attributes and behaviors that define high-quality support coordination.

c. Best practices and areas for improvement.

d. Quantitative and qualitative metrics suitable for assessing support coordinator performance.

e. Any other factors deemed pertinent by the university or the agency to improve service delivery.

2. Surveys of qualified organizations must also specifically address:

a. Professional and educational prerequisites established by the organization for employment as a support coordinator.

b. Methods used to assess core competencies.

c. The efficacy of the mentoring program required under s. 393.0663(2)(b), Florida Statutes.

d. Operational and systemic challenges with recruitment and retention of qualified support coordinators.

3. Surveys of individual waiver support coordinators must also specifically address:

a. Individual caseload ratios, capacity, and geographic service areas.

b. The efficacy of the mentoring program required under s. 393.0663(2)(b), Florida Statutes.

c. Operational and systemic challenges to delivery of effective support coordination.

4. Surveys of iBudget clients and their parents, caregivers, or legal guardians must also specifically address satisfaction with support coordination services.

(b) By October 1, 2026, the state university shall submit a final report to the agency, including a compilation and analysis of the survey results.

(2) The agency shall solicit input on enhancing support coordinator quality, capacity, and consistency from the whole community of waiver program stakeholders, and shall conduct at least one publicly noticed hearing for this purpose in each service region.

(3) The agency shall conduct or contract for a gap analysis to assess the geographic distribution and caseload capacity of waiver support coordinators across this state.

(4) Using the information gathered under this section, the agency shall identify specific core competencies for waiver support coordinators, identify specific performance metrics to

assess those core competencies, and make recommendations on how to standardize their assessment. By February 15, 2027, the agency shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on its findings and recommendations, and include the full report submitted by the state university under subsection (1).

(5) This section shall take effect upon this act becoming a law.

Section 3. Present subsections (46) and (47) of section 393.063, Florida Statutes, are redesignated as subsections (47) and (48), respectively, a new subsection (46) is added to that section, and subsection (11) of that section is amended, to read:

393.063 Definitions.—For the purposes of this chapter, the term:

(11) "Developmental disability" means a disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, Down syndrome, Phelan-McDermid syndrome, ~~or~~ Prader-Willi syndrome, or Tatton-Brown-Rahman syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.

(46) "Tatton-Brown-Rahman syndrome" means a disorder caused by a mutation in the DNMT3A gene typified by mild to severe intellectual disability; macrocephaly; stature and weight that are greater than or equal to two or more standard deviations above the mean for the person's age and sex; and any of the following features presenting in infancy, childhood, or adolescence:

(a) Mild facial dysmorphism.

(b) Joint hypermobility.

(c) Hypotonia.

(d) Kyphoscoliosis.

(e) Seizures.

(f) Cryptorchidism.

(g) Deficits in behavior.

(h) Hematologic malignancies.

Section 4. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2026.

The Florida Senate

APPEARANCE RECORD

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03/02/26
Meeting Date

~~SB 794~~ FISCAL
Committee

SB 794
Bill Number or Topic

Amendment Barcode (if applicable)

Name ALISON HOLMES

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Speaking: ☑ For ☐ Against ☐ Information **OR** 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

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03/02/26
Meeting Date

FISCAL
Committee

SB 794
Bill Number or Topic

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PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/2/2024
Meeting Date

Fiscal Policy
Committee

0794
Bill Number or Topic

Amendment Barcode (if applicable)

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Speaking: [X] For [ ] Against [ ] Information **OR** Waive Speaking: [ ] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[X] 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

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 1168
INTRODUCER:	Fiscal Policy Committee; Health Policy Committee; and Senator Grall
SUBJECT:	Background Screenings
DATE:	March 4, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Looke	Brown	HP	**Fav/CS**
2.	Barr	McKnight	AHS	**Favorable**
3.	Looke	Siples	FP	**Fav/CS**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 1168 amends multiple sections of law relating to background screenings. Specifically, the bill:

- Amends provisions related to the background screening of athletic coaches including:
  - Defining the term "team based in this state;"
  - Specifying that independent sanctioning authorities in charge of approving athletic coaches are considered qualified entities for the purpose of background screening and removes obsolete dates related to requiring athletic coaches to be background screened; and
  - Allowing independent sanctioning authorities to exempt persons under the age of 18 and certain referees from the requirement to pass a level II background screening if they meet certain criteria.
- Requires qualified entities to designate a user administrator to act as the primary point of contact to manage compliance with state and federal laws regarding the security and privacy of criminal history information.
- Allows the Care Provider Background Screening Clearinghouse (Clearinghouse) to share background screening records with independent sanctioning authorities that have met specified criteria.
- Prohibits persons screened through the Clearinghouse by certain entities from denying or failing to acknowledge arrests, whether or not their records have been sealed or expunged.

The bill is effective July 1, 2026.

II. Present Situation:

Background Screening

Florida provides standard procedures for screening a prospective employee[1] where the Legislature has determined it is necessary to conduct a criminal history background check to protect vulnerable persons.[2] Chapter 435, F.S., establishes procedures for criminal history background screening of prospective employees and outlines the screening requirements. There are two levels of background screening: Level 1 and Level 2.

- Level 1 screening includes, at a minimum, employment history checks, statewide criminal correspondence checks through the Florida Department of Law Enforcement (FDLE), and a check of the Dru Sjodin National Sex Offender Public Website,[3] and may include criminal records checks through local law enforcement agencies. A Level 1 screening may be paid for and conducted through FDLE's website, which provides immediate results.[4]
- Level 2 screening includes, at a minimum, fingerprinting for statewide criminal history records checks through FDLE and national criminal history checks through the Federal Bureau of Investigation (FBI), and may include local criminal records checks through local law enforcement agencies.[5]

Florida law authorizes and outlines specific elements required for Level 1 and Level 2 background screening and establishes requirements for determining whether an individual passes a screening regarding an individual's criminal history. All individuals subject to background screening must be confirmed to have not been arrested for and waiting final disposition of, been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, or been adjudicated delinquent, and the record has not been sealed or expunged for, any of 52 offenses prohibited under Florida law, or similar law of another jurisdiction:[6]

- Section 393.135, F.S., relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.
- Section 394.4593, F.S., relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.
- Section 415.111, F.S., relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.
- Section 777.04, F.S., relating to attempts, solicitation, and conspiracy to commit an offense listed in s. 435.04(2), F.S.
- Section 782.04, F.S., relating to murder.
- Section 782.07, F.S., relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child.
- Section 782.071, F.S., relating to vehicular homicide.

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[1] Section 435.02(2), F.S., defines "employee" to mean any person required by law to be screened pursuant to this chapter, including, but not limited to, persons who are contractors, licensees, or volunteers.
[2] Chapter 435, F.S.
[3] The Dru Sjodin National Sex Offender Public Website is a U.S. government website that links public state, territorial, and tribal sex offender registries in one national search site. available at www.nsopw.gov (last visited Jan. 22, 2026).
[4] Florida Department of Law Enforcement, *State of Florida Criminal History Records Check*, http://www.fdle.state.fl.us/Criminal-History-Records/Florida-Checks.aspx (last visited Jan. 22, 2026).
[5] Section 435.04, F.S.
[6] Section 435.04(2), F.S.

- Section 782.09, F.S., relating to killing of an unborn child by injury to the mother.
- Chapter 784, F.S., relating to assault, battery, and culpable negligence, if the offense was a felony.
- Section 784.011, F.S., relating to assault, if the victim of the offense was a minor.
- Section 784.03, F.S., relating to battery, if the victim of the offense was a minor.
- Section 787.01, F.S., relating to kidnapping.
- Section 787.02, F.S., relating to false imprisonment.
- Section 787.025, F.S., relating to luring or enticing a child.
- Section 787.04(2), F.S., relating to taking, enticing, or removing a child beyond the state limits with criminal intent pending custody proceedings.
- Section 787.04(3), F.S., relating to carrying a child beyond the state lines with criminal intent to avoid producing a child at a custody hearing or delivering the child to the designated person.
- Section 790.115(1), F.S., relating to exhibiting firearms or weapons within 1,000 feet of a school.
- Section 790.115(2)(b), F.S., relating to possessing an electric weapon or device, destructive device, or other weapon on school property.
- Section 794.011, F.S., relating to sexual battery.
- Former s. 794.041, F.S., relating to prohibited acts of persons in familial or custodial authority.
- Section 794.05, F.S., relating to unlawful sexual activity with certain minors.
- Chapter 796, F.S., relating to prostitution.
- Section 798.02, F.S., relating to lewd and lascivious behavior.
- Chapter 800, F.S., relating to lewdness and indecent exposure.
- Section 806.01, F.S., relating to arson.
- Section 810.02, F.S., relating to burglary.
- Section 810.14, F.S., relating to voyeurism, if the offense is a felony.
- Section 810.145, F.S., relating to video voyeurism, if the offense is a felony.
- Chapter 812, F.S., relating to theft, robbery, and related crimes, if the offense is a felony.
- Section 817.563, F.S., relating to fraudulent sale of controlled substances, only if the offense was a felony.
- Section 825.102, F.S., relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.
- Section 825.1025, F.S., relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult.
- Section 825.103, F.S., relating to exploitation of an elderly person or disabled adult, if the offense was a felony.
- Section 826.04, F.S., relating to incest.
- Section 827.03, F.S., relating to child abuse, aggravated child abuse, or neglect of a child.
- Section 827.04, F.S., relating to contributing to the delinquency or dependency of a child.
- Former s. 827.05, F.S., relating to negligent treatment of children.
- Section 827.071, F.S., relating to sexual performance by a child.
- Section 843.01, F.S., relating to resisting arrest with violence.
- Section 843.025, F.S., relating to depriving a law enforcement, correctional, or correctional probation officer of means of protection or communication.

- Section 843.12, F.S., relating to aiding in an escape.
- Section 843.13, F.S., relating to aiding in the escape of juvenile inmates in correctional institutions.
- Chapter 847, F.S., relating to obscene literature.
- Section 874.05, F.S., relating to encouraging or recruiting another to join a criminal gang.
- Chapter 893, F.S., relating to drug abuse prevention and control, only if the offense was a felony or if any other person involved in the offense was a minor.
- Section 916.1075, F.S., relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.
- Section 944.35(3), F.S., relating to inflicting cruel or inhuman treatment on an inmate resulting in great bodily harm.
- Section 944.40, F.S., relating to escape.
- Section 944.46, F.S., relating to harboring, concealing, or aiding an escaped prisoner.
- Section 944.47, F.S., relating to introduction of contraband into a correctional facility.
- Section 985.701, F.S., relating to sexual misconduct in juvenile justice programs.
- Section 985.711, F.S., relating to contraband introduced into detention facilities.

Exemptions

Should a person be disqualified from employment due to failing a background screening, he or she may apply to the secretary of the appropriate agency for an exemption. Section 435.07, F.S., allows the secretary to exempt applicants from disqualification under certain circumstances, including:

- Felonies for which at least three years have elapsed since the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court for the disqualifying felony;
- Misdemeanors prohibited under any of the cited statutes or under similar statutes of other jurisdictions for which the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court;
- Offenses that were felonies when committed but that are now misdemeanors and for which the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court; or
- Findings of delinquency. For offenses that would be felonies if committed by an adult and the record has not been sealed or expunged, this exemption may not be granted until at least three years have elapsed since the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court for the disqualifying offense.

An individual who receives an exemption may be employed in a profession or workplace where background screening is statutorily required despite the disqualifying offense in that person's past. Certain criminal backgrounds, however, render a person ineligible for an exemption. A

person who is considered a sexual predator,[7] career offender,[8] or registered sexual offender[9] is not eligible for exemption.[10]

Care Provider Background Screening Clearinghouse

In 2012, the Legislature created the Care Provider Background Screening Clearinghouse to create a single program for screening individuals and to allow for the results of criminal history checks of persons acting as covered care providers to be shared among the specified agencies.[11] Current designated agencies participating in the Clearinghouse include:[12]

- The Agency for Health Care Administration (AHCA);
- The Department of Health (DOH);
- The Department of Children and Families (DCF);
- The Department of Elder Affairs (DOEA);
- The Agency for Persons with Disabilities (APD);
- The Department of Education (DOE);
- Regional workforce boards providing services as defined in s. 445.002(3), F.S.; and
- Local licensing agencies approved pursuant to s. 402.307, F.S., when these agencies are conducting state and national criminal history background screening on persons who work with children or persons who are elderly or disabled.

Employers whose employees and volunteers are screened through an agency participating in the Clearinghouse must maintain the status of individuals being screened and update the Clearinghouse regarding any employment changes within 10 business days of the change.[13]

The Clearinghouse allows for monitoring of new criminal history information through the federal Rap Back Service[14] which continually matches fingerprints against new arrests or convictions that occur after the individual was originally screened. Once a person's screening record is in the Clearinghouse, that person may avoid the need for any future state screenings and related fees for screenings, depending on the screening agencies or organizations.[15]

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[7] Section 775.21, F.S.
[8] Section 775.261, F.S.
[9] Section 943.0435, F.S.
[10] Section 435.07(4)(b), F.S.
[11] Chapter 2012-73, L.O.F.
[12] Section 435.02(5), F.S. Additional entities were added to the list of designated entities beginning in 2023; these entities include district units, special district units, the Florida School for the Deaf and Blind, the Florida Virtual School, virtual instruction programs, charter schools, hope operators, private schools participating in certain scholarship programs, and alternative schools. *See also*, ch. 2022-154, L.O.F.
[13] Section 435.12(2)(c), F.S.; Beginning January 1, 2024, employers must report changes in an employee's status within five business days for employees screened after January 1, 2024.
[14] The Rap Back Service is managed by the FBI's Criminal Justice Information Services Division. For more information, see the Federal Bureau of Investigation, Privacy Impact Assessment for the Next Generation Identification (NGI) Rap Back Service. available at https://www.fbi.gov/file-repository/pia-ngi-rap-back-service.pdf/view (last visited January 22, 2026).
[15] Agency for Health Care Administration, *Clearinghouse Renewals*, available at https://ahca.myflorida.com/MCHQ/Central_Services/Background_Screening/Renewals.shtml (last visited January 22, 2026). Fingerprints are retained for five years. Employers have an option to renew screenings at the end of the five-year period through a "Clearinghouse Renewal" process which allows employee's fingerprints to be retained without being re-fingerprinted.

Sealed and Expunged Criminal Records

Sections 943.0585 and 943.059, F.S., allow a person to petition a court to expunge or seal his or her criminal record, respectively. Among other effects of expunging or sealing a criminal record, those statutes allow the person to lawfully deny or fail to acknowledge the arrests covered by the expunged or sealed record except in certain specified circumstances. One such circumstance is when the person is seeking to be employed or licensed to contract with a list of state agencies that largely matches with the agencies included as specified agencies under s. 435.02(7), F.S.[16] Current law, however, does not prohibit a person from denying or failing to acknowledge arrests when seeking to be employed by a qualified entity.

Background Screening of Youth Athletic Team Coaches

An independent sanctioning authority is a private, non-governmental entity that organizes, operates, or coordinates a youth athletic team in Florida which includes one or more minors and is not affiliated with a private school.[17] Beginning July 1, 2026, an independent sanctioning authority must conduct a Level 2 background screening of each current and prospective athletic coach. The authority may not authorize any person to serve as an athletic coach[18] until a Level 2 screening has been conducted, and the screening does not result in his or her disqualification, unless the person satisfies the criteria for and is granted an exemption under s. 435.07. Beginning January 1, 2026, all sanctioning authorities must screen potential athletic coaches through the Clearinghouse.[19]

III. Effect of Proposed Changes:

Section 1 amends s. 943.0438, F.S., to:

- Define the term "team based in this state" to mean a group of players which is assembled in Florida to form one side in a competitive game or sport and which primarily practices and competes in Florida.
- Specify that independent sanctioning authorities responsible for approving athletic coaches, are considered qualified entities for the purpose of background screening.
- To allow an independent sanctioning authority to exempt a person 18 years of age or younger or a referee who has been disqualified from employment from the background screening requirement if:
  - The person passes a level 1 background screening which must include a search of the person's name or other identifying information against state and federal registries of sexual predators and sexual offenders, which are available to the public on the FDLE's website or the website of the Attorney General of the United States; and
  - The person is under the direct supervision of an athletic coach who has passed his or her background screening.
- Remove obsolete dates related to requiring athletic coaches to be background screened.

[16] Sections 943.0585(6)(b)5. and 943.059(6)(b)5., F.S.
[17] Sections 1002.01 and 943.0438(1)(b), F.S.
[18] "Athletic coach" means a person who is authorized by an independent sanctioning authority to work as a coach, assistant coach, or referee for whether for compensation or as a volunteer, for a youth athletic team in this state; and has direct contact with one or more minors on the youth athletic team. Section 943.0438(1)(a), F.S.
[19] Section 943.0438(2)(b), F.S.

Section 2 amends s. 943.0542, F.S., to require qualified entities[20] to designate a user administrator to act as a primary point of contact and to manage compliance with state and federal laws regarding the security and privacy of criminal history information and allows the Clearinghouse to share background screening records with an independent sanctioning authority that is compliant with the Federal Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017.

Sections 3 and 4 amend ss. 943.0585 and 943.059, F.S., related to the expunction and sealing of criminal histories, respectively, to prohibit a person from denying or failing to acknowledge an arrest if the person is screened through the Clearinghouse by a specified agency or qualified entity regardless of whether the person's criminal record has been expunged or sealed.

Sections 5, 6 and 7 reenact ss. 943.053, 943.0578 and 943.0582, F.S., respectively, to incorporate changes made in the bill.

Section 8 provides the bill takes effect July 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.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

[20] As defined in s. 943.0542(1)(b), F.S.

B. Private Sector Impact:

None.

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: 943.0438, 943.0542, 943.0585, 943.059, 943.053, 943.0578, 943.0582.

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 2, 2026:
The committee substitute removes language which would have added additional disqualifying offenses and designated the AHCA as the sole agency in charge of reviewing background screening results for eligibility.

The committee substitute also revises provisions related to athletic coaches to:
- Define a term,
- Allow an independent sanctioning authority to exempt persons under the age of 18 or certain referees from background screening requirements if they have passed a level 1 background screening and are under the direct supervision of an athletic coach who has passed a level 2 background screening; and
- To allow the Clearinghouse to share records with independent sanctioning authorities who are compliant with certain requirements.

CS by Health Policy on January 26, 2026:
The committee substitute prohibits persons screened through the Care Provider Background Screening Clearinghouse by certain entities from denying or failing to acknowledge arrests regardless of whether their records have been expunged or sealed.

B. Amendments:

None.

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

128520

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/03/2026	.	
	.	
	.	
	.	

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

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Present paragraphs (c) through (g) of subsection (2) of section 943.0438, Florida Statutes, are redesignated as paragraphs (b) through (f), respectively, paragraph (c) is added to subsection (1) of that section, and paragraph (a) of subsection (1) and paragraph (a) and present paragraphs (b) and (d) of subsection (2) of that section are amended, to read:

128520

943.0438 Athletic coaches for independent sanctioning authorities.—

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

(a) "Athletic coach" means a person who:

1. Is authorized by an independent sanctioning authority to work as a coach, an assistant coach, a manager, or a referee, whether for compensation or as a volunteer coach, assistant coach, manager, or referee, for a youth athletic team based in this state; and

2. Has direct contact with one or more minors on the youth athletic team.

(c) "Team based in this state" means a group of players which is assembled in this state to form one side in a competitive game or sport and which primarily practices and competes in this state.

(2) An independent sanctioning authority shall:

(a) Effective July 1, 2026:~~,~~

1. Be considered a qualified entity for purposes of participating in the Care Provider Background Screening Clearinghouse under s. 435.12.

2. Conduct a level 2 background screening under s. 435.04 of each current and prospective athletic coach. The authority may not delegate this responsibility to an individual team and may not authorize any person to act as an athletic coach unless a level 2 background screening is conducted and does not result in disqualification under subparagraph 3 ~~paragraph (b)~~.

~~(b)1. Before January 1, 2026, or a later date as determined by the Agency for Health Care Administration for the participation of qualified entities in the Care Provider~~

128520

~~Background Screening Clearinghouse under s. 435.12, disqualify any person from acting as an athletic coach as provided in s. 435.04. The authority may allow a person disqualified under this subparagraph to act as an athletic coach if it determines that the person meets the requirements for an exemption from disqualification under s. 435.07.~~

3.~~2. On or after January 1, 2026, or a later date as determined by the Agency for Health Care Administration,~~ Not allow any person to act as an athletic coach if he or she does not pass the background screening qualifications in s. 435.04. The authority may:

a. Allow a person disqualified under this subparagraph to act as an athletic coach if the person has successfully completed the exemption from the disqualification process under s. 435.07.

b. Exempt a person younger than 18 years of age or a referee disqualified under this subparagraph from the background screening requirement if the person passes a level 1 background screening pursuant to s. 435.03 and is under the direct supervision of an athletic coach who meets the background screening requirements of this subsection. For purposes of this subparagraph, the level 1 background screening must include a search of the person's name or other identifying information against state and federal registries of sexual predators and sexual offenders, which are available to the public on the websites provided by the Department of Law Enforcement under s. 943.043 and the Attorney General of the United States under 42 U.S.C. s. 16920.

(c)~~(d)~~ Maintain for at least 5 years documentation of:

1. The results for each person screened under paragraph (a); and

2. The written notice of disqualification provided to each person under paragraph (b) ~~(c)~~.

Section 2. Paragraph (a) of subsection (2) and subsection (3) of section 943.0542, Florida Statutes, are amended to read:

943.0542 Access to criminal history information provided by the department to qualified entities.—

(2)(a) A qualified entity conducting background criminal history checks under this section must:

1. Register with the department before submitting a request for screening under this section. Each such request must be voluntary and conform to the requirements established in the National Child Protection Act of 1993, as amended. As a part of the registration, the qualified entity must agree to comply with state and federal law and must so indicate by signing an agreement approved by the department. The qualified entity shall designate a user administrator to act as the primary point of contact and to manage compliance with state and federal laws regarding the security and privacy of criminal history information. The qualified entity may designate additional authorized users with delegated authority to manage or access the system for the purpose of requesting and reviewing background screening information pursuant to this section. The department shall periodically audit qualified entities to ensure compliance with federal law and this section.

2. Before January 1, 2026, or a later date as determined by the Agency for Health Care Administration, submit to the department, and effective January 1, 2026, or a later date as

determined by the Agency for Health Care Administration, submit to the agency a request for screening an employee or volunteer or person applying to be an employee or volunteer by submitting fingerprints, or the request may be submitted electronically. The qualified entity must maintain a signed waiver allowing the release of the state and national criminal history record information to the qualified entity.

(3) Through December 31, 2025, or a later date as determined by the Agency for Health Care Administration, the department shall provide directly to the qualified entity the state criminal history records that are not exempt from disclosure under chapter 119 or otherwise confidential under law. A person who is the subject of a state criminal history record may challenge the record only as provided in s. 943.056. Effective January 1, 2026, or a later date as determined by the Agency for Health Care Administration, the Care Provider Background Screening Clearinghouse may provide such records to the qualified entity only if the person challenges the record as provided in this subsection or if the qualified entity is an independent sanctioning authority that is compliant with the Federal Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017.

Section 3. Paragraphs (b) and (d) of subsection (6) of section 943.0585, Florida Statutes, are amended to read:

943.0585 Court-ordered expunction of criminal history records.—

(6) EFFECT OF EXPUNCTION ORDER.—

(b) The person who is the subject of a criminal history record that is expunged under this section or under other

provisions of law, including former ss. 893.14, 901.33, and 943.058, may lawfully deny or fail to acknowledge the arrests covered by the expunged record, except when the subject of the record:

1. Is a candidate for employment with a criminal justice agency;

2. Is a defendant in a criminal prosecution;

3. Concurrently or subsequently petitions for relief under this section, s. 943.0583, or s. 943.059;

4. Is a candidate for admission to The Florida Bar;

5. Is seeking to be employed or licensed by or to contract with the Department of Children and Families, the Division of Vocational Rehabilitation within the Department of Education, the Agency for Health Care Administration, the Agency for Persons with Disabilities, the Department of Health, the Department of Elderly Affairs, or the Department of Juvenile Justice or to be employed or used by such contractor or licensee in a sensitive position having direct contact with children, the disabled, or the elderly;

6.a. Is seeking to be employed or licensed by, or contract with, the Department of Education, any district unit under s. 1001.30, any special district unit under s. 1011.24, the Florida School for the Deaf and the Blind under s. 1002.36, the Florida Virtual School under s. 1002.37, any virtual instruction program under s. 1002.45, any charter school under s. 1002.33, any hope operator under s. 1002.333, any alternative school under s. 1008.341, any private or parochial school, or any local governmental entity that licenses child care facilities;

b. Is seeking to be employed or used by a contractor or

128520

licensee under sub-subparagraph a.; or

c. Is a person screened under s. 1012.467;

7. Is seeking to be licensed by the Division of Insurance Agent and Agency Services within the Department of Financial Services; ~~or~~

8. Is seeking to be appointed as a guardian pursuant to s. 744.3125; or

9. Is a person screened through the Care Provider Background Screening Clearinghouse by a qualified entity pursuant to s. 435.12.

(d) Information relating to the existence of an expunged criminal history record which is provided in accordance with paragraph (a) is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except that the department shall disclose the existence of a criminal history record ordered expunged to the entities set forth in subparagraphs (b)1. and 4.-9. ~~4.-8.~~ for their respective licensing, access authorization, and employment purposes and to criminal justice agencies for their respective criminal justice purposes. It is unlawful for any employee of an entity set forth in subparagraph (b)1., subparagraph (b)4., subparagraph (b)5., subparagraph (b)6., subparagraph (b)7., ~~or~~ subparagraph (b)8., or subparagraph (b)9. to disclose information relating to the existence of an expunged criminal history record of a person seeking employment, access authorization, or licensure with such entity or contractor, except to the person to whom the criminal history record relates or to persons having direct responsibility for employment, access authorization, or licensure decisions. A person who violates this paragraph

128520

commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 4. Paragraphs (b) and (d) of subsection (6) of section 943.059, Florida Statutes, are amended to read:

943.059 Court-ordered sealing of criminal history records.—

(6) EFFECT OF ORDER.—

(b) The subject of the criminal history record sealed under this section or under other provisions of law, including former ss. 893.14, 901.33, and 943.058, may lawfully deny or fail to acknowledge the arrests covered by the sealed record, except when the subject of the record:

1. Is a candidate for employment with a criminal justice agency;

2. Is a defendant in a criminal prosecution;

3. Concurrently or subsequently petitions for relief under this section, s. 943.0583, or s. 943.0585;

4. Is a candidate for admission to The Florida Bar;

5. Is seeking to be employed or licensed by or to contract with the Department of Children and Families, the Division of Vocational Rehabilitation within the Department of Education, the Agency for Health Care Administration, the Agency for Persons with Disabilities, the Department of Health, the Department of Elderly Affairs, or the Department of Juvenile Justice or to be employed or used by such contractor or licensee in a sensitive position having direct contact with children, the disabled, or the elderly;

6.a. Is seeking to be employed or licensed by, or contract with, the Department of Education, a district unit under s. 1001.30, a special district unit under s. 1011.24, the Florida

128520

School for the Deaf and the Blind under s. 1002.36, the Florida Virtual School under s. 1002.37, a virtual instruction program under s. 1002.45, a charter school under s. 1002.33, a hope operator under s. 1002.333, an alternative school under s. 1008.341, a private or parochial school, or a local governmental entity that licenses child care facilities;

b. Is seeking to be employed or used by a contractor or licensee under sub-subparagraph a.; or

c. Is a person screened under s. 1012.467;

7. Is attempting to purchase a firearm from a licensed importer, licensed manufacturer, or licensed dealer and is subject to a criminal history check under state or federal law;

8. Is seeking to be licensed by the Division of Insurance Agent and Agency Services within the Department of Financial Services;

9. Is seeking to be appointed as a guardian pursuant to s. 744.3125; ~~or~~

10. Is seeking to be licensed by the Bureau of License Issuance of the Division of Licensing within the Department of Agriculture and Consumer Services to carry a concealed weapon or concealed firearm. This subparagraph applies only in the determination of an applicant's eligibility under s. 790.06; or

11. Is a person screened through the Care Provider Background Screening Clearinghouse by a qualified entity pursuant to s. 435.12.

(d) Information relating to the existence of a sealed criminal history record provided in accordance with paragraph (b) is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except that the department

128520

shall disclose the sealed criminal history record to the entities set forth in subparagraphs (b)1., 4.-6., and 8.-11. ~~8.-10.~~ for their respective licensing, access authorization, and employment purposes. An employee of an entity set forth in subparagraph (b)1., subparagraph (b)4., subparagraph (b)5., subparagraph (b)6., subparagraph (b)8., subparagraph (b)9., ~~or~~ subparagraph (b)10., or subparagraph (b)11. may not disclose information relating to the existence of a sealed criminal history record of a person seeking employment, access authorization, or licensure with such entity or contractor, except to the person to whom the criminal history record relates or to persons having direct responsibility for employment, access authorization, or licensure decisions. A person who violates this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 5. For the purpose of incorporating the amendments made by this act to sections 943.0585 and 943.059, Florida Statutes, in references thereto, paragraph (c) of subsection (3) of section 943.053, Florida Statutes, is reenacted to read:

943.053 Dissemination of criminal justice information; fees.—

(3)

(c)1. Criminal history information relating to juveniles, including criminal history information consisting in whole or in part of information that is confidential and exempt under paragraph (b), shall be available to:

a. A criminal justice agency for criminal justice purposes on a priority basis and free of charge;

b. The person to whom the record relates, or his or her

128520

attorney;

c. The parent, guardian, or legal custodian of the person to whom the record relates, provided such person has not reached the age of majority, been emancipated by a court, or been legally married; or

d. An agency or entity specified in s. 943.0585(6) or s. 943.059(6), for the purposes specified therein, and to any person within such agency or entity who has direct responsibility for employment, access authorization, or licensure decisions.

2. After providing the program with all known personal identifying information, the criminal history information relating to a juvenile which is not confidential and exempt under this subsection may be released to the private sector and noncriminal justice agencies not specified in s. 943.0585(6) or s. 943.059(6) in the same manner as provided in paragraph (a). Criminal history information relating to a juvenile which is not confidential and exempt under this subsection is the entire criminal history information relating to a juvenile who satisfies any of the criteria listed in subparagraphs (b)1.-4., except for any portion of such juvenile’s criminal history record which has been expunged or sealed under any law applicable to such record.

3. All criminal history information relating to juveniles, other than that provided to criminal justice agencies for criminal justice purposes, shall be provided upon tender of fees as established in this subsection and in the manner prescribed by rule of the Department of Law Enforcement.

Section 6. For the purpose of incorporating the amendments

128520

made by this act to section 943.0585, Florida Statutes, in a reference thereto, subsection (4) of section 943.0578, Florida Statutes, is reenacted to read:

943.0578 Lawful self-defense expunction.—

(4) Section 943.0585(5) and (6) apply to an expunction ordered under this section.

Section 7. For the purpose of incorporating the amendment made by this act to section 943.0585, Florida Statutes, in a reference thereto, paragraph (b) of subsection (2) of section 943.0582, Florida Statutes, is reenacted to read:

943.0582 Diversion program expunction.—

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

(b) "Expunction" has the same meaning ascribed in and effect as s. 943.0585, except that:

1. Section 943.0585(6)(b) does not apply, except that the criminal history record of a person whose record is expunged pursuant to this section shall be made available only to criminal justice agencies for the purpose of:

a. Determining eligibility for diversion programs;

b. A criminal investigation; or

c. Making a prosecutorial decision under s. 985.15.

2. Records maintained by local criminal justice agencies in the county in which the arrest occurred that are eligible for expunction pursuant to this section shall be sealed as the term is used in s. 943.059.

Section 8. This act shall take effect July 1, 2026.

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

And the title is amended as follows:

128520

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to background screenings; amending s. 943.0438, F.S.; revising the definition of the term "athletic coach"; defining the term "team based in this state"; providing that, effective on a specified date, an independent sanctioning authority is deemed to be a qualified entity for the purpose of participating in the Care Provider Background Screening Clearinghouse; authorizing an independent sanctioning authority to allow certain persons to act as athletic coaches and referees without passing certain background screening qualifications under certain circumstances; amending s. 943.0542, F.S.; requiring qualified entities to designate a user administrator for a specified purpose; authorizing such qualified entities to designate additional authorized users with certain delegated authority; revising requirements related to the release of specified records from the Care Provider Background Screening Clearinghouse to a qualified entity; amending ss. 943.0585 and 943.059, F.S.; prohibiting certain persons from denying or failing to acknowledge certain criminal history records that have been expunged or sealed; requiring the Department of Law Enforcement to disclose sealed criminal history records under specified circumstances; reenacting ss. 943.053(3)(c), 943.0578(4), and 943.0582(2)(b), F.S.,

128520

relating to dissemination of criminal justice information, lawful self-defense expunction, and diversion program expunction, respectively, to incorporate the amendments made to ss. 943.0585 and 943.059, F.S., in references thereto; providing an effective date.

By the Committee on Health Policy; and Senator Grall

588-02202-26 20261168c1

A bill to be entitled

An act relating to background screenings; amending s. 435.04, F.S.; specifying additional disqualifying offenses under the background screening requirements for certain persons; amending s. 435.12, F.S.; requiring the Agency for Health Care Administration, beginning on a specified date or as soon as practicable thereafter, to review and determine eligibility for all criminal history checks submitted to the Care Provider Background Screening Clearinghouse by specified agencies; requiring the clearinghouse to share eligibility determinations with specified agencies; requiring specified agencies and qualified entities to process exemptions from disqualification pursuant to a specified provision; requiring the implementation of a specified provision of the act by a specified date, or as soon as practicable thereafter as determined by the agency; amending s. 943.0438, F.S.; making a technical change; providing that, beginning on a specified date, an independent sanctioning authority is considered a qualified entity for the purpose of participating in the clearinghouse; authorizing a person who has not undergone certain background screening to act as an athletic coach if he or she is under the direct supervision of an athletic coach who meets certain background screening requirements; reenacting and amending s. 943.0542, F.S.; requiring qualified entities conducting background criminal history checks

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588-02202-26 20261168c1

to designate a user administrator for a specified purpose; authorizing such qualified entities to designate additional authorized users with certain delegated authority; authorizing the clearinghouse, beginning on a specified date, to provide national criminal history record information to qualified entities, rather than only under certain circumstances; amending ss. 943.0585 and 943.059, F.S.; prohibiting certain persons from denying or failing to acknowledge certain criminal history records that have been expunged or sealed, respectively; amending ss. 44.407 and 501.9741, F.S.; conforming cross-references; reenacting ss. 397.487(6) and (8)(d), 397.4871(5) and (6)(b), 409.913(13), 435.03(2), 1012.22(1)(j), 1012.315(1), 1012.797, and 1012.799(2), F.S., relating to voluntary certification of recovery residences; recovery residence administrator certification; oversight of the integrity of the Medicaid program; level 1 screening standards; public school personnel and powers and duties of the district school board; screening standards; notification of certain charges against employees; and reporting and self-reporting certain offenses, respectively, to incorporate the amendment made to s. 435.04, F.S., in references thereto; providing an effective date.

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

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

Section 1. Subsections (2) and (3) of section 435.04, Florida Statutes, are amended to read:

435.04 Level 2 screening standards.—

(2) The security background investigations under this section must ensure that persons subject to this section have not been arrested for and are awaiting final disposition of; have not been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to; or have not been adjudicated delinquent and the record has not been sealed or expunged for, any offense prohibited under any of the following provisions of state law or similar law of another jurisdiction:

(a) Section 39.205, relating to the failure to report child abuse, abandonment, or neglect.

(b) Section 316.193(3)(c)3., relating to DUI manslaughter.

(c) Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.

(d) ~~(c)~~ Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.

(e) ~~(d)~~ Section 414.39, relating to fraud, if the offense was a felony.

(f) ~~(e)~~ Section 415.111, relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.

(g) Section 741.28, relating to domestic violence.

(h) ~~(f)~~ Section 777.04, relating to attempts, solicitation, and conspiracy to commit an offense listed in this subsection.

(i) ~~(g)~~ Section 782.04, relating to murder.

(j) ~~(h)~~ Section 782.07, relating to manslaughter, aggravated

manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child.

(k) ~~(i)~~ Section 782.071, relating to vehicular homicide.

(l) ~~(j)~~ Section 782.09, relating to killing of an unborn child by injury to the mother.

(m) ~~(k)~~ Chapter 784, relating to assault, battery, and culpable negligence, if the offense was a felony.

(n) ~~(l)~~ Section 784.011, relating to assault, if the victim of the offense was a minor.

(o) ~~(m)~~ Section 784.021, relating to aggravated assault.

(p) ~~(n)~~ Section 784.03, relating to battery, if the victim of the offense was a minor.

(q) ~~(o)~~ Section 784.045, relating to aggravated battery.

(r) ~~(p)~~ Section 784.075, relating to battery on staff of a detention or commitment facility or on a juvenile probation officer.

(s) ~~(q)~~ Section 787.01, relating to kidnapping.

(t) ~~(r)~~ Section 787.02, relating to false imprisonment.

(u) ~~(s)~~ Section 787.025, relating to luring or enticing a child.

(v) ~~(t)~~ Section 787.04(2), relating to taking, enticing, or removing a child beyond the state limits with criminal intent pending custody proceedings.

(w) ~~(u)~~ Section 787.04(3), relating to carrying a child beyond the state lines with criminal intent to avoid producing a child at a custody hearing or delivering the child to the designated person.

(x) ~~(v)~~ Section 787.06, relating to human trafficking.

(y) ~~(w)~~ Section 787.07, relating to human smuggling.

(z) ~~(x)~~ Section 790.115(1), relating to exhibiting firearms or weapons within 1,000 feet of a school.

(aa) ~~(y)~~ Section 790.115(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon on school property.

(bb) ~~(z)~~ Section 794.011, relating to sexual battery.

(cc) ~~(aa)~~ Former s. 794.041, relating to prohibited acts of persons in familial or custodial authority.

(dd) ~~(bb)~~ Section 794.05, relating to unlawful sexual activity with certain minors.

(ee) ~~(cc)~~ Section 794.08, relating to female genital mutilation.

(ff) ~~(dd)~~ Chapter 796, relating to prostitution.

(gg) ~~(ee)~~ Section 798.02, relating to lewd and lascivious behavior.

(hh) ~~(ff)~~ Chapter 800, relating to lewdness and indecent exposure and offenses against students by authority figures.

(ii) ~~(gg)~~ Section 806.01, relating to arson.

(jj) ~~(hh)~~ Section 810.02, relating to burglary.

(kk) ~~(ii)~~ Section 810.14, relating to voyeurism, if the offense is a felony.

(ll) ~~(jj)~~ Section 810.145, relating to digital voyeurism, if the offense is a felony.

(mm) ~~(kk)~~ Chapter 812, relating to theft, robbery, and related crimes, if the offense is a felony.

(nn) Section 815.04, relating to offenses against intellectual property.

(oo) Section 815.06, relating to offenses against users of computers, computer systems, computer networks, and electronic

devices.

(pp) ~~(ll)~~ Section 817.563, relating to fraudulent sale of controlled substances, only if the offense was a felony.

(qq) ~~(mm)~~ Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.

(rr) ~~(nn)~~ Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult.

(ss) ~~(oo)~~ Section 825.103, relating to exploitation of an elderly person or disabled adult, if the offense was a felony.

(tt) ~~(pp)~~ Section 826.04, relating to incest.

(uu) ~~(qq)~~ Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

(vv) ~~(rr)~~ Section 827.04, relating to contributing to the delinquency or dependency of a child.

(ww) ~~(ss)~~ Former s. 827.05, relating to negligent treatment of children.

(xx) ~~(tt)~~ Section 827.071, relating to sexual performance by a child.

(yy) Chapter 828, relating to animal cruelty.

(zz) Section 831.29, relating to making or having instruments and material for counterfeiting driver licenses or identification cards.

(aaa) ~~(uu)~~ Section 831.311, relating to the unlawful sale, manufacture, alteration, delivery, uttering, or possession of counterfeit-resistant prescription blanks for controlled substances.

(bbb) Section 836.05, relating to threats and extortion.

(ccc) ~~(vv)~~ Section 836.10, relating to written or electronic

threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.

(ddd) Section 838.015, relating to bribery.

(eee) ~~(ww)~~ Section 843.01, relating to resisting arrest with violence.

(fff) ~~(xx)~~ Section 843.025, relating to depriving a law enforcement, correctional, or correctional probation officer means of protection or communication.

(ggg) ~~(yy)~~ Section 843.12, relating to aiding in an escape.

(hhh) ~~(zz)~~ Section 843.13, relating to aiding in the escape of juvenile inmates in correctional institutions.

(iii) ~~(aaa)~~ Chapter 847, relating to obscene literature.

(jjj) ~~(bbb)~~ Section 859.01, relating to poisoning food or water.

(kkk) ~~(ccc)~~ Section 873.01, relating to the prohibition on the purchase or sale of human organs and tissue.

(lll) ~~(ddd)~~ Section 874.05, relating to encouraging or recruiting another to join a criminal gang.

(mmm) ~~(eee)~~ Chapter 893, relating to drug abuse prevention and control, only if the offense was a felony or if any other person involved in the offense was a minor.

(nnn) ~~(fff)~~ Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

(ooo) ~~(ggg)~~ Section 944.35(3), relating to inflicting cruel or inhuman treatment on an inmate resulting in great bodily harm.

(ppp) ~~(hhh)~~ Section 944.40, relating to escape.

(qqq) ~~(iii)~~ Section 944.46, relating to harboring,

concealing, or aiding an escaped prisoner.

(rrr) ~~(jjj)~~ Section 944.47, relating to introduction of contraband into a correctional facility.

(sss) Section 951.22, relating to contraband articles in county detention facilities.

(ttt) ~~(kkk)~~ Section 985.701, relating to sexual misconduct in juvenile justice programs.

(uuu) ~~(lll)~~ Section 985.711, relating to contraband introduced into detention facilities.

~~(3) The security background investigations under this section must ensure that no person subject to this section has been arrested for and is awaiting final disposition of, been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, any offense that constitutes domestic violence as defined in s. 741.28, whether such act was committed in this state or in another jurisdiction.~~

Section 2. Subsection (1) of section 435.12, Florida Statutes, is amended to read:

435.12 Care Provider Background Screening Clearinghouse.—

(1) The Agency for Health Care Administration in consultation with the Department of Law Enforcement shall create a secure web-based system, which shall be known as the "Care Provider Background Screening Clearinghouse" or "clearinghouse." The clearinghouse must allow the results of criminal history checks provided to the specified agencies and, beginning January 1, 2026, or a later date as determined by the Agency for Health Care Administration, to qualified entities participating in the clearinghouse for screening of persons qualified as care providers under s. 943.0542 to be shared among the specified

agencies and qualified entities when a person has applied to volunteer, be employed, be licensed, enter into a contract, or has an affiliation that allows or requires a state and national fingerprint-based criminal history check. Beginning January 1, 2025, or a later date as determined by the Agency for Health Care Administration, the Agency for Health Care Administration shall review and determine eligibility for all criminal history checks submitted to the clearinghouse for the Department of Education. The clearinghouse shall share eligibility determinations with the Department of Education and the qualified entities. Beginning July 1, 2028, or as soon as practicable thereafter as determined by the Agency for Health Care Administration, the Agency for Health Care Administration shall review and determine eligibility for all criminal history checks submitted to the clearinghouse by specified agencies as defined in s. 435.02. The clearinghouse shall share eligibility determinations with the specified agencies. Each specified agency and qualified entity is responsible for processing exemptions from disqualification pursuant to s. 435.07. The Agency for Health Care Administration and the Department of Law Enforcement may adopt rules to create forms or implement procedures needed to carry out this section.

Section 3. The amendments made by this act to s. 435.12(1), Florida Statutes, must be implemented by July 1, 2028, or as soon as practicable thereafter as determined by the Agency for Health Care Administration.

Section 4. Paragraph (a) of subsection (1) and paragraphs (a), (b), and (d) of subsection (2) of section 943.0438, Florida Statutes, are amended, and subsection (5) is added to that

section, to read:

943.0438 Athletic coaches for independent sanctioning authorities.—

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

(a) "Athletic coach" means a person who:

1. Is authorized by an independent sanctioning authority to work as a coach, an assistant coach, a manager, or a referee, whether for compensation or as a volunteer, for a youth athletic team based in this state; and

2. Has direct contact with one or more minors on the youth athletic team.

(2) An independent sanctioning authority shall:

(a) Effective July 1, 2026:~~,~~

1. Conduct a level 2 background screening under s. 435.04 of each current and prospective athletic coach. The authority may not delegate this responsibility to an individual team and may not authorize any person to act as an athletic coach unless a level 2 background screening is conducted and does not result in disqualification under subparagraph 3 ~~paragraph (b)~~.

2.~~(b)1.~~ Be considered a ~~Before January 1, 2026, or a later date as determined by the Agency for Health Care Administration for the participation of~~ qualified entity for purposes of participating ~~entities~~ in the Care Provider Background Screening Clearinghouse under s. 435.12~~, disqualify any person from acting as an athletic coach as provided in s. 435.04~~. ~~The authority may allow a person disqualified under this subparagraph to act as an athletic coach if it determines that the person meets the requirements for an exemption from disqualification under s. 435.07.~~

3.~~2. On or after January 1, 2026, or a later date as determined by the Agency for Health Care Administration,~~ Not allow a ~~any~~ person to act as an athletic coach if he or she does not pass the background screening qualifications in s. 435.04. The authority may allow a person disqualified under this subparagraph to act as an athletic coach if the person has successfully completed the exemption from the disqualification process under s. 435.07.

(c)~~(d)~~ Maintain for at least 5 years documentation of:

1. The results for each person screened under subparagraph (a)1. ~~paragraph (a)~~; and

2. The written notice of disqualification provided to each person under paragraph (b) ~~(c)~~.

(5) Notwithstanding paragraph (2)(a), a person who has not undergone background screening pursuant to this section may act as an athletic coach if he or she is under the direct supervision of an athletic coach who meets the background screening requirements of this section.

Section 5. Paragraph (a) of subsection (2) and subsection (4) of section 943.0542, Florida Statutes, are amended, and subsection (5) of that section is reenacted, to read:

943.0542 Access to criminal history information provided by the department to qualified entities.—

(2)(a) A qualified entity conducting background criminal history checks under this section must:

1. Register with the department before submitting a request for screening under this section. Each such request must be voluntary and conform to the requirements established in the National Child Protection Act of 1993, as amended. As a part of

the registration, the qualified entity must agree to comply with state and federal law and must so indicate by signing an agreement approved by the department. The qualified entity shall designate a user administrator to act as the primary point of contact and to manage compliance with state and federal laws regarding the security and privacy of criminal history information. The qualified entity may designate additional authorized users with delegated authority to manage or access the system for the purpose of requesting and reviewing background screening information pursuant to this section. The department shall periodically audit qualified entities to ensure compliance with federal law and this section.

2. Before January 1, 2026, or a later date as determined by the Agency for Health Care Administration, submit to the department, and effective January 1, 2026, or a later date as determined by the Agency for Health Care Administration, submit to the agency a request for screening an employee or volunteer or person applying to be an employee or volunteer by submitting fingerprints, or the request may be submitted electronically. The qualified entity must maintain a signed waiver allowing the release of the state and national criminal history record information to the qualified entity.

(4) The national criminal history data is available to qualified entities to use only for the purpose of screening employees and volunteers or persons applying to be an employee or volunteer with a qualified entity. Through December 31, 2026, or a later date as determined by the Agency for Health Care Administration, the department shall provide this national criminal history record information directly to the qualified

entity as authorized by the written waiver required for submission of a request. Effective January 1, 2026, or a later date as determined by the Agency for Health Care Administration, the Care Provider Background Screening Clearinghouse may provide such record information to the qualified entity ~~only if the person requests an exemption from the qualified entity under s. 435.07~~.

(5) The entity making the determination regarding screening shall apply the criteria under s. 435.04(2) to the state and national criminal history record information received from the department for those persons subject to screening. The determination whether the criminal history record shows that the employee or volunteer has not been arrested for and is awaiting final disposition of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, or has been adjudicated delinquent and the record has not been sealed or expunged for, any offense listed under s. 435.02(2) shall be made by the qualified entity through December 31, 2025, or a later date as determined by the Agency for Health Care Administration. Beginning January 1, 2026, or a later date as determined by the Agency for Health Care Administration, the Agency for Health Care Administration shall determine the eligibility of the employee or volunteer of a qualified entity. This section does not require the department to make such a determination on behalf of any qualified entity.

Section 6. Paragraph (b) of subsection (6) of section 943.0585, Florida Statutes, is amended to read:

943.0585 Court-ordered expunction of criminal history records.—

(6) EFFECT OF EXPUNCTION ORDER.—

(b) The person who is the subject of a criminal history record that is expunged under this section or under other provisions of law, including former ss. 893.14, 901.33, and 943.058, may lawfully deny or fail to acknowledge the arrests covered by the expunged record, except when the subject of the record:

1. Is a candidate for employment with a criminal justice agency;

2. Is a defendant in a criminal prosecution;

3. Concurrently or subsequently petitions for relief under this section, s. 943.0583, or s. 943.059;

4. Is a candidate for admission to The Florida Bar;

5. Is seeking to be employed or licensed by or to contract with the Department of Children and Families, the Division of Vocational Rehabilitation within the Department of Education, the Agency for Health Care Administration, the Agency for Persons with Disabilities, the Department of Health, the Department of Elderly Affairs, or the Department of Juvenile Justice or to be employed or used by such contractor or licensee in a sensitive position having direct contact with children, the disabled, or the elderly;

6.a. Is seeking to be employed or licensed by, or contract with, the Department of Education, any district unit under s. 1001.30, any special district unit under s. 1011.24, the Florida School for the Deaf and the Blind under s. 1002.36, the Florida Virtual School under s. 1002.37, any virtual instruction program under s. 1002.45, any charter school under s. 1002.33, any hope operator under s. 1002.333, any alternative school under s.

1008.341, any private or parochial school, or any local governmental entity that licenses child care facilities;

b. Is seeking to be employed or used by a contractor or licensee under sub-subparagraph a.; or

c. Is a person screened under s. 1012.467;

7. Is seeking to be licensed by the Division of Insurance Agent and Agency Services within the Department of Financial Services; ~~or~~

8. Is seeking to be appointed as a guardian pursuant to s. 744.3125; or

9. Is a person screened through the Care Provider Background Screening Clearinghouse by a specified agency or qualified entity pursuant to s. 435.12.

Section 7. Paragraph (b) of subsection (6) of section 943.059, Florida Statutes, is amended to read:

943.059 Court-ordered sealing of criminal history records.—

(6) EFFECT OF ORDER.—

(b) The subject of the criminal history record sealed under this section or under other provisions of law, including former ss. 893.14, 901.33, and 943.058, may lawfully deny or fail to acknowledge the arrests covered by the sealed record, except when the subject of the record:

1. Is a candidate for employment with a criminal justice agency;

2. Is a defendant in a criminal prosecution;

3. Concurrently or subsequently petitions for relief under this section, s. 943.0583, or s. 943.0585;

4. Is a candidate for admission to The Florida Bar;

5. Is seeking to be employed or licensed by or to contract

with the Department of Children and Families, the Division of Vocational Rehabilitation within the Department of Education, the Agency for Health Care Administration, the Agency for Persons with Disabilities, the Department of Health, the Department of Elderly Affairs, or the Department of Juvenile Justice or to be employed or used by such contractor or licensee in a sensitive position having direct contact with children, the disabled, or the elderly;

6.a. Is seeking to be employed or licensed by, or contract with, the Department of Education, a district unit under s. 1001.30, a special district unit under s. 1011.24, the Florida School for the Deaf and the Blind under s. 1002.36, the Florida Virtual School under s. 1002.37, a virtual instruction program under s. 1002.45, a charter school under s. 1002.33, a hope operator under s. 1002.333, an alternative school under s. 1008.341, a private or parochial school, or a local governmental entity that licenses child care facilities;

b. Is seeking to be employed or used by a contractor or licensee under sub-subparagraph a.; or

c. Is a person screened under s. 1012.467;

7. Is attempting to purchase a firearm from a licensed importer, licensed manufacturer, or licensed dealer and is subject to a criminal history check under state or federal law;

8. Is seeking to be licensed by the Division of Insurance Agent and Agency Services within the Department of Financial Services;

9. Is seeking to be appointed as a guardian pursuant to s. 744.3125; ~~or~~

10. Is seeking to be licensed by the Bureau of License

Issuance of the Division of Licensing within the Department of Agriculture and Consumer Services to carry a concealed weapon or concealed firearm. This subparagraph applies only in the determination of an applicant's eligibility under s. 790.06; or

11. Is a person screened through the Care Provider Background Screening Clearinghouse by a specified agency or qualified entity pursuant to s. 435.12.

Section 8. Paragraph (a) of subsection (5) of section 44.407, Florida Statutes, is amended to read:

44.407 Elder-focused dispute resolution process.—

(5) QUALIFICATIONS FOR ELDERCARING COORDINATORS.—

(a) The court shall appoint qualified eldercaring coordinators who:

1. Meet one of the following professional requirements:

a. Are licensed as a mental health professional under chapter 491 and hold at least a master's degree in the professional field of practice;

b. Are licensed as a psychologist under chapter 490;

c. Are licensed as a physician under chapter 458 or chapter 459;

d. Are licensed as a nurse under chapter 464 and hold at least a master's degree;

e. Are certified by the Florida Supreme Court as a family mediator and hold at least a master's degree;

f. Are a member in good standing of The Florida Bar; or

g. Are a professional guardian as defined in s. 744.102(17) and hold at least a master's degree.

2. Have completed all of the following:

a. Three years of postlicensure or postcertification

practice;

b. A family mediation training program certified by the Florida Supreme Court; and

c. An eldercaring coordinator training program certified by the Florida Supreme Court. The training must total at least 44 hours and must include advanced tactics for dispute resolution of issues related to aging, illness, incapacity, or other vulnerabilities associated with elders, as well as elder, guardianship, and incapacity law and procedures and less restrictive alternatives to guardianship; phases of eldercaring coordination and the role and functions of an eldercaring coordinator; the elder's role within eldercaring coordination; family dynamics related to eldercaring coordination; eldercaring coordination skills and techniques; multicultural competence and its use in eldercaring coordination; at least 6 hours of the implications of elder abuse, neglect, and exploitation and other safety issues pertinent to the training; at least 4 hours of ethical considerations pertaining to the training; use of technology within eldercaring coordination; and court-specific eldercaring coordination procedures. Pending certification of a training program by the Florida Supreme Court, the eldercaring coordinator must document completion of training that satisfies the hours and the elements prescribed in this sub-subparagraph.

3. Have successfully passed a level 2 background screening as provided in s. 435.04(2) ~~and (3)~~ or are exempt from disqualification under s. 435.07. The prospective eldercaring coordinator must submit a full set of fingerprints to the court or to a vendor, entity, or agency authorized by s. 943.053(13). The court, vendor, entity, or agency shall forward the

fingerprints to the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall forward the fingerprints to the Federal Bureau of Investigation for national processing. The prospective eldercaring coordinator shall pay the fees for state and federal fingerprint processing. The state cost for fingerprint processing shall be as provided in s. 943.053(3)(e) for records provided to persons or entities other than those specified as exceptions therein.

4. Have not been a respondent in a final order granting an injunction for protection against domestic, dating, sexual, or repeat violence or stalking or exploitation of an elder or a disabled person.

5. Have met any additional qualifications the court may require to address issues specific to the parties.

Section 9. Subsection (5) of section 501.9741, Florida Statutes, is amended to read:

501.9741 Assisting in veterans' benefits matters.—

(5) BACKGROUND SCREENING.—A provider must ensure that all individuals who directly assist a veteran in a veterans' benefits matter complete a level 2 background screening that screens for any offenses identified in s. 408.809(4) or s. 435.04(2)(e), (f), or (ss) or (3) ~~s. 435.04(2)(d), (c), or (oo) or (4)~~ before entering into any agreement with a veteran for veterans' benefits matters. An individual must submit a full set of fingerprints to the Department of Law Enforcement or to a vendor, entity, or agency authorized by s. 943.053(13), which shall forward the fingerprints to the Department of Law Enforcement for state processing. The Department of Veterans' Affairs shall transmit the background screening results to the

provider, which results must indicate whether an individual's background screening contains any of the offenses listed in this subsection. Fees for state and federal fingerprint processing must be borne by the provider or individual. The state cost for fingerprint processing is as provided in s. 943.053(3)(e). This subsection does not imply endorsement, certification, or regulation of providers by the Department of Veterans' Affairs.

Section 10. For the purpose of incorporating the amendment made by this act to section 435.04, Florida Statutes, in references thereto, subsection (6) and paragraph (d) of subsection (8) of section 397.487, Florida Statutes, are reenacted to read:

397.487 Voluntary certification of recovery residences.—

(6) All owners, directors, and chief financial officers of an applicant recovery residence are subject to level 2 background screening as provided under s. 408.809 and chapter 435. A recovery residence is ineligible for certification, and a credentialing entity shall deny a recovery residence's application, if any owner, director, or chief financial officer has been found guilty of, or has entered a plea of guilty or nolo contendere to, regardless of adjudication, any offense listed in s. 408.809(4) or s. 435.04(2) unless the department has issued an exemption under s. 435.07. Exemptions from disqualification applicable to service provider personnel pursuant to s. 397.4073 or s. 435.07 shall apply to this subsection. In accordance with s. 435.04, the department shall notify the credentialing agency of an owner's, director's, or chief financial officer's eligibility based on the results of his or her background screening.

(8) Onsite followup monitoring of a certified recovery residence may be conducted by the credentialing entity to determine continuing compliance with certification requirements. The credentialing entity shall inspect each certified recovery residence at least annually to ensure compliance.

(d) If any owner, director, or chief financial officer of a certified recovery residence is arrested and awaiting disposition for or found guilty of, or enters a plea of guilty or nolo contendere to, regardless of whether adjudication is withheld, any offense listed in s. 435.04(2) while acting in that capacity, the certified recovery residence must immediately remove the person from that position and notify the credentialing entity within 3 business days after such removal. The credentialing entity must revoke the certificate of compliance of a certified recovery residence that fails to meet these requirements.

Section 11. For the purpose of incorporating the amendment made by this act to section 435.04, Florida Statutes, in references thereto, subsection (5) and paragraph (b) of subsection (6) of section 397.4871, Florida Statutes, are reenacted to read:

397.4871 Recovery residence administrator certification.—

(5) All applicants are subject to level 2 background screening as provided under chapter 435. An applicant is ineligible, and a credentialing entity shall deny the application, if the applicant has been found guilty of, or has entered a plea of guilty or nolo contendere to, regardless of adjudication, any offense listed in s. 408.809 or s. 435.04(2) unless the department has issued an exemption under s. 435.07.

Exemptions from disqualification applicable to service provider personnel pursuant to s. 397.4073 or s. 435.07 shall apply to this subsection. In accordance with s. 435.04, the department shall notify the credentialing agency of the applicant's eligibility based on the results of his or her background screening.

(6) The credentialing entity shall issue a certificate of compliance upon approval of a person's application. The certification shall automatically terminate 1 year after issuance if not renewed.

(b) If a certified recovery residence administrator of a recovery residence is arrested and awaiting disposition for or found guilty of, or enters a plea of guilty or nolo contendere to, regardless of whether adjudication is withheld, any offense listed in s. 435.04(2) while acting in that capacity, the certified recovery residence must immediately remove the person from that position and notify the credentialing entity within 3 business days after such removal. The certified recovery residence shall retain a certified recovery residence administrator within 90 days after such removal. The credentialing entity must revoke the certificate of compliance of any recovery residence that fails to meet these requirements.

Section 12. For the purpose of incorporating the amendment made by this act to section 435.04, Florida Statutes, in a reference thereto, subsection (13) of section 409.913, Florida Statutes, is reenacted to read:

409.913 Oversight of the integrity of the Medicaid program.—The agency shall operate a program to oversee the activities of Florida Medicaid recipients, and providers and

their representatives, to ensure that fraudulent and abusive behavior and neglect of recipients occur to the minimum extent possible, and to recover overpayments and impose sanctions as appropriate. Each January 15, the agency and the Medicaid Fraud Control Unit of the Department of Legal Affairs shall submit a report to the Legislature documenting the effectiveness of the state's efforts to control Medicaid fraud and abuse and to recover Medicaid overpayments during the previous fiscal year. The report must describe the number of cases opened and investigated each year; the sources of the cases opened; the disposition of the cases closed each year; the amount of overpayments alleged in preliminary and final audit letters; the number and amount of fines or penalties imposed; any reductions in overpayment amounts negotiated in settlement agreements or by other means; the amount of final agency determinations of overpayments; the amount deducted from federal claiming as a result of overpayments; the amount of overpayments recovered each year; the amount of cost of investigation recovered each year; the average length of time to collect from the time the case was opened until the overpayment is paid in full; the amount determined as uncollectible and the portion of the uncollectible amount subsequently reclaimed from the Federal Government; the number of providers, by type, that are terminated from participation in the Medicaid program as a result of fraud and abuse; and all costs associated with discovering and prosecuting cases of Medicaid overpayments and making recoveries in such cases. The report must also document actions taken to prevent overpayments and the number of providers prevented from enrolling in or reenrolling in the

Medicaid program as a result of documented Medicaid fraud and abuse and must include policy recommendations necessary to prevent or recover overpayments and changes necessary to prevent and detect Medicaid fraud. All policy recommendations in the report must include a detailed fiscal analysis, including, but not limited to, implementation costs, estimated savings to the Medicaid program, and the return on investment. The agency must submit the policy recommendations and fiscal analyses in the report to the appropriate estimating conference, pursuant to s. 216.137, by February 15 of each year. The agency and the Medicaid Fraud Control Unit of the Department of Legal Affairs each must include detailed unit-specific performance standards, benchmarks, and metrics in the report, including projected cost savings to the state Medicaid program during the following fiscal year.

(13) The agency shall terminate participation of a Medicaid provider in the Medicaid program and may seek civil remedies or impose other administrative sanctions against a Medicaid provider, if the provider or any principal, officer, director, agent, managing employee, or affiliated person of the provider, or any partner or shareholder having an ownership interest in the provider equal to 5 percent or greater, has been convicted of a criminal offense under federal law or the law of any state relating to the practice of the provider's profession, or a criminal offense listed under s. 408.809(4), s. 409.907(10), or s. 435.04(2). If the agency determines that the provider did not participate or acquiesce in the offense, termination will not be imposed. If the agency effects a termination under this subsection, the agency shall take final agency action.

Section 13. For the purpose of incorporating the amendment made by this act to section 435.04, Florida Statutes, in a reference thereto, subsection (2) of section 435.03, Florida Statutes, is reenacted to read:

435.03 Level 1 screening standards.—

(2) Any person required by law to be screened pursuant to this section must not have an arrest awaiting final disposition, must not have been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, and must not have been adjudicated delinquent and the record has not been sealed or expunged for, any offense prohibited under s. 435.04(2) or similar law of another jurisdiction.

Section 14. For the purpose of incorporating the amendment made by this act to section 435.04, Florida Statutes, in a reference thereto, paragraph (j) of subsection (1) of section 1012.22, Florida Statutes, is reenacted to read:

1012.22 Public school personnel; powers and duties of the district school board.—The district school board shall:

(1) Designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees as follows, subject to the requirements of this chapter:

(j) *Temporary removal from the classroom.*—The district school board shall adopt a policy temporarily removing instructional personnel from the classroom within 24 hours after a notification by law enforcement or a self-reporting employee of his or her arrest for a felony offense or for a misdemeanor offense listed in s. 435.04(2).

Section 15. For the purpose of incorporating the amendment made by this act to section 435.04, Florida Statutes, in a reference thereto, subsection (1) of section 1012.315, Florida Statutes, is reenacted to read:

1012.315 Screening standards.—

(1) A person is ineligible for educator certification or employment in any position that requires direct contact with students in a district school system, a charter school, or a private school that participates in a state scholarship program under chapter 1002, which includes being an owner or operator of a private school that participates in a scholarship program under chapter 1002, if the person:

(a) Is on the disqualification list maintained by the department under s. 1001.10(4)(b);

(b) Is registered as a sex offender as described in 42 U.S.C. s. 9858f(c)(1)(C);

(c) Is ineligible based on a security background investigation under s. 435.04(2). The Agency for Health Care Administration shall determine the eligibility of employees in any position that requires direct contact with students in a district school system, a charter school, or a private school that participates in a state scholarship program under chapter 1002;

(d) Would be ineligible for an exemption under s. 435.07(4)(c); or

(e) Has been convicted or found guilty of, has had adjudication withheld for, or has pled guilty or nolo contendere to:

1. Any criminal act committed in another state or under

federal law which, if committed in this state, constitutes a disqualifying offense under s. 435.04(2).

2. Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under s. 943.0435(1)(h)1.d.

Section 16. For the purpose of incorporating the amendment made by this act to section 435.04, Florida Statutes, in a reference thereto, section 1012.797, Florida Statutes, is reenacted to read:

1012.797 Notification of certain charges against employees.—Notwithstanding s. 985.04(7) or any other law to the contrary, a law enforcement agency shall, within 48 hours, notify the appropriate district school superintendent, charter school governing board, private school owner or administrator, president of the Florida School for the Deaf and the Blind, or university lab schools director or principal, as applicable, when its employee is arrested for a felony or a misdemeanor involving an offense listed in s. 435.04(2), the abuse of a minor child, or the sale or possession of a controlled substance. The notification must include the specific charge for which the employee of the school district was arrested. Notwithstanding ss. 1012.31(3)(a)1. and 1012.796(4), within 24 hours after such notification, the school principal or designee shall notify parents of enrolled students who had direct contact with the employee and include, at a minimum, the name and specific charges against the employee.

Section 17. For the purpose of incorporating the amendment

made by this act to section 435.04, Florida Statutes, in a reference thereto, subsection (2) of section 1012.799, Florida Statutes, is reenacted to read:

1012.799 Reporting and self-reporting certain offenses.—

(2) Instructional personnel and administrative personnel shall self-report within 48 hours to a school district authority, as determined by the district superintendent, any arrest for a felony offense or for a misdemeanor offense listed in s. 435.04(2). Such self-report is not considered an admission of guilt and is not admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, instructional personnel and administrative personnel shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or nolo contendere for any criminal offense other than a minor traffic violation within 48 hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school districts must comply with the confidentiality provisions of ss. 943.0585(4)(c) and 943.059(4)(c).

Section 18. This act shall take effect July 1, 2026.

3/2/26
Meeting Date

Final Rule

Committee

The Florida Senate
APPEARANCE RECORD

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

1168 - Background check
Bill Number or Topic

128520
Amendment Barcode (if applicable)

Name Sean Stafford

Phone

Address 115 E. Park
Street

Email

Tallahassee, FL
City State Zip

Amendment and BM

Speaking: ☐ For ☐ Against ☐ Information **OR** 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
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3/2/24
Meeting Date

Fiscal Policy
Committee

1168
Bill Number or Topic

Amendment Barcode (if applicable)

Name Allison Carvajal

Phone

Address 120 S Monroe St
Street

Tall Fl 32301
City State Zip

Email allison@rambaconsulting.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: Florida Recreation & Parks 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)

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 1296
INTRODUCER:	Fiscal Policy Committee; Governmental Oversight and Accountability Committee; and Senator Martin
SUBJECT:	Public Employees Relations Commission
DATE:	March 3, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harmsen	McVaney	GO	**Fav/CS**
2.	Harmsen	Siples	FP	**Fav/CS**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 1296 amends several provisions relating to ch. 447, F.S., which governs public employee unions in the state. Specifically, the bill:

- Updates the Public Employee Relations Commission's registration, certification, and recertification processes for employee organizations (unions).
- Requires a showing of interest form, signed by a bargaining unit employee within the last 12 months, to be submitted with an application for certification or recertification.
- Clarifies the bargaining unit process which allows determination of the unit after a change in case or statutory law.
- Changes the employee approval threshold for the certification, recertification, and decertification of a non-public safety employee organization to a 60 percent vote of the employees who vote in the election, if at least 25 percent of the total bargaining unit participate in the election.
- Narrows paid union leave for non-public safety union members to only those situations where the union fully reimburses the public employer for the employee's time performing duties that are directly-related to the union, such as engaging in collective bargaining, participating in grievances, or representing other employees in disciplinary proceedings. This does not apply to unions for public safety field workers, whose members may still engage in paid union leave for these activities without the union having to fully reimburse the public employer.

- Requires a public employer to allow equal access to any employee organization or not-for-profit organization to access its communal spaces or communications systems that it allows other employee organizations or its affiliate.
- Institutes a fast-track impasse process for local government salary increases specifically appropriated by the Legislature which require modification of a bargaining agreement. This process does not apply to salary increases appropriated for employees in public safety bargaining units.
- Conforms various hearing procedures and timeframes to those in ss. 120.569 and 120.57, F.S., of the Administrative Procedures Act

The bill is not expected to affect state and local government revenues and expenditures.

The bill takes effect on July 1, 2026.

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 membership in an employee organization (union), each employee is subject to the negotiated collective bargaining agreement that is applicable to the employee's position. Through collective bargaining, public employees[5]

[1] FLA. CONST. art. 1, s. 6.
[2] *Id.*
[3] Section 447.201, F.S. *See also*, Gregg Morton, *Unfair Labor Practices in Florida's Public Sector Workplaces*, FLA. B. J., Sept./Oct. 2019, at 41, https://www.floridabar.org/the-florida-bar-journal/unfair-labor-practices-in-floridas-public-sector-workplaces/ (last visited Jan. 28, 2026).
[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 employer[6] in the determination of the terms and conditions of their employment.[7] The Public Employees Relations Commission (commission) is responsible for assisting in resolving disputes between public employees and public employers.[8] Employee organizations can be certified as a bargaining agent through a process overseen by the commission.

Registration of Employee Organization

An employee organization[9] that seeks to become a certified bargaining agent for public employees must register with the commission prior to (a) requesting recognition by a public employer for purposes of collective bargaining and (b) submitting a petition to the commission 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 the amount and collection frequency of the dues and uniform assessments that members must pay;
- The current annual financial statement of the organization as prepared by an independent certified public accountant who is licensed under ch. 473, F.S.;
- The name of its business agent and local agent for service of process, if any, 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) 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.

- 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 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 one year from the date of issuance. A registration must be renewed annually by filing an application for renewal under oath with the commission. An application for renewal must reflect any changes in the information provided to the commission 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 statement 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;
- Disbursements by category;
- 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]

In addition to the information above, certain employee organizations[14] must submit the following information for any renewal of registration:

- The number of employees in the bargaining unit who are eligible for representation by the employee organization.
- The number of employees in the bargaining unit who have submitted signed membership authorization forms without a subsequent revocation of such membership.
- The number of employees in the bargaining unit who paid dues to the employee organization.
- The number of employees in the bargaining unit who did not pay dues to the employee organization.
- Documentation provided by an independent certified public accountant retained by the employee organization which verifies the information provided.[15]

The commission may initiate an investigation to conform the validity of the information submitted in the registration or renewal of registration. The commission may revoke or deny an employee organization's registration or certification if it finds that the employee organization

[11] Section 447.305(1)(a-h), F.S.
[12] Section 447.305(2), F.S.
[13] Section 447.305(10), F.S.
[14] Employee organizations that have been certified as the bargaining agent to represent law enforcement officers, correctional officers, correctional probation officers, or firefighters are exempt from providing this information. Section 447.305(9), F.S.
[15] Section 447.305(3), F.S.

failed to cooperate with the investigation or intentionally misrepresented the submitted information.[16]

Certification of Employee Organization as Bargaining Agent

After registering with the commission, 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.[17] The commission 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.[18] If the unit is appropriate, the commission will immediately certify the employee organization as the exclusive representative of all employees in the unit. If the unit is inappropriate, the commission may dismiss the petition.

If the public employer refuses to recognize the employee organization, the employee organization may file a petition with the commission 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. Both the employee organization's petition and the interested employees' dated signed statements are confidential and exempt from disclosure pursuant to public records laws.[19] The commission will investigate the petition to determine its sufficiency, 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.[20]

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.[21] Any collective bargaining agreement reached between the parties must be put in writing and signed by the chief executive officer and the bargaining

[16] Section 447.305 (8), F.S.
[17] Section 447.307(1)(a), F.S.
[18] Section 447.307(4)(f), F.S.
[19] Section 447.307(2), F.S.
[20] Section 447.307(3)(a-d), F.S.
[21] Section 447.309(1), F.S.

agent.[22] Such agreement is not binding on the employer until the agreement has been ratified by the employer and the employees in the bargaining unit.[23]

Current law prohibits a collective bargaining agreement from providing for a term of existence of more than three years and requires the agreement to contain all of the terms and conditions of employment of the employees during such term.[24] The bargaining agent also has the authority to process grievances to settle disputes between the employer and the employees in the bargaining unit.[25]

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 commission 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 commission finds the petition to be sufficient, it must immediately order an election by secret ballot.[26]

If a majority of voting employees vote against the continuation of representation by the certified bargaining agent, the organization's certification is revoked.[27] Otherwise, the employee organization is retained as the exclusive bargaining agent for the unit.[28]

Recertification

An employee organization that has applied for a renewal of its registration must petition for recertification as a bargaining unit if it had less than 60 percent of its unit members submit a membership authorization form without subsequent revocation and pay dues during the prior registration period. If the employee organization fails to petition the commission for recertification as the exclusive representative of the bargaining unit within one month of its application of renewal of registration, the certification is revoked.[29]

The commission may initiate an investigation to confirm the validity of the information submitted in the renewal of registration. The commission may revoke or deny an employee organizations registration or certification if the commission finds that the employee organization failed to cooperate with the investigation or intentionally misrepresented the information submitted on the registration or renewal.[30]

[22] *Id.*
[23] *Id.*
[24] Section 447.309(5), F.S.
[25] Section 447.401, F.S.
[26] Section 447.308(1), F.S.
[27] Section 447.308(2), F.S.
[28] Section 447.308(3), F.S.
[29] Section 447.305(6), F.S.
[30] Section 447.305(8), F.S.

Membership in an Employee Organization

Since July 1, 2023, employees eligible for representation must sign a membership authorization form in order to be a member of an employee organization. The form must be prescribed by the commission and contain certain information and statements. A member of an employee organization must be allowed to revoke membership at any time upon the employee organization's receipt of the written revocation. The commission is granted rulemaking authority to implement the requirements of the membership authorization form and the revocation of membership.[31] The commission has prescribed a membership authorization form,[32] which requires certain information regarding the employee organization and other information specific to the employee. The employee organization or another person may assist the employee in completing the form. The employee must sign and date the form.

The provisions requiring 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 agent to represent law enforcement officers, correctional officers, correctional probation officers, and firefighters.[33]

Impasse Resolution

Under current law, when a public employer and a bargaining agent are unable to reach an agreement after a reasonable period of negotiation, either party may declare that the negotiations are at impasse. An impasse is deemed to occur when one of the parties provides written notice of the impasse to the other party and the commission. Upon declaration of an impasse, the parties may seek the assistance of a mediator to facilitate a resolution.[34] If mediation is not used, or upon request of either party, the commission must appoint a special magistrate acceptable to both parties, or if the parties cannot agree, the commission must select a qualified special magistrate. The parties may also agree in writing to waive the appointment of a special magistrate and proceed directly to legislative resolution of the impasse.[35]

The special magistrate must conduct hearings to define the disputed issues, determine relevant facts, and render a recommended order. Recommended orders must be transmitted to the commission and the parties involved by certified mail, with return receipt requested. The recommended order is deemed approved unless a party files a written rejection within a specified timeframe. If either party rejects, the impasse proceeds to the legislative body of the public employer. The chief executive officer and the employee organization must submit their recommendations to the legislative body, which then conducts a public hearing and takes an action it deems to be in the public interest to resolve the disputed issues. The legislative body's action may become binding for the remainder of the fiscal year under certain circumstances.[36]

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[31] Section 447.301(1), F.S.
[32] PERC, *Employee Organization Membership Authorization Form*, https://perc.myflorida.com/forms/PERC%20FORM%202023-1.101%20WITH%20INSTRUCTIONS.pdf (last visited Jan. 28, 2026).
[33] Section 447.301(1)(b)6., F.S.
[34] Section 447.403(1), F.S.
[35] Section 447.403(2)(a), F.S.
[36] Section 447.403(3)-(4), F.S.

If the employer is the Governor, no mediator or special magistrate must be appointed.[37] Instead, the unresolved impasse issues must be presented to the Legislature during the regular session, where a joint committee appointed by the presiding officers conducts a public hearing and the Legislature takes action in accordance with law.[38]

Financial Urgency

In the event of a financial urgency requiring modification of a collective bargaining agreement, current law requires the public employer and bargaining agent to meet as soon as practicable to negotiate the impact of the financial urgency. If the parties are unable to reach an agreement within 14 days, an impasse is deemed to have occurred and must be declared in writing to the other party and the commission. The parties are prohibited from filing an unfair labor practice charge during the 14-day negotiation period.[39]

"Union Release Time" or "Paid Union Leave"

Release time is a negotiated benefit wherein a public employer releases an employee from duty work during work hours to tend to union activities or business while being compensated by the public employer. The provision of release time is a contractual benefit, not statutory, that may be found in the collective bargaining agreement, school board policy, personnel manual, or other procedures and practices.[40]

Florida law provides that "a public employer or their agent or representative is prohibited from […] contributing financial support to a union."[41] Therefore, release time cannot constitute a payment or benefit to the union in the form of salary paid to the employee for union work. Employer-funded release time does not violate the law if the paid release time is used for official union business,[42] such as the direct representation of employees in grievances, discipline meetings, or contract negotiations.[43] The commission has found other activities, such as attendance at a union-sponsored picnic, lobbying for political issues, coordinating with other unions, or the continued payment of a salary for unspecified union activities, to be an improper use of release time that constitutes an unfair labor violation prohibited by Florida law.[44]

Currently, collective bargaining agreements for public employee unions representing state employees provide for release time in the following manners:

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[37] Section 447.403(1)-(2), F.S.
[38] Sectio n447.403(5), F.S.
[39] Section 447.4095, F.S.
[40] School Board of Volusia County, Michael Dyer, *Avoiding Paid Union Leave Pitfalls After PERC's Decision in Allen v. United Faculty of Miami-Dade College*: A presentation to the Florida Education Negotiators, Volusia County Schools (Jan. 27, 2017), https://www.flfen.org/wp-content/uploads/2017/02/Paid-union-leave-presentation-to-FEN-2017.pdf.pdf (last visited Jan. 28 2026).
[41] Section 457.501(1)(e), F.S.
[42] *In re City of Jacksonville*, 13 FPER 1118250 (1987).
[43] United Faculty of Florida v. Florida A&M University Board of Trustees, 32 FPER 34 (2006).
[44] *Del Pino Allen v. Miami-Dade College*, CA-2015-070 (May 27, 2016), https://perc.myflorida.com/download.aspx?Prefix=CA&CaseYr=15&CaseNo=070&File=CA15070-Ord17-052716103809.pdf (Last visited Jan. 28, 2026).

- The Fraternal Order of Police provides administrative leave to union employees for the purposes of attending a consultation meeting with designated representatives of the state. Union representative employees may also use work hours to attend union negotiations with the State and use up to 8 hours of administrative leave to attend a negotiation preparatory meeting held during normal work hours.[45]
- The Florida State Fire Service Association (FSFSA) allows union representatives to be excused from their regular duties, "without loss of pay," for time used during a normal working hours spent to consult with the Secretary of the DMS on non-grievance matters. The agreement further provides administrative leave with pay for up to six employees in the bargaining unit to attend each single-day session as Negotiation Committee members. For negotiation preparation, the FSFSA President is permitted up to 16 hours of paid leave per fiscal year; the remaining five members of the negotiation committee are allowed to take up to 8 hours of leave with pay, not to exceed 40 hours per fiscal year.[46]
- The Florida Police Benevolent Association (FPBA) provides union members in its Highway Patrol unit up to 8 hours of administrative leave for time spent in consultation with the Secretary of the DMS regarding non-grievance union matters, and, for up to four employees, administrative leave to attend negotiating sessions and negotiation preparatory meetings.[47]
- The FPBA's Law Enforcement unit deems time spent during normal work hours in consultation with the Secretary of the DMS regarding non-grievance union matters work hours. It additionally grants administrative leave for up to eight employees to attend negotiation sessions with the State and up to a day of administrative leave for those employees who participate in a negotiation preparatory meeting.[48]
- The FBPA's Security Services unit members may use work hours to consult with the Secretary of DMS regarding non-grievance matters (limited for up to three union representatives), and to meet with the Step-1 Management Representative. The agreement further provides administrative leave to an unspecified number employees who serve on its Negotiation Committee for the purposes of attending negotiating sessions with the State and negotiation preparatory meetings (if the preparatory meetings occurs during normal work hours). The total number of hours, including the hours spent in negotiation preparatory meetings, paid to all employees on the FPBA's Negotiation Committee cannot exceed 1,000 hours. The agreement lastly permits any employee in the unit to request leave without pay,

[45] The Florida State Lodge Fraternal Order of Police, Inc., *Special Agent Bargaining 2023-2026 Agreement, Reopener Agreement for Fiscal Year 2025-2026, Article 9: Negotiations*, 6-7, https://dms-media.ccplatform.net/content/download/439818/file/FOP-Special%20Agent%20Unit%20-%20FY%202025-2026%20Reopener%20Agreement.pdf (last visited Jan. 30, 2026).

[46] Florida State Fire Service Association, *Fire Service Bargaining Unit 2025-2026 Imposed Agreement, Article 5: Representation Rights*, 5-7, https://dms-media.ccplatform.net/content/download/440458/file/FSFSA%20-%20Fire%20Service%20Unit%20-%20FY%202025-2026%20Imposed%20Agreement.pdf (last visited Jan. 30, 2026).

[47] Florida Police Benevolent Association, *Florida Highway Patrol Bargaining Unit 2023-2026 Agreement, Reopener Agreement for Fiscal Year 2025-2026, Article 5: Employee Representation and PBA Activities*, 5-7, https://dms-media.ccplatform.net/content/download/439817/file/FHP%20-%20Florida%20Police%20Benevolent%20Association%20FY%202025-2026%20Reopener%20Agreement.pdf (last visited Jan. 30, 2026).

[48] Florida Police Benevolent Association, *Law Enforcement Bargaining Unit 2023-2026 Successor Agreement, Reopener Agreement for Fiscal Year 2025-2026, Article 5: Employee Representation and PBA Activities*, 5-7, https://dms-media.ccplatform.net/content/download/439816/file/PBA-Law%20Enforcement%20Unit%202025-2026%20Reopener%20Agreement%20%2810-13-2025%29.pdf (last visited Jan. 30, 2026).

annual, or compensatory leave for the purpose of attending FPBA conventions, conferences, and meetings.[49]

III. Effect of Proposed Changes:

Membership Authorization and Dues Collection

Section 5 creates a definition of "membership dues" to include any amount a member is required to pay in exchange for membership in an employee organization, including, but not limited to employee organization dues; uniform assessments; and fees, including initiation fees. This section also amends the definition of a "membership dues deduction" to conform to this definition.

Section 8 amends s. 447.301, F.S., establish a 30-day period by which an employee organization must revoke the employee's membership and cease collection of his or her dues, if requested. This section also makes technical, non-substantive updates.

A public employee who wishes to become a member of a union must sign and date a membership authorization. Section 8 expands the information required on the membership authorization to include wages and fringe benefits paid or accruing to the employee organization's five highest compensated officers and employees, and clarifies that a membership form is valid if it meets the requirements in law at the time the employee signed it (and has not subsequently revoked his or her membership). Section 10 expands the registration renewal application to include this information.

Section 9 amends s. 447.303, F.S., to conform to the definition of "membership dues" created in the bill. It also requires a public safety unit employee—a law enforcement officer, correctional officer, correctional probation officer, firefighter, public safety telecommunicator, emergency medical technician, or paramedic—to request membership dues deduction directly of his or her employer. Previously, the bargaining unit for the public safety unit employee could request to start the deductions.

Employee Organization Registrations

Current law requires an employee organization to register before being certified as a bargaining agent and to annually renew its registration through a registration renewal application. The registration renewal application must include an annual financial statement prepared by an independent certified public accountant and a specified list of other information about the employee organization.

Section 120.60, F.S., provides timeframes for agency responses to applications for licensure and dictates that an application must be approved or denied within 90 days after receipt of a completed application. **Section 3** amends s. 120.80, F.S., to exempt the commission's

[49] Florida Police Benevolent Association, *Security Services Bargaining Unit Reopener Agreement for Fiscal Year 2025-2026, Article 5: PBA Activities and Employee Representation*, 5-7, https://dms-media.ccplatform.net/content/download/424901/file/PBA-Security%20Services%20Unit%20-%20FY%202025-2026%20Reopener%20Agreement%20CLEAN%20FINAL1%20%28CORR%208-21-25%29.pdf (last visited Jan. 30, 2026).

consideration of an application for *registration* from s. 120.60, F.S. Current law also exempts the *certification* of employee organizations from s. 120.60, F.S. The bill supplants the s. 120.60, F.S., response timeframes with a similar requirement that the commission notifies the bargaining agent when its registration submission is complete but does not allow for approval of an application under ch. 447, F.S., if it is not timely acted upon by the commission. (See section 10, which amends s. 447.305(6), F.S.)

Section 10 amends s. 447.305, F.S., to expand the registration renewal submission requirements to include:

- The wages and fringe benefits paid or accruing to its top five officers and employees.
- Reporting of any reimbursements paid by the employee organization to a public employer for moneys paid by the public employer to the employee organization's officers or employees.
- The amount of membership dues retained by or distributed to the employee organization, any parent organization of the employee organization, and any affiliate of either the employee or parent organization.

The bill separately requires a bargaining agent to include in its renewal registration application the following information on the 30th day immediately preceding the date of its current registration's expiration:

- The certification number for each bargaining unit for which the bargaining agent is certified. This number is assigned by the commission after the bargaining unit's certification.
- For each certification, the number of employees in the bargaining unit who paid full membership dues sufficient to maintain membership in good standing with the bargaining agent. This is distinct from current law, which requires the number of employees in the bargaining unit who did and did not pay dues to the employee organization. An agreed-upon procedures report performed by a CPA to assist with the commission's determination of the accuracy is provided as part of the renewal registration.

An agreed-upon procedures report is a standardized type of review established by the American Institute of Certified Public Accountants.

The bill clarifies that an employee organization must provide its financial report, included in its registration application, within 30 days of its filing with the commission. The bill also adds a requirement that the employee organization send a copy of the renewal registration application to the public employer (also within 30 days).

The bill extends the deadline for a bargaining agent to cure deficiencies in its registration renewal application from 10 to 30 days before the commission must dismiss the application. The commission must notify the bargaining agent once its renewal submission is deemed complete; the bill provides that a bargaining agent's failure to cure its registration renewal after this notification must result in the application's dismissal by the commission within 30 days after its notice. The commission must notify the bargaining agent after it has met the required registration or registration renewal application requirements. Within 30 days thereafter, the bargaining agent must petition for recertification for any of its bargaining units for which less than 60 percent of the employees in the bargaining unit have submitted membership authorization forms and paid membership dues to the organization, as reported in its application.

If an employee organization fails to comply with any of the requirements in s. 447.305, F.S., as described above, the commission must revoke its certification and the employee organization is barred from seeking certification for that bargaining unit for 12 months. This provision does not apply to public safety units.

A public employer or employee may challenge a registration renewal application based on material inaccuracies only, whereas current law allows a challenge based on minor or technical errors. Such a challenge may only be brought while the application is pending, or if the registration renewal has been granted, before the bargaining agent's current registration is scheduled to end.

Certification, Recertification, and Decertification of Employee Organizations

Section 11 removes a public employer's option to recognize an employee organization as appropriate representative for the purposes of collective bargaining and instead routes all employee organization certifications and recertifications immediately through the commission, which conducts an election process. The commission still grants, by final order, the certification or recertification of the employee organization pursuant to the outcome of the election.

Initial Petition for Certification

Section 11 replaces the term "dated statements" with "showing of interest." This technical change is made throughout the bill.

A showing of interest is a written statement that is signed and dated by an appropriate employee who wishes to be, or to no longer be, represented by the bargaining agent for purposes of collective bargaining.[50] To become the certified bargaining agent for collective bargaining purposes for a particular group of employees (bargaining unit), all employee organizations must include a collection of showing of interest cards from at least 30 percent of the public employees in the proposed bargaining unit in its original certification petition.[51] **Section 11** institutes a new requirement that the showing of interest card must have been signed and dated by the public employee not more than 12 months before the employee organization filed its petition for certification—there is no expiration to the showing of interest required in current law.

The petition for certification ultimately prompts a certification election; the commission now sets the election's date with "due notice."

Certification or Recertification Election and Vote Thresholds

If the employees in the proposed bargaining unit that seeks certification are already represented by another bargaining agent, then the original bargaining unit may appear on the ballot for election without filing a motion to intervene or producing any required number of showings of interest. The original bargaining unit is also automatically added as a party to the case.

[50] This is a newly defined term in section 5 of the bill.
[51] This threshold mimics current law, which requires signed, dated statements from 30 percent of the bargaining unit.

The bill distinguishes the vote requirement for certification or recertification based on the type of employees that comprise the bargaining unit membership. A public safety unit's certification or recertification is successful if a majority of the employees *voting in the election* vote for the employee organization. The certification or recertification of any other unit is successful if at least 25 percent of the total bargaining unit participates in the election and the employee organization receives at least 60 percent of the votes of the employees voting in the election. These voting thresholds apply to runoff elections in the same manner.

If the commission has verified the results of a certification or recertification election via order, then no other certification petition may be filed regarding that same proposed or existing bargaining unit for at least 12 months thereafter.

Recertification

Under current law, a bargaining agent must seek recertification if less than 60 percent of its unit members have submitted membership authorization forms and paid dues during the prior registration period. This process is mostly duplicative of the initial certification process described above, requiring a showing of interest from at least 30 percent of the total bargaining unit membership and an election by a majority of the bargaining unit's employees who voted in the recertification election.

Section 11 amends this process by requiring the certified bargaining agent to:

- Collect and submit showing of interest cards from at least 30 percent of its bargaining unit, with the cards signed no earlier than 12 months before submission.
- Proceed to an election, determined by at least 60 percent approval by the voters, if at least 25 percent of the total bargaining unit employees participate in the election.

Decertification

Section 13 clarifies the re-titled "decertification" process of employee organizations, which replaces the "revocation of certification" terminology in s. 447.308, F.S. Like the certification process for certification, employees that wish to decertify their employee organization must file a petition for decertification with a collection of showings of interest of at least 30 percent of the bargaining unit's employees, which must have been signed and dated not more than 12 months before filing the petition.

The bill changes the threshold question for decertification—requiring at least 60 percent of the voters to vote to decertify, rather than a majority of the employees who vote in the election, as provided in current law. Additionally, at least 25 percent of the total bargaining unit must vote in the election. However, for employee organizations that represent a public safety unit, the current vote threshold is continued (a majority of the employees voting in the election may determine the vote to decertify).

The bill also applies the blackout periods from the certification process to decertification, prohibiting a petition to decertify within 12 months after an employee organization is certified by the commission's order verifying the results of the certification, recertification, or decertification election. As in certification petitions, the bill limits the time during which a person may file a decertification petition—only 150-90 days before the expiration of a collective bargaining

agreement, or after the expiration date, but before a new collective bargaining agreement has taken effect.

The bill permits an additional party—the employer—to contest and verify the showings of interest to decertify an employer. Current law allows an employee or employee organization to verify such showings of interest.

Lastly, this section specifies that an employee organization's revocation is effective upon the commission's issuance of a final order, or if the order is appealed, at the time the appeal is exhausted or any stay is vacated by the commission or a court.

Clarification of Bargaining Units

Section 12 creates s. 447.3076, F.S., which creates the clarification of a bargaining unit process. The bargaining agent of an affected bargaining unit, or the public employer of the public employees in that unit may file such a petition with the commission when a significant change in statutory or case law requires a clarification of the bargaining unit, or when a unit's classification was:

- Created or substantially changed after the unit was initially defined by the commission;
- Retitled with no substantial change in job duties; or
- Included or excluded through the commission's mistake or misunderstanding.

The bill establishes notice requirements for unit clarification petitions, including requiring service of the petition on (1) the public employer; and (2) any bargaining agent certified to represent employees or other employee classifications that may be substantially affected by the proposed clarification. If substantially affected employees are not represented by a bargaining agent, the public employer must provide notice of the petition to those employees within 10 days after the petition is filed.

The commission must dismiss a petition for clarification of a bargaining unit when such clarification would result in a 25 percent or more increase in the size of the bargaining unit because it raises a question concerning representation.

Collective Bargaining and Impasse

A "public employer" is the state or any county, municipality, or special district or any subdivision or agency thereof which the commission determines has sufficient legal distinctiveness properly to carry out the functions of a public employer.

The Governor serves as the public employer for public employees who belong to a statewide bargaining unit composed of State Career Service System employees or Selected Professional Service employees. The Board of Governors of the State University System, or the board's designee, is the public employer for public employees at state university. The board of trustees of a community college is the public employer for community college employees. The district school board is the public employer for school district employees.

Section 18 amends s. 447.4095, F.S., to provide that appropriations to local governments by the Legislature which are specifically directed in law to be disbursed as salaries to employees of local governments are considered a financial urgency and provide for an expedited bargaining and impasse resolution process for those salary dollars. This does not apply to public safety units.

Section 16 amends s. 447.403, F.S., to provide that a mediator cannot be used in impasses declared regarding legislatively-appropriated salary increases.

Additionally, this section creates fast-tracked timeframes for a hearing and related procedures under a special magistrate for such specified impasses. The parties must agree on a special magistrate and submit his or her name to the commission within 5 calendar days of the declared impasse. The commission must appoint this magistrate within 2 calendar days thereafter. If the parties cannot agree on a special magistrate, the commission must appoint one within 10 calendar days of the declared impasse.

Each party must give a list of its issues at impasse to the special magistrate and the other party within 5 calendar days after the special magistrate's appointment. A hearing must be held within 20 calendar days from the parties' submission of their list of issues at impasse (35 days after the declaration of impasse). The special magistrate must submit a recommended decision to the commission and the parties within 7 calendar days of the closing of the hearing. If a party wishes to reject the special magistrate's recommendation, it must do so in writing within 10 calendar days after receipt of the decision, and serve a copy of these rejections on the other party and the commission.

After a rejection of the special magistrate's recommendation, both parties must submit recommendations for settling the impasse to the Legislature. For these impasses, the Legislature must conduct a public hearing within 20 calendar days of its receipt of the recommendations and is required to take action within 10 days thereafter. An agreement that results from the legislative action must be reduced to writing by the parties within 10 calendar days of the legislative body's action. Thereafter, the chief executive officer and bargaining agent must sign the agreement within 7 calendar days and submit the agreement to the public employer and the bargaining unit for ratification within 10 calendar days from the agreement's signing. This issue cannot be signed, submitted, or ratified with other bargainable issues.

Paid Union Leave ("Release Time" or "Official Time")

Section 22 amends s. 447.509, F.S., to bar a public employer from providing any form of compensation or paid leave to a public employee for the purpose of engaging in employee organization activities.

Section 5 amends s. 447.203, F.S., to define "employee organization activities" as the following activities undertaken at the direction of, on behalf of, or to advance the purposes of an employee organization or any parent organization or affiliate of the employee organization:

- Supporting or opposing any candidate for federal, state, or local public office.
- Influencing the passage or defeat of state or federal legislation or regulation, local ordinance or resolution, or ballot measure.

- Promoting or soliciting membership or participation in, or financial support of, an employee organization of any parent organization or affiliate of the employee organization.
- Seeking certification as a bargaining agent.
- Participating in the administration, business, or internal governance of an employee organization or any parent organization or affiliate of the employee organization.
- Preparing, conducting, or attending employee organization events, conferences, conventions, meetings, or training, unless such training is directly related to the performance of public employees' job duties.
- Distributing communications of an employee organization or any parent organization or affiliate of the employee organization.
- Representing or speaking on behalf of an employee organization or any parent organization or affiliate of the employee organization in any setting, venue, or procedure in which the public employer is not a participant.

However, the bill provides exceptions to the general prohibition, the bill authorizes a public employee to:

- Use compensated personal leave, which may be his or her own or donated by employees in the bargaining unit, for employee organization activities.
- Take time off without pay or benefits to engage in employee organization activities, if agreed to by the employer and bargaining agent.
- If agreed to by the employer and bargaining agent, engage in *representational* employee organization activities on behalf of the bargaining agent while in a duty status without loss of pay or benefits, which includes:
  - Preparing, filing, or pursuing unfair labor practice charges or grievances.
  - Representing public employees in investigatory interviews, disciplinary proceedings or appeals, up to and including termination, or other administrative or legal proceedings.
  - Engaging in collective bargaining and any related mediation, factfinding, or arbitration.
  - Administering a collective bargaining agreement.
  - Participating in labor-management committees.

These limitations do not apply to public safety units.

Use of Public Employer Facilities

Section 19 amends s. 447.501, F.S., to require a public employer to allow any registered employee organization or any petitioning public employee who is seeking to support, oppose, or intervene in the certification, recertification, or decertification of a bargaining agent access to its facilities and internal means of communications. Failure to provide access is classified as an unfair labor practice.

Conforming Commission Hearing Timeframes and Procedures to the Administrative Procedures Act

The commission conducts hearings regarding the registration, certification, and election of employee organizations that represent public employees; collective bargaining impasses;[52] and employment cases, such as career service appeals,[53] certain age discrimination matters,[54] specified whistleblower act cases,[55] veteran's preference complaints,[56] and drug free workplace act cases.[57] The commission conducts these hearings in accordance with ss. 120.569 and 120.57, F.S.,[58] hearing procedure guidelines provided in the Administrative Procedures Act (APA). The commission may also designate a member of the commission or a designated commission employee who is a member of the Florida Bar to serve as a hearing officer in such matters.

The bill generally aligns the commission's hearing timeframes and procedures with the APA's.

Career Service Appeals

Section 1 amends s. 110.227, F.S., to require that, in an appeal of a work-related grievance made by a career service employee, the commission issue its final order in timeframes dictated by ss. 120.569 and 120.57, F.S. This generally extends the deadline for issuance of a final order from 45 days to 90 days.

Current law requires the commission to issue a final order within 45 days after the completion of the hearing, filing of exceptions, or date on which oral arguments is granted. The bill requires the commission to issue its final order in informal hearings conducted pursuant to s. 120.569, F.S., within 90 days after an informal hearing conducted by the commission; a recommended order is submitted to the agency if the hearing is conducted by an administrative law judge; or the commission received written and oral material it authorized to be submitted, if there was no hearing. If the commission refers the matter to a formal hearing involving disputed issues of material fact that is conducted by the Division of Administrative Hearings (DOAH) pursuant to s. 120.57, F.S., then the commission must issue its final order within 15 days of its receipt of a recommended order from the DOAH.

Additionally, this section substitutes current language that allows a party to file exceptions within 15 days of the hearing officer's issuance of a final order with a reference to the process for filing exceptions under ss. 120.569 and 120.57, F.S. The APA applies the same 15-day timeframe.

[52] Section 447.403, F.S. *See also*, PERC, *Mediation—Impasse Resolution*, https://myuff.org/wp-content/uploads/2021/09/PERC-Practical-Handbook-on-Collective-Bargaining-2020-edition.pdf (last visited Jan. 27, 2026).
[53] 110.227, F.S.
[54] Section 112.044(4), F.S.
[55] Section 112.31895, F.S.
[56] Sections 295.11 and 295.14, F.S.
[57] Section 112.0455, F.S.
[58] Section 447.205(10)-(11), F.S.

Drug Free Workplace Hearings

Section 2 amends s. 112.0455, F.S., to require that, in an appeal of a drug-free workplace complaint made by an executive branch employee or job applicant, the commission conduct an appeal hearing within 60 days of the employee or applicant's filing of the appeal (instead of 30 days) and issue its final order in timeframes dictated by ss. 120.569 and 120.57, F.S.

Veteran Preferences

Section 4 amends s. 295.14, F.S., to require that, in a hearing it conducts regarding an alleged unfair labor practice based on an agency's failure to provide special consideration or preference requirements for disabled veterans, veterans, current members of any reserve component of the U.S. Armed Forces or Florida National Guard, and the spouses, widows, mothers, fathers, or legal guardians of certain veterans, the commission must conduct the appeal within 60 days, rather than 30 days, after an appeal has been filed.

The section also requires the commission to issue its final order in such hearings in timeframes dictated by ss. 120.569 and 120.57, F.S.—generally within 90 days of the hearing.

Additionally, the bill deletes commission's duty to mail the final order by certified mail with a return receipt requested, and substitute's ss. 120.569 and 120.57, F.S.'s instruction to "deliver or mail" a copy of a final order to each party or the party's attorney of record.

General

Section 447.207(1), F.S., grants the commission general rulemaking authority to adopt rules as it deems necessary to carry out the provisions of part II of ch. 447, F.S., regarding public employees. **Section 7** amends s. 447.207, F.S., to:

- Delete the requirement that the commission send a hearing, other process, or notice to a recipient via personal service or certified mail. This generally conforms to the adoption of ss. 120.569 and 120.57, F.S., procedures for notice, which require mail service.
- Update the service requirements for any subpoena issued under Public Employees Relation Act (PERA) to align with Florida Rule of Civil Procedure 1.410's requirements, which dictate that personal service be performed by anyone specified by law to service process or by a person who is not a party and is 18 years of age or older. As is provided in current law, the commission may also serve a subpoena by certified mail, return receipt requested.
- Delete the requirement that the commission adopt rules to prescribe the qualifications of persons who may serve as mediators in hearings held under PERA, and maintain a list of qualified mediators.

Section 20 amends s. 447.503, F.S., to require public employers, unions, and public employees to have a substantial interest in litigation brought before the commission, which conforms with the standing requirements in the APA in ch. 120, F.S. This

Miscellaneous

Section 5 alphabetizes the defined terms provided in s. 447.203, F.S., and defines the new terms "employee organization activities," "representational employee organization activities," "membership dues," "public safety unit," and a "showing of interest" as described above.

Section 6 amends s. 447.207(8), F.S., to update the name of the commission to be used on its commission seal to be "State of Florida-*Public* Employees Relations Commission."

Section 7 amends s. 447.207(12), F.S., to maintain and expand the mass transit employee bargaining union exemption from Part II of ch. 447, F.S., rather than specific subsections of Part II, subject to approval by the commission.

Sections 14, 17, and 28 makes conforming, non-substantive amendments to ss. 447.309, 447.405, and 447.609, F.S., respectively.

Section 21 amends s. 447.507, F.S., to increase fines applicable to a public employee or union that strikes in violation of a court order from no more than $5,000 to no more than $30,000. The applicable fine for each officer, agent, or representative of an employee organization is increased from at least $300, but not more than $600 (as compared to no less than $50, and no more than $100).

Separately, the commission may penalize an organization that violates the no-strike requirement of s. 447.505, F.S., by fining the organization up to $40,000 per calendar day of the violation (up from $20,000).

Sections 23-27 and 29 make technical updates to cross-references to incorporate the renumbered definitions in section 5 of the bill.

Section 30 provides an effective date of July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

Right to Collectively Bargain

Article I, section 6 of the State Constitution states:

> 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. The right of employees, by and through a labor organization, to bargain collectively shall not be denied or abridged. Public employees shall not have the right to strike.

The Florida Supreme Court has recognized that this constitutional provision endows public employees with the same constitutional rights to bargain collectively as private employees, excluding the right to strike.[59] Moreover, as part of the State Constitution's declaration of rights, the right to collectively bargain is considered to be a fundamental right. Therefore, in order to survive a constitutional challenge, a statute that abridges public employee's right to bargain collectively "must serve that compelling state interest in the least intrusive means possible."[60]

The change to the voting threshold for the employees' decision to unionize and to bargain collectively from a majority vote of the employees voting to at least 60 percent of the employees voting with at least 25 percent of the total bargaining unit participating in the election may implicate the employee's right to collectively bargain. The state's compelling interest in such change may be to ensure that the majority of the employees actually want to be represented, but there may be a less intrusive means to achieve this, particularly when some bargaining agents remain subject to a majority vote of the employees voting and other bargaining agents are subject to the higher standard of at least 25 percent of the unit participating in the election and approval by at least 60 percent of the employees voting in the election.

The commission recently decided that employees (not the employee organization or public employer reimbursing the commission) must pay for their stamp to cast their mail ballot (the general method of union election).[61] This ultimately implements a cost to employees who want to vote to elect or retain a bargaining agent, but no cost for employees who do not want to elect or retain a bargaining agent (because failure to return a ballot has the same effect as voting 'no' in an election that is based on the total membership of the unit.) This may dilute the effect of an employee's union membership by preventing him or her from counting as a union member among the employees that are

[59] *Dade County Classroom Teachers Ass'n. v. Ryan*, 225 So. 2d 903 (Fla. 1969).
[60] *Chiles v. State Emps. Att'ys Guild*, 714 So.2d 502 (Fla. Dist Ct. App. 1998), aff'd, 734 So.2d 1030 (Fla. 1999)., *quoting SEAG, FPD, NUHHCE, AFSCME, AFL-CIO v. State*, 653 So.2d 487 at 488 (Fla. 1st DCA 1995)
[61] *See*, *Petition from Florida Education Ass'n., Inc., Leon Classroom Teachers' Ass'n., Osceola County Educ. Ass'n., St. Johns Educ. Support Prof'l Ass'n. And Walton County Support Prof'ls*, case no. MS-2025, 002, (May 15, 2025), https://perc.myflorida.com/download.aspx?Prefix=MS&CaseYr=25&CaseNo=002&File=MS25002_Ord17_05152025_154002.pdf.

recognized in an election unless the employee chooses to pay for the stamp to cast a ballot and be counted.[62] This may implicate the employee's right to collectively bargain.

In another instance, the bill requires the commission to revoke the certification of an employee organization that does not comply with the document submission requirements of the certification process (see section 11 of the bill at lines 995-1002). The documentation required includes total membership, financial activity, and salary and benefits of highest paid employees, among other topics. If a certification revocation occurs for failure to timely submit the documents or otherwise comply with the requirements of this section, the employee organization is prohibited from petitioning to represent that same unit for at least 12 months. This provision does not apply to public safety units. This distinction may result in some employees being denied the right to be represented by his or her chosen registered employee organization for at least 1 year, and therefore this differential treatment may be subject to strict scrutiny.

No case directly on point has been identified to date. However, to the extent that a claim is raised, the strict scrutiny standard is likely to be applied, and the state must show a compelling state interest.

Freedom of Speech

The First Amendment to the U.S. Constitution guarantees that "Congress shall make no law ... abridging the freedom of speech."[63] Generally, a government cannot restrict speech on the basis of the message expressed;[64] content-based restrictions are presumptively invalid.[65] The rights guaranteed by the First Amendment apply with equal force to state governments through the due process clause of the Fourteenth Amendment.[66] While the text of the state and federal constitutions differs, the protection and freedom of speech under the state constitution "is the same as is required under the First Amendment."[67]

In general, there are two types of restrictions on speech – content-based and content-neutral. Content-based restrictions target speech based on its subject-matter and is viewed with disfavor by the courts. Such restrictions are presumptively invalid and evaluated under strict scrutiny.[68] Strict scrutiny requires the government to prove that the restriction is narrowly tailored to achieve a compelling government interest.[69] Content-neutral

[62] *See*, *Alachua County Educ. Ass'n. V. Carpenter*, 741 F.Supp. 3d 1202, 1223-1224 (N.D. Fla. 2024).
[63] U.S. CONST. amend. I.
[64] *Texas v. Johnson*, 491 U.S. 397 (1989); *State v. T.B.D.*, 656 So.2d 479 (Fla. 1995).
[65] *See, e.g.*, *Police Dept. of Chicago v. Mosely*, 408 U.S. 92 (1972).
[66] U.S. CONST. amend. XIV; *see also* FLA. CONST., art. I.
[67] *Dep't of Educ. v. Lewis*, 416 So.2d 455, 461 (Fla. 1982); *Scott v. State*, 368 So.3d 8, 10 (Fla. 4th DCA 2023), *review denied*, No. SC2023-1188 (Fla. Nov. 22, 2023), and *cert. denied sub nom.; Scott v. Fla.*, No. 23-7786 (U.S. Oct. 7, 2024).
[68] *Vidal v. Elster*, 602 U.S. 286, 292 (2024). In particular, the Supreme Court held that view-point discrimination, which targets not just the subject matter, "but particular views taken by the speakers," is considered "a particularly egregious form of content discrimination."
[69] *Reed v. Town of Gilbert, Ariz.*, 576 U.S. 155, 171 (2015).

restrictions are subject to the more lenient requirement that the state identify a substantial interest that would not be furthered as effectively in the absence of the law.[70]

The bill limits certain public employees' employee organization activities, including their influence of the passage or defeat of legislation and similar measures, and supporting or opposing a candidate for public office. These employees may only engage in such activity in a compensated or paid leave status if their public employer and bargaining agent agree. However, public safety unit employees are not subject to this limitation. A public safety employee may be deemed to have greater leeway to engage in certain speech than other union employees, which may be viewed as a restriction on a union member's right to freedom of speech.

Equal Protection Clause

The Equal Protection Clause of the Fourteenth Amendment to the United States Constitution provides, "No State shall . . . deny to any person within its jurisdiction the equal protection of the laws."[71] Florida's Equal Protection Clause guarantees that "all natural persons, female and male alike, are equal before the law and have inalienable rights."[72] Equal protection claims against government actors allege unconstitutionally unequal treatment between groups, which can be based on any form of classification. However, "equal protection is not violated merely because some persons are treated differently than other persons. It only requires that persons similarly situated be treated similarly."[73] Unless a statute provokes "strict judicial scrutiny" because it interferes with a "fundamental right" or discriminates against a "suspect class," it will ordinarily survive an equal protection claim so long as the challenged classification is rationally related to a legitimate governmental purpose.[74] To withstand strict scrutiny, a law must be necessary to promote a compelling governmental interest and must be narrowly tailored to advance that interest.[75]

This bill appears to create two distinct classes of public employees. These groups experience differently their right to associate freely and collectively bargain (in virtue of the higher threshold to certify, recertify, and decertify an employee organization and thus be a member of or revoke approval of a union), and to freedom of speech to speak on behalf of the union to seek certification as a bargaining agent and similar union activities (in virtue of the limit on use of time off without pay or benefits for the use of employee organizational activities for one group but not the other).

[70] *Rumsfeld v. Forum for Acad. & Institutional Rts., Inc.*, 547 U.S. 47, 67 (2006).
[71] U.S. CONST. amend. XIV, s. 1.
[72] FLA. CONST. art. I, s. 2.
[73] *Fraternal Order of Police, Miami Lodge 20, v. Miami*, 243 So.3d 894, 899 (Fla. 2018), *quoting Duncan v. Moore*, 754 So.2d 708, 712 (Fla. 2000).
[74] *Kardmas v. Dickinson Public Schools*, 487 U.S. 450, 457-458 (1988); *Fla. High Sch. Activities Ass'n v. Thomas By & Through Thomas*, 434 So.2d 306, 308 (Fla. 1983).
[75] *Westerheide v. State*, 831 So.2d 93, 110 (Fla. 2002). *See also*, *Fraternal Order of Police, Miami Lodge 20, v. Miami*, 243 So.3d 894, 899 (Fla. 2018).

These rights of free speech and freedom of association are fundamental rights guaranteed by the State Constitution. The right to collectively bargain is a right guaranteed in the state constitution's declaration of rights. As discussed above, these rights are treated differently between the two distinct classes of public employees created by the bill. In effect, the bill risks violating those fundamental constitutional rights (speech and collective bargaining) while imposing unequal treatment that may itself constitute a separate constitutional infringement.

Single Subject

Article III, section 6 of the State Constitution requires every law to "embrace but one subject and matter properly connected therewith." The purpose of this requirement is to prevent logrolling, which combines multiple unrelated measures in one bill in order to secure passage of a measure that is unlikely to pass on its own merits.[76] The Florida Supreme Court has held that the single subject clause contains three requirements: first, each law must embrace only one subject; second, the law may include any matter that properly connected with the subject; and third, the subject must be briefly expressed in the title.[77] The subject matter to consider when determining whether a bill embraces a single subject is the bill title's subject, and the test is whether the bill is designed to accomplish separate objectives with no natural or logical connection to each other.[78]

It is unclear whether the current state of the bill violates the single subject rule. The title of the present bill indicates that it is an act relating to "the Public Employees Relations Commission." While all of the matters involved in the bill may touch on the commission, their nexus is tenuous. For example, several parts of the bill deal with hearing procedures relating to unfair labor practices alleged by a public employee under part II of ch. 447, F.S., others deal with the Governor's (or chief executive's) and Legislature's (or legislative body's) authority and duties in resolving issues at impasse. Additionally, section 21 increases fines that a circuit court may assess against a public employee for violations of anti-strike provisions—entirely outside of the scope of the commission; section 22 deals with relations between a public employer and public employee (limiting approval of leave to specific instances.).

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None identified.

B. Private Sector Impact:

The increase in threshold to recertify an employee organization may result in fewer unions maintaining their certification to represent public employee bargaining units.

[76] *Santos v. State*, 380 So.2d 1284 (Fla. 1980).
[77] *Franklin v. State*, 887 So. 1063, 1072 (Fla. 2004).
[78] *See Ex parte Knight*, 41 So. 786 (Fla. 1906); *Brd. of Public Instruction of Broward Cnty. v. Doran*, 224 So.2d 693 (Fla. 1969).

Additionally, based on the commission practice of requiring employees to pay postage on a mail ballot for a certification (or decertification) election, individuals who wish to vote in such elections will see an added cost related to casting a vote.

C. Government Sector Impact:

The commission may see an increase in elections it must administer as a result of the new provisions for recertification and decertification. This may increase the commission's workload.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Section 12 creates a clarification of bargaining units petition and provides standards for submission of a petition to clarify the composition of a bargaining unit, but does not provide standards for the commission's decision on that unit clarification. The commission may benefit from rulemaking authority and some legislative standards regarding the commission's determination on petitions to clarify a bargaining unit.

The Legislature "may not delegate the power to enact a law or the right to exercise unrestricted discretion in applying the law."[79] The Florida Supreme Court has found that "statutes granting power to the executive branch 'must clearly announce adequate standards to guide ... in the execution of the powers delegated. The statute must so clearly define the power delegated that the [executive] is precluded from acting through whim, showing favoritism, or exercising unbridled discretion.'"[80]

Administrative commissions, unless specifically created in the Constitution, are creatures of statute and derive only the powers specified therein.[81] Thus, the APA expressly states that statutory language delegating authority to executive agencies must be construed to extend no further than the powers and duties conferred by that statute.[82] Even when an agency is pursuing the policy objectives that underlie the statutory scheme it is charged with enforcing, the agency may not disregard or expand upon the terms of the statutes themselves.[83] Agency action is derived from legislative delegation, it follows that the Legislature may oversee and alter that delegation.[84]

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[79] *Bush v. Schiavo,* 885 So. 2d 321 (Fla. 2004).
[80] *Id*.
[81] *Grove Isle, Ltd. v. State Dept of Environmental Regulation*, 454 So. 2d 571 (Fla. 1st DCA 1984). *See also*, *WHS Trucking LLC v. Reemployment Assistance Appeals Comm'n*, 183 So. 3d 460 (Fla. 1st DCA 2016).
[82] Sections 120.52(8) and 120.536(1), F.S. *See also*, *Tampa Bay Downs, Inc. v. Dep't of Bus. And Prof. Reg.*, 293 So. 3d 38 (Fla. 2d DCA 2020).
[83] *Tampa Bay Downs, Inc.*, 293 So. 3d 38.
[84] *City of Cape Coral v. GAC Utilities, Inc. of Fla.*, 281 So. 2d 493 (Fla. 1973).

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes:110.227, 112.0455, 120.80, 295.14, 447.203, 447.205, 447.207, 447.301, 447.303, 447.305, 447.307, 447.308, 447.403, 447.405, 447.4095, 447.501, 447.503, 447.507, 447.509, 110.114, 110.205, 112.3187, 121.031, 447.02, 447.609, and 1011.60.

This bill creates the following sections of the Florida Statutes: 447.3076, 447.309, 447.401, 447.403, 447.405, 447.4095, 447.501, 447.503, 447.507, 447.509, and 110.114.

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 2, 2026:

- Changes the vote requirement for successful certification, recertification, and decertification of non-public safety employee organizations to require at least 25 percent of the total bargaining unit to participate in the election, and at least 60 percent of those voting to approve the question at issue (certification, recertification, or decertification).

CS by Governmental Oversight and Accountability on February 11, 2026:

- Clarifies that membership dues must be paid in exchange for membership in an employee organization.
- Retains current law by deleting language which specified that "additional grants of rulemaking authority contained in [part II of ch. 447, F.S.,] do not limit the grant of rulemaking authority in [section 447.207, F.S.]".
- Retains current law in s. 447.207(6), F.S., to specify that commission statements of general applicability that implement, interpret, or prescribe law or policy made in the course of its adjudication of a case under s. 447.307 or s. 447.503, F.S. only are not a rule as defined in s. 120.52, F.S.
- Clarifies that a membership authorization form remains valid if it met the requirements in law at the time the employee signed it, and that employee has not subsequently revoked his or her union membership.
- Retains a public employee's express authority to pay membership dues directly to an employee organization, a parent organization, and an affiliate of the employee organization or the parent organization.
- Requires that information provided as part of an application for renewal be accompanied by an agreed-upon procedures report by an independent CPA to assist in determining the information's accuracy.
- Clarifies that any decision issued by the commission under s. 447.305, F.S., relating to registrations and certifications of employee organizations and bargaining units is a final agency action that may be reviewed by a district court of appeal, pursuant to s. 447.504, F.S.

- Retains current law in s. 447.309(3), F.S., which requires the chief executive officer to propose an amendment to a law that conflicts with a provision of a collective bargaining agreement to which the chief executive officer agreed.
- Retains current law in s. 447.309(5), which requires all of the terms of employment to be included in the collective bargaining agreement—not just those negotiated or resolved by impasse.
- Specifies that the service used in special magistrate impasse hearings may be any method *agreed to by the parties*.
- Narrows the scope of the financial urgency provision to appropriations to local governments by the Legislature which are specifically directed in law to be disbursed as salaries to local government employees.
- Limits access to a public employer's facilities and internal means of communication to only a *registered* employee organization and public employee for the purpose of intervening in, supporting, or opposing a certification, recertification, or decertification of a bargaining agent. This ensures that the commission has regulatory authority over the entity.
- Increases the amount that the commission can fine an organization that engaged in an illegal strike to from $20,000 per day to $40,000 per day, or the cost incurred by the public as a result of the strike.
- Clarifies that a bargaining agent and employer are not required to agree for the employee to use his or her compensated personal leave for employee organization activities. An agreement is still required for the employee to use time off without pay or benefits to engage in employee organization activities, or for the employee to engage in representational employee organization activities while in a duty status.

B. Amendments:

None.

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

323952

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/03/2026	.	
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The Committee on Fiscal Policy (Simon) recommended the following:

Senate Amendment

Delete lines 1014 - 1204
and insert:
(4)(a) Except as provided in paragraph (b), elections are determined as follows for all certification or recertification petitions filed on or after July 1, 2026:
1.~~(b)~~ If at least 25 percent of the public employees in the bargaining unit as of the date set by the commission participate in the election, and at least 60 percent of the public employees

323952

voting in the election select an employee organization, ~~When an employee organization is selected by a majority of the employees voting in an election~~, the commission shall certify or recertify the employee organization as the ~~exclusive collective~~ bargaining agent for the public ~~representative of all~~ employees in the unit.

2. A runoff election shall be held according to rules adopted by the commission if, in the election conducted under subparagraph 1., there was more than one employee organization on the ballot, at least 25 percent of the employees in the bargaining unit participated in the election, and none of the choices on the ballot received a vote of 60 percent of the public employees who voted in the election.

(b) Certification elections involving public safety units are determined as follows:

1. If an employee organization is selected by a majority vote of the public employees voting in the election, the commission shall certify the employee organization as the bargaining agent for the public employees in the bargaining unit.

2. A runoff election shall be held according to rules adopted by the commission if, in the election conducted under subparagraph 1., there was more than one employee organization on the ballot and none of the choices on the ballot received a majority vote of the public employees voting in the election.

(c) Certification, recertification, or revocation under this section is effective upon the issuance of a ~~the~~ final order by the commission or, if the final order is appealed, at the time the appeal is exhausted or any stay is vacated by the

323952

commission or a ~~the~~ court.

~~(c) In any election in which none of the choices on the ballot receives the vote of a majority of the employees voting, a runoff election shall be held according to rules promulgated by the commission.~~

~~(d) No petition may be filed seeking an election in any proposed or existing appropriate bargaining unit to determine the exclusive bargaining agent within 12 months after the date of a commission order verifying a representation election or, if an employee organization prevails, within 12 months after the date of an effective certification covering any of the employees in the proposed or existing bargaining unit. Furthermore, if a valid collective bargaining agreement covering any of the employees in a proposed unit is in effect, a petition for certification may be filed with the commission only during the period extending from 150 days to 90 days immediately preceding the expiration date of that agreement, or at any time subsequent to its expiration date but prior to the effective date of any new agreement. The effective date of a collective bargaining agreement means the date of ratification by both parties, if the agreement becomes effective immediately or retroactively; or its actual effective date, if the agreement becomes effective after its ratification date.~~

(5) ~~(4)~~ In defining a proposed bargaining unit, the commission shall take into consideration:

(a) The principles of efficient administration of government.

(b) The number of employee organizations with which the employer might have to negotiate.

(c) The compatibility of the unit with the joint responsibilities of the public employer and public employees to represent the public.

(d) The power of the officials of government at the level of the unit to agree, or make effective recommendations to another administrative authority or to a legislative body, with respect to matters of employment upon which the employee desires to negotiate.

(e) The organizational structure of the public employer.

(f) Community of interest among the employees to be included in the unit, considering:

1. The manner in which wages and other terms of employment are determined.

2. The method by which jobs and salary classifications are determined.

3. The interdependence of jobs and interchange of employees.

4. The desires of the employees.

5. 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 in the continuation of a traditional, workable, and accepted negotiation relationship.

(g) The statutory authority of the public employer to administer a classification and pay plan.

(h) Such other factors and policies as the commission may deem appropriate.

However, a bargaining ~~no~~ unit may not ~~shall~~ be established

323952

or approved for purposes of collective bargaining which includes both professional and nonprofessional employees unless a majority of each group votes for inclusion in such bargaining unit.

Section 12. Section 447.3076, Florida Statutes, is created to read:

447.3076 Clarification of bargaining units.—

(1) A petition to clarify the composition of a bargaining unit may be filed with the commission when significant changes in statutory law or case law require clarification of the bargaining unit or when a classification was:

(a) Created or substantially changed after the unit was initially defined by the commission;

(b) Retitled with no substantial change in job duties; or

(c) Included or excluded through inadvertence or misunderstanding by the commission.

(2) A bargaining unit clarification petition may be filed by the bargaining agent for the bargaining unit or by the public employer of the public employees in the unit.

(3) A copy of the petition must be served on the public employer and any bargaining agent that is certified to represent any employee or classification which may be substantially affected by the proposed bargaining unit clarification.

(4) If any substantially affected employees are not represented by a bargaining agent, the public employer must provide a copy of the petition to those employees within 10 days after the filing of the petition.

(5) When the clarification of a bargaining unit would result in an increase in the size of the bargaining unit by more

323952

than 25 percent, the unit clarification petition raises a question concerning representation and must be dismissed.

Section 13. Section 447.308, Florida Statutes, is amended to read:

447.308 Decertification ~~Revocation of certification~~ of employee organizations ~~organization~~.—

(1) A public ~~Any~~ employee or group of public employees which no longer desires to be represented by a ~~the certified~~ bargaining agent may file with the commission a petition to decertify the bargaining agent ~~revoke certification~~. The petition must ~~shall~~ be accompanied by a showing of interest from ~~dated statements signed by~~ at least 30 percent of the public employees in the bargaining unit~~, indicating that such employees no longer desire to be represented for purposes of collective bargaining by the certified bargaining agent. The time of filing said petition shall be governed by the provisions of s. 447.307(3)(d) relating to petitions for certification~~. The showing of interest statements must be signed and dated by the public employees not more than 12 months before the filing of the petition. Any employee, employer, or employee organization having sufficient reason to believe that the showing of interest was ~~any of the employee signatures were~~ obtained by collusion, coercion, intimidation, or misrepresentation or is ~~are~~ otherwise invalid shall be given a reasonable opportunity to verify and challenge the showing of interest ~~signatures appearing on the petition~~.

(2)(a) A decertification petition may not be filed regarding the bargaining unit within 12 months after the date the commission issues an order that verifies the results of a

323952

certification, recertification, or decertification election covering any of the public employees in the unit.

(b) If a valid collective bargaining agreement covering any of the public employees in the bargaining unit is in effect, a decertification petition may only be filed with the commission at least 90 but not more than 150 days immediately preceding the expiration date of the collective bargaining agreement, or at any time after such agreement's expiration date but before the effective date of a new collective bargaining agreement. The effective date of a collective bargaining agreement is the date of ratification of such agreement by both parties if such agreement becomes effective immediately or retroactively, or the collective bargaining agreement's actual effective date if such agreement becomes effective after its ratification date.

(3) The commission or one of its designated agents shall investigate the decertification petition to determine its sufficiency. If the commission finds that the petition is ~~to be~~ insufficient, the commission must ~~it may~~ dismiss the petition. If the commission finds that the petition is sufficient, the commission must ~~it shall immediately~~:

(a) Identify the bargaining unit and determine which public employees shall be qualified and entitled to vote in the election held by the commission.

(b) Identify the public employer or employers of the bargaining unit.

(c) Order an election by secret ballot, the cost of said election to be borne equally by the parties, except as the commission may provide by rule. The commission's order assessing costs of an election may be enforced pursuant to ~~the provisions~~

323952

~~of~~ this part.

(4)(a) Except as provided in paragraph (b), elections are determined as follows for all decertification petitions filed on or after July 1, 2026:

1. If at least 25 percent of the public employees in the bargaining unit as of the date set by the commission participate in the election, and at least 60 percent of the public employees voting in the election vote to decertify an employee organization, the commission shall revoke the bargaining agent's certification for that bargaining unit.

2. If decertification is not selected by at least 60 percent of the public employees voting in the election, and at least 25 percent of the employees who are in the bargaining unit as of the date set by the commission participate in the election, the bargaining agent shall retain its certification for that bargaining unit.

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

585-02789-26 20261296c1

A bill to be entitled

An act relating to the Public Employees Relations Commission; amending s. 110.227, F.S.; conforming final order requirements to ch. 120, F.S.; deleting a provision requiring exceptions to a recommended order to be filed within a specified timeframe; amending s. 112.0455, F.S.; revising the timeframe in which an appeal hearing must be conducted; conforming final order requirements to ch. 120, F.S.; amending s. 120.80, F.S.; providing applicability; amending s. 295.14, F.S.; conforming final order requirements to ch. 120, F.S.; reordering and amending s. 447.203, F.S.; revising and defining terms; amending s. 447.205, F.S.; revising the seal of the Public Employees Relations Commission; amending s. 447.207, F.S.; authorizing subpoenas to be served by certified mail, return receipt requested, or by personal service; revising requirements for proof of service; deleting the requirement that the commission adopt rules for the qualifications of persons who may serve as mediators; authorizing the commission, under certain circumstances, to waive the application of part II of ch. 447, F.S., rather than only specified provisions; amending s. 447.301, F.S.; revising requirements for an employee organization membership authorization form; requiring an employee organization, within a specified timeframe, to revoke the membership of and cease the collection of membership dues from a public employee; providing that

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

585-02789-26 20261296c1

a membership authorization form is valid if it meets certain requirements; revising applicability; amending s. 447.303, F.S.; conforming provisions to changes made by the act; amending s. 447.305, F.S.; revising application requirements for employee organization registration and renewal of registration; requiring an employee organization to provide an application for renewal of registration to certain persons within a specified timeframe; requiring a bargaining agent to provide a remedy for incomplete application information to the commission within a specified timeframe; requiring the commission to dismiss an application for renewal of registration under certain circumstances; requiring the commission to notify the bargaining agent when such application information is complete; requiring the bargaining agent to petition for recertification within a specified timeframe thereafter; requiring the commission or one of its designated agents to conduct an investigation if a challenge to an application for renewal of registration is filed; authorizing a designated agent of the commission to conduct an investigation to confirm validity of submitted information; exempting certain employee organizations from a specified requirement; requiring a registration fee for applications for registration and renewal of registration; requiring that certain employee organization accounts be open for inspection by the commission and certain public employees at a

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

reasonable time and place; providing for the revocation of an employee organization's certification under certain circumstances; providing that decisions issued by the commission in accordance with certain provisions are final agency actions; amending s. 447.307, F.S.; revising requirements for the certification and recertification of an employee organization; creating s. 447.3076, F.S.; providing that a petition to clarify the composition of a bargaining unit may be filed with the commission under certain circumstances; requiring that a copy of the petition be served on certain persons; requiring the public employer to provide a copy of the petition to certain affected employees within a specified timeframe; requiring that a petition be dismissed under certain circumstances; amending s. 447.308, F.S.; revising requirements for the decertification of an employee organization; amending s. 447.309, F.S.; requiring that certain agreements be returned to the bargaining agent, rather than the employee organization; amending s. 447.401, F.S.; conforming provisions to changes made by the act; amending s. 447.403, F.S.; specifying requirements for when an impasse occurs; requiring a hearing within a specified timeframe; authorizing the recommended decision of a special magistrate from an impasse hearing to be transmitted by any method of service agreed to by the parties which establishes proof of delivery; amending s. 447.405, F.S.; conforming provisions to changes

made by the act; amending s. 447.4095, F.S.; providing that implementation of appropriations from the Legislature which are specifically directed to be disbursed as salaries for employees of local governments are considered a financial urgency; requiring the chief executive officer or his or her representative to meet with the bargaining agent or its representative within a specified timeframe if the use of such funds requires modification of an agreement; providing meeting and dispute requirements; prohibiting the filing of unfair labor charges during specified time periods; providing applicability; amending s. 447.501, F.S.; requiring a public employer to provide to all registered employee organizations or petitioning employees equal access to the employer's facilities and communication systems for a specified time period; amending s. 447.503, F.S.; authorizing certain public employers, public employees, and employee organizations, or combinations thereof, to file certain charges with the commission; amending s. 447.507, F.S.; increasing fines for certain violations; amending s. 447.509, F.S.; prohibiting public employers, their agents or representatives, and any persons acting on their behalf from taking certain actions; authorizing certain actions by public employees under certain circumstances; providing applicability; amending ss. 110.114, 110.205, 112.3187, 121.031, 447.02, 447.609, and 1011.60, F.S.; conforming cross-references and provisions to changes

made by the act; providing an effective date.

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

Section 1. Paragraph (d) of subsection (6) of section 110.227, Florida Statutes, is amended to read:

110.227 Suspensions, dismissals, reductions in pay, demotions, layoffs, transfers, and grievances.—

(6) The following procedures shall apply to appeals filed pursuant to subsection (5) with the Public Employees Relations Commission, hereinafter referred to as the commission:

(d) A recommended order must ~~shall~~ be issued by the hearing officer within 30 days after ~~following~~ the hearing. ~~Exceptions to the recommended order shall be filed within 15 days after the recommended order is issued.~~ The final order must be issued ~~shall be filed~~ by the commission in accordance with ss. 120.569 and 120.57 ~~no later than 45 calendar days after the hearing or after the filing of exceptions or oral arguments if granted~~.

Section 2. Paragraph (a) of subsection (14) of section 112.0455, Florida Statutes, is amended to read:

112.0455 Drug-Free Workplace Act.—

(14) DISCIPLINE REMEDIES.—

(a) An executive branch employee who is disciplined or who is a job applicant for another position and is not hired pursuant to this section, may file an appeal with the Public Employees Relations Commission. Any appeal must be filed within 30 calendar days after ~~of~~ receipt by the employee or job applicant of notice of discipline or refusal to hire. The notice shall inform the employee or job applicant of the right to file

an appeal, or if available, the right to file a collective bargaining grievance pursuant to s. 447.401. Such appeals shall be resolved pursuant to the procedures established in ss. 447.207(1)-(4), 447.208(2), and 447.503(4) and (5). A hearing on the appeal shall be conducted within 60 ~~30~~ days after ~~of~~ the filing of the appeal, unless an extension is requested by the employee or job applicant and granted by the commission or an arbitrator. The final order must be issued by the commission in accordance with ss. 120.569 and 120.57.

Section 3. Paragraph (c) is added to subsection (12) of section 120.80, Florida Statutes, to read:

120.80 Exceptions and special requirements; agencies.—

(12) PUBLIC EMPLOYEES RELATIONS COMMISSION.—

(c) Section 120.60 does not apply to registration of employee organizations under s. 447.305.

Section 4. Subsection (1) of section 295.14, Florida Statutes, is amended to read:

295.14 Penalties.—

(1) When the Public Employees Relations Commission, after a hearing on notice conducted according to rules adopted by the commission, determines that a violation of s. 295.07, s. 295.08, s. 295.085, or s. 295.09(1)(a) or (b) has occurred and sustains the veteran seeking redress, the commission shall order the offending agency, employee, or officer of the state to comply with ~~the provisions of~~ s. 295.07, s. 295.08, s. 295.085, or s. 295.09(1)(a) or (b); and, in the event of a violation of s. 295.07, s. 295.08, s. 295.085, or s. 295.09(1)(a) or (b), the commission may issue an order to compensate the veteran for the loss of any wages and reasonable attorney ~~attorney's~~ fees for

actual hours worked, and costs of all work, including litigation, incurred as a result of such violation, which order shall be conclusive on the agency, employee, or officer concerned. The attorney ~~attorney's~~ fees and costs may not exceed $10,000. The final order must be issued by ~~action of~~ the commission in accordance with ss. 120.569 and 120.57 ~~shall be in writing and shall be served on the parties concerned by certified mail with return receipt requested~~.

Section 5. Section 447.203, Florida Statutes, is reordered and amended to read:

447.203 Definitions.—As used in this part:

(6)~~(1)~~ "Commission" means the Public Employees Relations Commission created by s. 447.205.

(17)~~(2)~~ "Public employer" or "employer" means the state or any county, municipality, or special district or any subdivision or agency thereof which the commission determines has sufficient legal distinctiveness properly to carry out the functions of a public employer. With respect to all public employees determined by the commission as properly belonging to a statewide bargaining unit composed of State Career Service System employees or Selected Professional Service employees, the Governor is deemed to be the public employer; and the Board of Governors of the State University System, or the board's designee, is deemed to be the public employer with respect to all public employees of each constituent state university. The board of trustees of a community college is deemed to be the public employer with respect to all employees of the community college. The district school board is deemed to be the public employer with respect to all employees of the school district.

The Board of Trustees of the Florida School for the Deaf and the Blind is deemed to be the public employer with respect to the academic and academic administrative personnel of the Florida School for the Deaf and the Blind. The Governor is deemed to be the public employer with respect to all employees in the Correctional Education Program of the Department of Corrections established pursuant to s. 944.801.

(16)~~(3)~~ "Public employee" means any person employed by a public employer except:

(a) Those persons appointed by the Governor or elected by the people, agency heads, and members of boards and commissions.

(b) Those persons holding positions by appointment or employment in the organized militia.

(c) Those individuals acting as negotiating representatives for employer authorities.

(d) Those persons who are designated by the commission as managerial or confidential employees pursuant to criteria contained herein.

(e) Those persons holding positions of employment with the Florida Legislature.

(f) Those persons who have been convicted of a crime and are inmates confined to institutions within the state.

(g) Those 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) Those persons employed by the Public Employees Relations Commission.

(i) Those persons enrolled as undergraduate students in a state university who perform part-time work for the state university.

(12)~~(4)~~ "Managerial employees" means ~~are~~ those employees who:

(a) Perform jobs that are not of a routine, clerical, or ministerial nature and require the exercise of independent judgment in the performance of such jobs and to whom one or more of the following applies:

1. They formulate or assist in formulating policies which are applicable to bargaining unit employees.

2. They may reasonably be required on behalf of the employer to assist in the preparation for the conduct of collective bargaining negotiations.

3. They have a role in the administration of agreements resulting from collective bargaining negotiations.

4. They have a significant role in personnel administration.

5. They have a significant role in employee relations.

6. They are included in the definition of administrative personnel contained in s. 1012.01(3).

7. They have a significant role in the preparation or administration of budgets for any public agency or institution or subdivision thereof.

(b) Serve as police chiefs, fire chiefs, or directors of public safety of any police, fire, or public safety department. Other police officers, as defined in s. 943.10(1), and

firefighters, as defined in s. 633.102, may be determined by the commission to be managerial employees of such departments. In making such determinations, the commission shall consider, in addition to the criteria established in paragraph (a), the paramilitary organizational structure of the department involved.

However, in determining whether an individual is a managerial employee pursuant to paragraph (a) or paragraph (b), ~~above,~~ the commission may consider historic relationships of the employee to the public employer and to coemployees.

(7)~~(5)~~ "Confidential employees" means ~~are~~ persons who act in a confidential capacity to assist or aid managerial employees as defined in subsection (12) ~~(4)~~.

(21)~~(6)~~ "Strike" means the concerted failure of employees to report for duty; the concerted absence of employees from their positions; the concerted stoppage of work by employees; the concerted submission of resignations by employees; the concerted abstinence in whole or in part by any group of employees from the full and faithful performance of the duties of employment with a public employer for the purpose of inducing, influencing, condoning, or coercing a change in the terms and conditions of employment or the rights, privileges, or obligations of public employment, or participating in a deliberate and concerted course of conduct which adversely affects the services of the public employer; the concerted failure of employees to report for work after the expiration of a collective bargaining agreement; and picketing in furtherance of a work stoppage. The term includes ~~"strike" shall also mean~~

any overt preparation, including, but not limited to, the establishment of strike funds with regard to the ~~above-listed~~ activities listed in this subsection.

(22)~~(7)~~ "Strike funds" means ~~are~~ any appropriations by an employee organization which are established to directly or indirectly aid any employee or employee organization to participate in a strike in the state.

(2)~~(8)~~ "Bargaining unit" means either that unit determined by the commission, that unit determined through local regulations adopted ~~promulgated~~ pursuant to s. 447.603, or that unit determined by the public employer and the public employee organization and approved by the commission to be appropriate for the purposes of collective bargaining. However, no bargaining unit shall be defined as appropriate which includes employees of two employers that are not departments or divisions of the state, a county, a municipality, or other political entity.

(3)~~(9)~~ "Chief executive officer" for the state means ~~shall mean~~ the Governor and for other public employers means ~~shall mean~~ the person, whether elected or appointed, who is responsible to the legislative body of the public employer for the administration of the governmental affairs of the public employer.

(11)~~(10)~~ "Legislative body" means the State Legislature, the board of county commissioners, the district school board, the governing body of a municipality, or the governing body of an instrumentality or unit of government having authority to appropriate funds and establish policy governing the terms and conditions of employment and which, as the case may be, is the

appropriate legislative body for the bargaining unit. For purposes of s. 447.403, the Board of Governors of the State University System, or the board's designee, shall be deemed to be the legislative body with respect to all employees of each constituent state university. For purposes of s. 447.403, the board of trustees of a community college shall be deemed to be the legislative body with respect to all employees of the community college.

(8)~~(11)~~ "Employee organization" or "organization" means 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.

(9) "Employee organization activities" means activities undertaken at the direction of, on behalf of, or to advance the purposes of an employee organization or any parent organization or affiliate of the employee organization by doing any of the following:

(a) Supporting or opposing a candidate for federal, state, or local public office.

(b) Influencing the passage or defeat of any federal or state legislation or regulation, local ordinance or resolution, or ballot measure.

(c) Promoting or soliciting membership or participation in, or financial support of, an employee organization or any parent organization or affiliate of the employee organization.

(d) Seeking certification as a bargaining agent.

(e) Participating in the administration, business, or internal governance of an employee organization or any parent organization or affiliate of the employee organization.

(f) Preparing, conducting, or attending employee organization events, conferences, conventions, meetings, or trainings, unless such training is directly related to the performance of a public employee's job duties.

(g) Distributing communications of an employee organization or any parent organization or affiliate of the employee organization.

(h) Representing or speaking on behalf of an employee organization or any parent organization or affiliate of the employee organization in any setting, venue, or procedure in which the public employer is not a participant.

(i) Preparing, filing, or pursuing unfair labor practice charges or grievances.

(j) Representing public employees in investigatory interviews; disciplinary proceedings or appeals, including termination; or other administrative or legal proceedings.

(k) Engaging in collective bargaining and any related mediation, factfinding, or arbitration.

(l) Administering a collective bargaining agreement.

(m) Participating in labor-management committees.

(1)~~(12)~~ "Bargaining agent" means the employee organization that ~~which~~ has been certified by the commission as representing the employees in the bargaining unit, as provided in s. 447.307, or its representative.

(13) "Membership dues" means any amount a member is required to pay in exchange for membership in an employee

organization, including, but not limited to, employee organization dues; uniform assessments; or fees, including initiation fees.

(15)~~(13)~~ "Professional employee" means:

(a) Any employee engaged in work in any two or more of the following categories:

1. Work predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work.~~;~~

2. Work involving the consistent exercise of discretion and judgment in its performance.~~;~~

3. Work of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time.~~; and~~

4. Work requiring advanced knowledge in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education, an apprenticeship, or training in the performance of routine mental or physical processes.

(b) Any employee who:

1. Has completed the course of specialized intellectual instruction and study described in subparagraph (a)4. ~~4. of paragraph (a); and~~

2. Is performing related work under supervision of a professional person to qualify to become a professional employee as defined in paragraph (a).

(5)~~(14)~~ "Collective bargaining" means the performance of the mutual obligations of the public employer and the bargaining

agent of the employee organization to meet at reasonable times, to negotiate in good faith, and to execute a written contract with respect to agreements reached concerning the terms and conditions of employment, except that neither party shall be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this part.

(14)~~(15)~~ "Membership dues deduction" means the practice by ~~of~~ a public employer of deducting membership dues ~~and uniform assessments~~ from the salary or wages of a public employee and~~.~~ ~~Such term also means the practice of a public employer of~~ transmitting the sums so deducted to an ~~such~~ employee organization on behalf of the public employee.

(4)~~(16)~~ "Civil service" means any career, civil, or merit system used by any public employer.

(10)~~(17)~~ "Good faith bargaining" means ~~shall mean~~, but is not ~~be~~ limited to, the willingness of both parties to meet at reasonable times and places, as mutually agreed upon, in order to discuss issues that ~~which~~ are proper subjects of bargaining, with the intent of reaching a common accord. The term includes ~~It shall include~~ an obligation for both parties to participate actively in the negotiations with an open mind and a sincere desire, as well as making a sincere effort, to resolve differences and come to an agreement. In determining whether a party failed to bargain in good faith, the commission shall consider the total conduct of the parties during negotiations as well as the specific incidents of alleged bad faith. Incidents indicative of bad faith shall include, but not be limited to, the following occurrences:

(a) Failure to meet at reasonable times and places with

representatives of the other party for the purpose of negotiations.

(b) Placing unreasonable restrictions on the other party as a prerequisite to meeting.

(c) Failure to discuss proper subjects of bargaining ~~bargainable issues~~.

(d) Refusing, upon reasonable written request, to provide public information, excluding work products as defined in s. 447.605.

(e) Refusing to negotiate because of an unwanted person on the opposing negotiating team.

(f) Negotiating directly with employees rather than with their ~~certified~~ bargaining agent.

(g) Refusing to reduce a total agreement to writing.

(18) "Public safety unit" means a bargaining unit in which the majority of the public employees are employed as a law enforcement officer, correctional officer, or correctional probation officer, as those terms are defined in s. 943.10(1), (2), or (3), respectively; a firefighter as defined in s. 633.102(9); a 911 public safety telecommunicator as defined in s. 401.465(1); or an emergency medical technician or a paramedic, as those terms are defined in s. 401.23.

(19) "Representational employee organization activities" means those activities specified in paragraphs (9)(i)-(m).

(20) "Showing of interest" means written statements signed and dated by public employees in a proposed or existing bargaining unit indicating the desire of the public employees either to be represented by the employee organization for purposes of collective bargaining or to no longer be represented

by the bargaining agent for purposes of collective bargaining.

(23)~~(18)~~ "Student representative" means the representative selected by each community college or university student government association. Each representative may be present at all negotiating sessions that take place between the appropriate public employer and a ~~an exclusive~~ bargaining agent. The representative must be enrolled as a student with at least 8 credit hours in the respective community college or university during his or her term as student representative.

Section 6. Subsection (8) of section 447.205, Florida Statutes, is amended to read:

447.205 Public Employees Relations Commission.—

(8) The commission shall have a seal for authentication of its orders and proceedings, upon which shall be inscribed the words "State of Florida-Public Employees Relations Commission" ~~"State of Florida-Employees Relations Commission"~~ and which shall be judicially noticed.

Section 7. Subsections (4), (5), (6), and (12) of section 447.207, Florida Statutes, are amended to read:

447.207 Commission; powers and duties.—

(4) Any subpoena~~, notice of hearing, or other process or notice of the commission~~ issued under ~~the provisions of~~ this part must either ~~shall~~ be served ~~personally or~~ by certified mail, return receipt requested, or be served personally by any person specified by law to serve process or by any person who is not a party and who is 18 years of age or older. When certified mail is used, a returned post office receipt constitutes proof of service. When personal service is used, if the subpoena is not served by a person specified by law to serve process, an

affidavit of the person making service constitutes proof of service. ~~A return made and verified by the individual making such service and setting forth the manner of such service is proof of service, and a returned post office receipt, when certified mail is used, is proof of service. All process of any court to which application may be made under the provisions of this part shall be served in the county wherein the persons required to be served reside or may be found.~~

(5) The commission shall adopt rules as to the qualifications of persons who may serve as ~~mediators and~~ special magistrates and shall maintain a list ~~lists~~ of such qualified persons who are not employees of the commission. The commission may initiate dispute resolution procedures by special magistrates~~,~~ pursuant to ~~the provisions of~~ this part.

(6) Pursuant to its established procedures, the commission shall resolve questions and controversies concerning claims for recognition as the bargaining agent for a bargaining unit, determine or approve units appropriate for purposes of collective bargaining, expeditiously process charges of unfair labor practices and violations of s. 447.505 by public employees, and resolve such other questions and controversies as it may be authorized herein to undertake. The petitioner, charging party, respondent, and any intervenors shall be the adversary parties before the commission in any adjudicatory proceeding conducted pursuant to this part. Any commission statement of general applicability that implements, interprets, or prescribes law or policy, made in the course of adjudicating a case pursuant to s. 447.307 or s. 447.503 does ~~shall~~ not constitute a rule within the meaning of s. 120.52.

(12) Upon a petition by a public employer after it has been notified by the Department of Labor that the public employer's protective arrangement covering mass transit employees does not meet the requirements of 49 U.S.C. s. 5333(b) and would jeopardize the public employer's continued eligibility to receive Federal Transit Administration funding, the commission may waive the application of this part, but only to the extent necessary for the public employer to comply with ~~the requirements of~~ 49 U.S.C. s. 5333(b)~~, any of the following for an employee organization that has been certified as a bargaining agent to represent mass transit employees:~~

~~(a) The prohibition on dues and assessment deductions provided in s. 447.303(1) as it applies to a mass transit employee who has provided a copy of his or her membership authorization form to the employer as part of the authorization of dues deduction under a waiver.~~

~~(b) The requirement to petition the commission for recertification.~~

~~(c) The revocation of certification provided in s. 447.305(6) and (7)~~.

Section 8. Paragraph (b) of subsection (1) and subsection (2) of section 447.301, Florida Statutes, are amended to read:

447.301 Public employees' rights; organization and representation.—

(1)

(b)1. A public employee who desires to be a member of an employee organization must sign and date a membership authorization form, as prescribed by the commission, and submit the executed form to the bargaining agent.

2. The membership authorization form must identify the name of the bargaining agent; the name of the employee; the class code and class title of the employee; the name of the public employer and employing agency, if applicable; the amount of the membership ~~initiation fee and of the monthly~~ dues which the public employee ~~member~~ must pay; and the names ~~name~~ and amounts ~~total amount of salary, allowances, and other direct or indirect disbursements, including reimbursements, paid to each of the five highest compensated officers and employees of the employee organization~~ disclosed under s. 447.305(2)(d) for the officers and employees receiving the five highest total dollar amounts.

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

As a public employee in the State of Florida~~, is a right-to-work state.~~ membership or nonmembership ~~non-membership~~ in a labor union is not required as a condition of employment.~~, and~~ Union membership and payment of membership ~~union~~ dues ~~and assessments~~ are voluntary. A public employee's ~~Each person has the~~ right to join and pay membership dues to a labor union or to refrain from joining and paying membership dues to a labor union is protected by both Florida's right-to-work law and the First Amendment of the United States Constitution. A public employer may not discriminate against a public ~~No~~ employee ~~may be discriminated against in any manner~~ for joining and financially supporting~~, a labor union~~ or ~~for~~ refusing to join and ~~or~~ financially support, a labor union.

4. A public employee may revoke membership in the employee

organization at any time ~~of the year~~. Within 30 days after ~~Upon~~ receipt of the public employee's written revocation of membership, the employee organization must revoke the ~~a~~ public employee's membership and cease collection of membership dues for such public employee. The employee organization may not limit a public ~~an~~ employee's right to revoke membership to certain dates. If a public employee must complete a form to revoke membership in the employee organization, the form may not require a reason for the public employee's decision to revoke his or her membership.

5. An employee organization must retain for inspection by the commission such membership authorization forms and any revocations. A membership authorization form is valid if it meets the requirements in law at the time it was signed by the employee and if the employee's membership has not been subsequently revoked.

6. This paragraph does not apply to public employees in public safety units ~~members of a bargaining unit the majority of whose employees eligible for representation are employed as law enforcement officers, correctional officers, or correctional probation officers as those terms are defined in s. 943.10(1), (2), or (3), respectively; firefighters as defined in s. 633.102; 911 public safety telecommunicators as defined in s. 401.465(1)(a); or emergency medical technicians or paramedics as defined in s. 401.23~~.

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

(2) Public employees ~~shall~~ have the right to be represented by any employee organization of their own choosing and to

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negotiate collectively, through a ~~certified~~ bargaining agent, with their public employer in the determination of the terms and conditions of their employment. Public employees ~~shall~~ have the right to be represented in the determination of grievances on all terms and conditions of their employment. Public employees ~~shall~~ have the right to refrain from exercising the right to be represented.

Section 9. Section 447.303, Florida Statutes, is amended to read:

447.303 Membership dues; deduction and collection.—

(1) Except as authorized in subsection (2) or subject to a waiver of the prohibition on membership dues deduction granted pursuant to s. 447.207(12), a public employer may not engage in membership dues deduction on behalf of ~~s. 447.207(12)(a),~~ an employee organization ~~that has been certified as a bargaining agent may not have its dues and uniform assessments deducted and collected by the employer from the salaries of those employees in the unit~~. A public employee may pay membership dues ~~and uniform assessments~~ directly to the employee organization, any parent organization of the employee organization, or any affiliate of either the employee organization or the parent organization ~~that has been certified as the bargaining agent~~.

(2)(a) Upon the written authorization of a public employee in a public safety unit, the public employer must engage in membership dues deduction for such public employee. A public employee may revoke his or her authorization for membership dues deduction upon providing 30 days' written notice to the public employer and bargaining agent ~~An employee organization that has been certified as a bargaining agent to represent a bargaining~~

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~~unit the majority of whose employees eligible for representation are employed as law enforcement officers, correctional officers, or correctional probation officers as those terms are defined in s. 943.10(1), (2), or (3), respectively; firefighters as defined in s. 633.102; 911 public safety telecommunicators as defined in s. 401.465(1)(a); or emergency medical technicians or paramedics as defined in s. 401.23 has the right to have its dues and uniform assessments for that bargaining unit deducted and collected by the employer from the salaries of those employees who authorize the deduction and collection of said dues and uniform assessments. However, such authorization is revocable at the employee's request upon 30 days' written notice to the employer and employee organization. Said deductions shall commence upon the bargaining agent's written request to the employer~~.

(b) Reasonable costs to the public employer of engaging in membership dues ~~said~~ deductions is a proper subject of collective bargaining.

(c) The requirement to engage in membership dues deductions ~~Such right to deduction~~, unless revoked under s. 447.507, is in force as ~~for so~~ long as the ~~employee organization remains the certified~~ bargaining agent remains certified to represent ~~for~~ the public employees in the bargaining unit.

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

Section 10. Section 447.305, Florida Statutes, is amended to read:

447.305 Registration of employee organizations

~~organization.~~

(1) Every employee organization seeking to become a ~~certified~~ bargaining agent for public employees shall register with the commission before ~~pursuant to the procedures set forth in s. 120.60 prior to requesting recognition by a public employer for purposes of collective bargaining and prior to~~ submitting a certification, recertification, or unit clarification petition ~~to the commission requesting certification as an exclusive bargaining agent~~. ~~Further,~~ If an ~~such~~ employee organization is not registered, it may not participate in a certification, recertification, or unit clarification ~~representation~~ hearing~~;~~, participate in a certification or recertification ~~representation~~ election~~;~~ or be certified as a ~~an exclusive~~ bargaining agent. The application for registration required by this section must ~~shall~~ be under oath and in such form as the commission may prescribe, and must ~~shall~~ include all of the following:

(a) The name and address of the organization and ~~of~~ any parent organization or affiliate of the employee organization ~~with which it is affiliated~~.

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

(c) The amount ~~of the initiation fee and the amount~~ and collection frequency of the membership dues ~~and uniform assessments~~ that a member of the organization must pay.

(d) The current annual financial statement of the organization, prepared by an independent certified public accountant licensed under chapter 473.

(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 this ~~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 employee ~~labor~~ organization may annually submit a copy of its current constitution and bylaws.

(2) A registration granted to an employee organization pursuant to this section runs for 1 year after ~~from~~ the date of issuance. A registration must be renewed annually by filing an application for renewal under oath with the commission, which application must 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 must include a current annual financial statement, prepared by an independent certified public accountant licensed under chapter 473 and signed by the employee organization's president and treasurer or corresponding principal officers, containing the following information in such

detail as may be necessary to accurately ~~to~~ disclose its financial condition and operations for its preceding fiscal year and in all of the following ~~such~~ categories as prescribed by 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) Disbursements by category.~~;~~

(d) Salary, wages, fringe benefits, allowances, and other direct or indirect disbursements, including reimbursed expenses, paid or accruing to each of its officers ~~officer~~ and also to each of its employees ~~employee~~ who, during such fiscal year, received more than $10,000 in the aggregate from such employee organization and any parent organization of the ~~other~~ employee organization or any affiliate of either the employee organization or the parent organization. This paragraph requires reporting of any reimbursements paid by the employee organization to a public employer for moneys paid by the public employer to the employee organization's officers or employees. ~~affiliated with it or with which it is affiliated or which is affiliated with the same national or international employee organization;~~

(e) Direct and indirect loans made to any of its officers ~~officer~~, employees ~~employee~~, or members ~~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~~

(f) Direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and

arrangements for repayment.

(g) The amount of membership dues retained by or distributed to the employee organization, any parent organization of the employee organization, and any affiliate of either the employee organization or the parent organization.

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

(a) For each bargaining unit for which the bargaining agent is certified, the certification number assigned to the bargaining unit by the commission.

(b) ~~(a)~~ For each certification, the number of public employees in the bargaining unit ~~who are eligible for representation by the employee organization~~.

(c) For each certification, the number of public employees in the bargaining unit who paid full membership dues sufficient to maintain membership in good standing in the bargaining agent.

(d) ~~(b)~~ For each certification, the number of public employees in the bargaining unit who have submitted signed membership authorization forms without a subsequent revocation of such membership.

~~(c) The number of employees in the bargaining unit who paid dues to the employee organization.~~

~~(d) The number of employees in the bargaining unit who did~~

~~not pay dues to the employee organization.~~

(e) An agreed-upon procedures report performed ~~Documentation provided~~ by an independent certified public accountant retained by the employee organization ~~which verifies~~ to assist in determining the accuracy of the information provided in paragraphs (b), (c), and (d) ~~(a)-(d)~~. The agreed-upon procedures must be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.

(4) Within 30 days after filing an application for renewal of registration with the commission, the employee organization must provide a copy of its application ~~for renewal of registration relating to a public employer's employees~~ to the public employer and public employees of each bargaining unit for which the employee organization is the bargaining agent ~~on the same day the application is submitted to the commission~~.

(5) ~~An application for renewal of registration is incomplete and is not eligible for consideration by~~ The commission must notify the bargaining agent if ~~it does not include all of~~ the information ~~and documentation~~ required in subsection (3) is incomplete. The bargaining agent must provide the missing information to the commission within 30 days after such notification. If the bargaining agent fails to provide the missing information within 30 days after notification, the commission must dismiss the application ~~The commission shall notify the employee organization if the application is incomplete. An incomplete application must be dismissed if the required information and documentation are not provided within 10 days after the employee organization receives such notice~~.

(6) The commission must notify the bargaining agent when the information required in subsection (3) is complete. Within 30 days after such notification, the bargaining agent must petition for recertification pursuant to s. 447.307 for each of its bargaining units ~~Notwithstanding the provisions of this chapter relating to collective bargaining, an employee organization certified as a bargaining agent to represent a bargaining unit~~ for which less than 60 percent of the public ~~unit~~ employees in the bargaining unit have submitted membership authorization forms without subsequent revocation and paid membership dues to the organization, as reported under subsection (3) ~~during its last registration period must petition the commission pursuant to s. 447.307(2) and (3) for recertification as the exclusive representative of all employees in the bargaining unit within 30 days after the date on which the employee organization applies for renewal of registration pursuant to subsection (2). The certification of an employee organization that does not comply with this section is revoked~~.

(7) If the public employer or a public employee of a bargaining unit represented by a bargaining agent believes that the bargaining agent's ~~employee may challenge an employee organization's~~ application for renewal of registration is materially inaccurate, ~~if~~ the public employer or public ~~bargaining unit~~ employee may challenge ~~believes that~~ the application as materially ~~is~~ inaccurate during the pendency of the application or, if the registration renewal has been granted, before the date upon which the bargaining agent's current registration is scheduled to end. If a challenge is filed, the commission or one of its designated agents must

conduct an investigation pursuant to subsection (8) ~~shall review the application to determine its accuracy and compliance with this section. If the commission finds that the application is inaccurate or does not comply with this section, the commission shall revoke the registration and certification of the employee organization~~.

(8) The commission or one of its designated agents may conduct an investigation to confirm the validity of any information submitted pursuant to this section. The commission may revoke or deny an employee organization's registration or certification if it finds that the employee organization:

(a) Failed to cooperate with the investigation conducted pursuant to this subsection, including refusal to permit the commission or one of its designated agents to inspect membership authorization forms or revocations pursuant to s. 447.301(1)(b)5.; or

(b) Intentionally misrepresented the information it submitted pursuant to this section.

~~A decision issued by the commission pursuant to this subsection is a final agency action that is reviewable pursuant to s. 447.504.~~

(9) An employee organization is exempt from the requirements of subsections (3)-(8) and (12) for each public safety unit it represents ~~only with respect to the circumstances of each bargaining unit the majority of whose employees eligible for representation are employed as law enforcement officers, correctional officers, or correctional probation officers as those terms are defined in s. 943.10(1), (2), or (3),~~

~~respectively; firefighters as defined in s. 633.102; 911 public safety telecommunicators as defined in s. 401.465(1)(a); or emergency medical technicians or paramedics as defined in s. 401.23~~.

(10) A registration fee must ~~shall~~ accompany each application for registration or renewal of registration filed with the commission. The registration fee may ~~amount charged for an application for registration or renewal of registration shall~~ not exceed $15. All such money collected by the commission shall be deposited in the General Revenue Fund.

(11) Every employee organization shall keep accurate accounts of its income and expenses, which accounts must ~~shall~~ be open for inspection at a ~~all~~ reasonable time and place ~~times~~ by ~~any member of the organization or by~~ the commission or a public employee in a bargaining unit for which the employee organization is the bargaining agent. ~~In addition, each employee organization that has been certified as a bargaining agent must provide to its members an annual financial report prepared by an independent certified public accountant licensed under chapter 473 that includes a detailed breakdown of revenues and expenditures in such categories as the commission may prescribe, and an accounting of membership dues and assessments. The employee organization must notify its members annually of all costs of membership.~~

(12) The certification of an employee organization that does not comply with this section is revoked. An employee organization that has its certification revoked under this subsection may not file a petition for certification under s. 447.307 which covers any of the public employees in the

bargaining unit described in the revoked certification for at least 12 months after the date the certification was revoked.

(13) A decision issued by the commission under this section is a final agency action that is reviewable pursuant to s. 447.504.

Section 11. Section 447.307, Florida Statutes, is amended to read:

447.307 Certification and recertification of employee organizations ~~organization~~.—

(1)(a) An ~~Any~~ employee organization seeking certification or recertification as a bargaining agent must file a petition with the commission accompanied by a showing of interest from at least 30 percent of the public employees in the proposed or existing bargaining unit. The showing of interest statements must be signed and dated by the public employees not more than 12 months before the filing of ~~which is designated or selected by a majority of public employees in an appropriate unit as their representative for purposes of collective bargaining shall request recognition by the public employer. The public employer shall, if satisfied as to the majority status of the employee organization and the appropriateness of the proposed unit, recognize the employee organization as the collective bargaining representative of employees in the designated unit. Upon recognition by a public employer, the employee organization shall immediately petition the commission for certification. The commission shall review only the appropriateness of the unit proposed by the employee organization. If the unit is appropriate according to the criteria used in this part, the commission shall immediately certify the employee organization~~

~~as the exclusive representative of all employees in the unit. If the unit is inappropriate according to the criteria used in this part, the commission may dismiss~~ the petition.

~~(b) Whenever a public employer recognizes an employee organization on the basis of majority status and on the basis of appropriateness in accordance with subparagraph (4)(f)5., the commission shall, in the absence of inclusion of a prohibited category of employees or violation of s. 447.501, certify the proposed unit.~~

(b)~~(2)~~ A ~~If the public employer refuses to recognize the employee organization, the employee organization may file a petition with the commission for certification as the bargaining agent for a proposed bargaining unit. The petition shall be accompanied by dated statements signed by at least 30 percent of the employees in the proposed unit, indicating that such employees desire to be represented for purposes of collective bargaining by the petitioning employee organization. Once a petition for certification has been filed by an employee organization, any~~ registered employee organization desiring placement on the ballot in any certification or recertification election to be conducted pursuant to this section may be permitted by the commission to intervene in the proceeding upon a motion accompanied by a showing of interest from ~~dated statements signed by~~ at least 10 percent of the public employees in the proposed or existing bargaining unit~~, indicating that such employees desire to be represented for the purposes of collective bargaining by the moving employee organization~~. The showing of interest ~~petitions and dated~~ statements must be signed and dated by the public employees not more than 12 months

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before the filing of the petition.

(c) The showing of interest is ~~are~~ confidential and exempt from ~~the provisions of~~ s. 119.07(1), except that any public employee, public employer, or employee organization having sufficient reason to believe that the showing of interest was ~~any of the employee signatures were~~ obtained by collusion, coercion, intimidation, or misrepresentation or is ~~are~~ otherwise invalid shall be given a reasonable opportunity to verify and challenge the showing of interest ~~signatures appearing on the petition~~.

(d) Notwithstanding paragraph (b), if any employees in the proposed bargaining unit are represented by a bargaining agent other than the petitioning employee organization, such bargaining agent will be automatically added as a party to the case and may appear on the ballot without being required to file a motion to intervene or a showing of interest.

(2)(a) A certification petition may not be filed regarding any proposed or existing bargaining unit within 12 months after the date the commission issues an order that verifies the results of a certification, recertification, or decertification election covering any of the public employees in the proposed or existing bargaining unit.

(b) If a valid collective bargaining agreement covering any of the public employees in a proposed or existing bargaining unit is in effect, a certification petition may only be filed with the commission at least 90 but not more than 150 days immediately preceding the expiration date of the collective bargaining agreement, or at any time subsequent to such agreement's expiration date but before the effective date of a

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new collective bargaining agreement. The effective date of a collective bargaining agreement is the date of ratification of such agreement by both parties if such agreement becomes effective immediately or retroactively, or the collective bargaining agreement's actual effective date if such agreement becomes effective after its ratification date.

(3) ~~(a)~~ The commission or one of its designated agents shall investigate a certification or recertification ~~the~~ petition to determine its sufficiency~~; if it has reasonable cause to believe that the petition is sufficient, the commission shall provide for an appropriate hearing upon due notice. Such a hearing may be conducted by an agent of the commission~~. If the commission finds that the petition is ~~to be~~ insufficient, the commission must ~~it may~~ dismiss the petition. If the commission finds ~~upon the record of the hearing~~ that the petition is sufficient, the commission must ~~it shall immediately~~:

(a) ~~1.~~ Define the proposed or existing bargaining unit and determine which public employees are ~~shall be~~ qualified and entitled to vote at any election held by the commission. Upon providing due notice, the commission may provide for a hearing.

(b) ~~2.~~ Identify the public employer or employers for purposes of collective bargaining ~~with the bargaining agent~~.

(c) ~~3.~~ Order an election by secret ballot, the cost of said election and any required runoff election to be borne equally by the parties, except as the commission may provide by rule. The commission's order assessing costs of an election may be enforced pursuant to ~~the provisions of~~ this part.

(4)(a) Except as provided in paragraph (b), elections are determined as follows for all certification or recertification

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petitions filed on or after July 1, 2026:

1. ~~(b)~~ If ~~When~~ an employee organization is selected by a majority vote of the public employees who are in the bargaining unit as of the date set by the commission ~~voting in an election~~, the commission shall certify or recertify the employee organization as the ~~exclusive collective~~ bargaining agent for the public ~~representative of all~~ employees in the unit.

2. A runoff election shall be held according to rules adopted by the commission if, in the election conducted under subparagraph 1., there was more than one employee organization on the ballot, a majority of the public employees who are in the bargaining unit as of the date set by the commission voted in the election, and none of the choices on the ballot received a majority vote of the public employees who are in the bargaining unit as of the date set by the commission.

(b) Certification elections involving public safety units are determined as follows:

1. If an employee organization is selected by a majority vote of the public employees voting in the election, the commission shall certify the employee organization as the bargaining agent for the public employees in the bargaining unit.

2. A runoff election shall be held according to rules adopted by the commission if, in the election conducted under subparagraph 1., there was more than one employee organization on the ballot and none of the choices on the ballot received a majority vote of the public employees voting in the election.

(c) Certification, recertification, or revocation under this section is effective upon the issuance of a ~~the~~ final order

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by the commission or, if the final order is appealed, at the time the appeal is exhausted or any stay is vacated by the commission or a ~~the~~ court.

~~(c) In any election in which none of the choices on the ballot receives the vote of a majority of the employees voting, a runoff election shall be held according to rules promulgated by the commission.~~

~~(d) No petition may be filed seeking an election in any proposed or existing appropriate bargaining unit to determine the exclusive bargaining agent within 12 months after the date of a commission order verifying a representation election or, if an employee organization prevails, within 12 months after the date of an effective certification covering any of the employees in the proposed or existing bargaining unit. Furthermore, if a valid collective bargaining agreement covering any of the employees in a proposed unit is in effect, a petition for certification may be filed with the commission only during the period extending from 150 days to 90 days immediately preceding the expiration date of that agreement, or at any time subsequent to its expiration date but prior to the effective date of any new agreement. The effective date of a collective bargaining agreement means the date of ratification by both parties, if the agreement becomes effective immediately or retroactively; or its actual effective date, if the agreement becomes effective after its ratification date.~~

(5) ~~(4)~~ In defining a proposed bargaining unit, the commission shall take into consideration:

(a) The principles of efficient administration of government.

(b) The number of employee organizations with which the employer might have to negotiate.

(c) The compatibility of the unit with the joint responsibilities of the public employer and public employees to represent the public.

(d) The power of the officials of government at the level of the unit to agree, or make effective recommendations to another administrative authority or to a legislative body, with respect to matters of employment upon which the employee desires to negotiate.

(e) The organizational structure of the public employer.

(f) Community of interest among the employees to be included in the unit, considering:

1. The manner in which wages and other terms of employment are determined.

2. The method by which jobs and salary classifications are determined.

3. The interdependence of jobs and interchange of employees.

4. The desires of the employees.

5. 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 in the continuation of a traditional, workable, and accepted negotiation relationship.

(g) The statutory authority of the public employer to administer a classification and pay plan.

(h) Such other factors and policies as the commission may deem appropriate.

However, a bargaining ~~no~~ unit may not ~~shall~~ be established or approved for purposes of collective bargaining which includes both professional and nonprofessional employees unless a majority of each group votes for inclusion in such bargaining unit.

Section 12. Section 447.3076, Florida Statutes, is created to read:

447.3076 Clarification of bargaining units.—

(1) A petition to clarify the composition of a bargaining unit may be filed with the commission when significant changes in statutory law or case law require clarification of the bargaining unit or when a classification was:

(a) Created or substantially changed after the unit was initially defined by the commission;

(b) Retitled with no substantial change in job duties; or

(c) Included or excluded through inadvertence or misunderstanding by the commission.

(2) A bargaining unit clarification petition may be filed by the bargaining agent for the bargaining unit or by the public employer of the public employees in the unit.

(3) A copy of the petition must be served on the public employer and any bargaining agent that is certified to represent any employee or classification which may be substantially affected by the proposed bargaining unit clarification.

(4) If any substantially affected employees are not represented by a bargaining agent, the public employer must provide a copy of the petition to those employees within 10 days after the filing of the petition.

(5) When the clarification of a bargaining unit would result in an increase in the size of the bargaining unit by more than 25 percent, the unit clarification petition raises a question concerning representation and must be dismissed.

Section 13. Section 447.308, Florida Statutes, is amended to read:

447.308 Decertification ~~Revocation of certification~~ of employee organizations ~~organization~~.—

(1) A public ~~Any~~ employee or group of public employees which no longer desires to be represented by a ~~the certified~~ bargaining agent may file with the commission a petition to decertify the bargaining agent ~~revoke certification~~. The petition must ~~shall~~ be accompanied by a showing of interest from ~~dated statements signed by~~ at least 30 percent of the public employees in the bargaining unit~~, indicating that such employees no longer desire to be represented for purposes of collective bargaining by the certified bargaining agent. The time of filing said petition shall be governed by the provisions of s. 447.307(3)(d) relating to petitions for certification~~. The showing of interest statements must be signed and dated by the public employees not more than 12 months before the filing of the petition. Any employee, employer, or employee organization having sufficient reason to believe that the showing of interest was ~~any of the employee signatures were~~ obtained by collusion, coercion, intimidation, or misrepresentation or is ~~are~~ otherwise invalid shall be given a reasonable opportunity to verify and challenge the showing of interest ~~signatures appearing on the petition~~.

(2)(a) A decertification petition may not be filed

regarding the bargaining unit within 12 months after the date the commission issues an order that verifies the results of a certification, recertification, or decertification election covering any of the public employees in the unit.

(b) If a valid collective bargaining agreement covering any of the public employees in the bargaining unit is in effect, a decertification petition may only be filed with the commission at least 90 but not more than 150 days immediately preceding the expiration date of the collective bargaining agreement, or at any time after such agreement's expiration date but before the effective date of a new collective bargaining agreement. The effective date of a collective bargaining agreement is the date of ratification of such agreement by both parties if such agreement becomes effective immediately or retroactively, or the collective bargaining agreement's actual effective date if such agreement becomes effective after its ratification date.

(3) The commission or one of its designated agents shall investigate the decertification petition to determine its sufficiency. If the commission finds that the petition is ~~to be~~ insufficient, the commission must ~~it may~~ dismiss the petition. If the commission finds that the petition is sufficient, the commission must ~~it shall immediately~~:

(a) Identify the bargaining unit and determine which public employees shall be qualified and entitled to vote in the election held by the commission.

(b) Identify the public employer or employers of the bargaining unit.

(c) Order an election by secret ballot, the cost of said election to be borne equally by the parties, except as the

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commission may provide by rule. The commission's order assessing costs of an election may be enforced pursuant to ~~the provisions of~~ this part.

(4)(a) Except as provided in paragraph (b), elections are determined as follows for all decertification petitions filed on or after July 1, 2026:

1. If decertification of the bargaining agent is selected by a majority vote of the public employees who are in the bargaining unit as of the date set by the commission, the commission shall revoke the bargaining agent's certification for that bargaining unit.

2. If decertification is not selected by a majority vote of the public employees who are in the bargaining unit as of the date set by the commission, the bargaining agent shall retain its certification for that bargaining unit.

(b) Decertification elections involving public safety units are determined as follows:

1.~~(2)~~ If decertification is selected by a majority vote of the public employees voting in the ~~such~~ election ~~vote against the continuation of representation by the certified bargaining agent~~, the commission shall revoke the ~~certification of the employee organization as the exclusive~~ bargaining agent's certification for that ~~agent for the employees in the~~ bargaining unit ~~shall be revoked~~.

2.~~(3)~~ If decertification is not selected by a majority vote of the public employees voting in the ~~such~~ election ~~do not vote against the continuation of representation by the certified bargaining agent~~, the bargaining agent shall retain its certification for that bargaining ~~of the employee organization~~

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~~as the exclusive bargaining agent for the employees in the~~ unit ~~shall be retained by the organization~~.

(c) Revocation under this section is effective upon the issuance of a final order by the commission or, if the final order is appealed, at the time the appeal is exhausted or any stay is vacated by the commission or a court.

Section 14. Section 447.309, Florida Statutes, is amended to read:

447.309 Collective bargaining; approval or rejection.—

(1) After an employee organization has been certified as the bargaining agent of a bargaining unit pursuant to ~~the provisions of~~ this part, the bargaining agent ~~for the organization~~ and the chief executive officer of the appropriate public employer or employers, jointly, shall bargain collectively in the determination of the wages, hours, and terms and conditions of employment of the public employees within the bargaining unit. The chief executive officer or his or her representative and the bargaining agent or its representative shall meet at reasonable times and bargain in good faith. In conducting negotiations with the bargaining agent, the chief executive officer or his or her representative shall consult with, and attempt to represent the views of, the legislative body of the public employer. Any collective bargaining agreement reached by the negotiators must ~~shall~~ be reduced to writing, and such agreement must ~~shall~~ be signed by the chief executive officer and the bargaining agent. Any agreement signed by the chief executive officer and the bargaining agent is ~~shall~~ not ~~be~~ binding on the public employer until such agreement has been ratified by the public employer and the ~~by~~ public employees in

~~who are members of~~ the bargaining unit, subject to ~~the provisions of~~ subsections (2) and (3). However, with respect to statewide bargaining units, any agreement signed by the Governor and the bargaining agent for such a bargaining unit is ~~shall~~ not ~~be~~ binding until approved by the public employees in ~~who are members of~~ the bargaining unit, subject to ~~the provisions of~~ subsections (2) and (3).

(2)(a) Upon execution of the collective bargaining agreement, the chief executive shall, in his or her annual budget request or by other appropriate means, request the legislative body to appropriate such amounts as shall be sufficient to fund the provisions of the collective bargaining agreement.

(b) If the state is a party to a collective bargaining agreement in which less than the requested amount is appropriated by the Legislature, the collective bargaining agreement shall be administered on the basis of the amounts appropriated by the Legislature. The failure of the Legislature to appropriate funds sufficient to fund the collective bargaining agreement does ~~shall~~ not constitute, or be evidence of, any unfair labor practice. All collective bargaining agreements entered into by the state are subject to the appropriations powers of the Legislature, and ~~the provisions of~~ this section may ~~shall~~ not conflict with the exclusive authority of the Legislature to appropriate funds.

(3) If any provision of a collective bargaining agreement is in conflict with any law, ordinance, rule, or regulation over which the chief executive officer has no amendatory power, the chief executive officer shall submit to the appropriate

governmental body having amendatory power a proposed amendment to such law, ordinance, rule, or regulation. Unless and until such amendment is enacted or adopted and becomes effective, the conflicting provision of the collective bargaining agreement may ~~shall~~ not become effective.

(4) If the agreement is not ratified by the public employer or is not approved by a majority ~~vote~~ of the public employees voting ~~in the unit~~, in accordance with procedures adopted by the commission, the agreement shall be returned to the chief executive officer and the bargaining agent ~~employee organization~~ for further negotiations.

(5) A ~~Any~~ collective bargaining agreement may ~~shall~~ not provide for a term of existence of more than 3 years and must ~~shall~~ contain all of the terms and conditions of employment of the employees in the bargaining unit during such term except those terms and conditions provided for in applicable merit and civil service rules and regulations.

Section 15. Section 447.401, Florida Statutes, is amended to read:

447.401 Grievance procedures.—Each public employer and bargaining agent shall negotiate a grievance procedure to be used for the settlement of disputes between a public employer and a public employee, or a group of public employees, involving the interpretation or application of a collective bargaining agreement. The ~~Such~~ grievance procedure must ~~shall~~ have as its terminal step a final and binding disposition by an impartial neutral arbitrator, mutually selected by the parties; however, when the issue under appeal is an allegation of abuse, abandonment, or neglect of a child by a public ~~an~~ employee under

s. 39.201 or an allegation of abuse, neglect, or exploitation of a vulnerable adult by a public employee under s. 415.1034, the grievance may not be decided until such allegation ~~the abuse, abandonment, or neglect of a child~~ has been judicially determined. However, an arbitrator ~~arbiter~~ or other neutral party may ~~shall~~ not ~~have the power to~~ add to, subtract from, modify, or alter the terms of a collective bargaining agreement. If an employee organization is certified as the bargaining agent of a bargaining unit, the grievance procedure then in existence may be the subject of collective bargaining, and any agreement that ~~which~~ is reached shall supersede the previously existing procedure. All public employees ~~shall~~ have the right to a fair and equitable grievance procedure administered without regard to membership or nonmembership in any employee organization, except that bargaining agents may ~~certified employee organizations shall~~ not be required to process grievances for public employees who are not members of the employee organization. A public ~~career service~~ employee may use ~~shall have the option of utilizing~~ the civil service appeal procedure, an unfair labor practice procedure, or a grievance procedure established under this section~~,~~ but may not avail ~~such employee is precluded from availing~~ himself or herself of ~~to~~ more than one of these procedures.

Section 16. Subsections (1) through (4) of section 447.403, Florida Statutes, are amended to read:

447.403 Resolution of impasses.—

(1) If, after a reasonable period of negotiation concerning the terms and conditions of employment to be incorporated in a collective bargaining agreement, a dispute exists between a

public employer and a bargaining agent, either party may declare an impasse by providing written notification ~~shall be deemed to have occurred when one of the parties so declares in writing~~ to the other party and to the commission. When an impasse occurs, the public employer or the bargaining agent, or both parties acting jointly, may use ~~appoint~~, or secure the services ~~appointment~~ of, a mediator to assist in the resolution of the impasse. If the Governor is the public employer or for an impasse declared pursuant to s. 447.4095, a ~~no~~ mediator may not ~~shall~~ be appointed.

(2)(a) If a ~~no~~ mediator is not used under subsection (1) ~~appointed~~, or upon the request of either party, the commission must ~~shall~~ appoint, and submit all unresolved issues to, a special magistrate acceptable to both parties. If the parties are unable to agree on the appointment of a special magistrate, the commission must ~~shall~~ appoint, in its discretion, a qualified special magistrate. However, if the parties agree in writing to waive the appointment of a special magistrate, the parties may proceed directly to resolution of the impasse by the legislative body pursuant to paragraph (4)(d). Nothing in this section precludes the parties from using the services of a mediator at any time during the conduct of collective bargaining.

(b) If the Governor is the public employer, a ~~no~~ special magistrate may not ~~shall~~ be appointed. The parties must ~~may~~ proceed directly to the Legislature for resolution of the impasse pursuant to paragraph (4)(d).

(c) For an impasse declared pursuant to s. 447.4095(2), the parties must agree on a special magistrate and submit the

agreed-upon name to the commission within 5 calendar days after the declaration of impasse. Within 2 business days after the submission of the special magistrate's name, the commission must appoint the agreed-upon special magistrate. If the parties do not submit the name of an agreed-upon special magistrate to the commission within 5 calendar days after the declaration of impasse, the commission must appoint a special magistrate of its choosing within 5 calendar days after the parties' deadline to submit the name of the agreed-upon special magistrate. Within 5 calendar days after the special magistrate is appointed, each party must submit a list of issues at impasse to the special magistrate and serve a copy of the list on the other party at the same time.

(3) The special magistrate shall hold a hearing ~~hearings~~ in order to define the area or areas of dispute, to determine facts relating to the dispute, and to render a decision on any and all unresolved contract issues. The hearing must ~~hearings shall~~ be held at a time, date, and place ~~times, dates, and places~~ to be established by the special magistrate in accordance with rules adopted ~~promulgated~~ by the commission. For an impasse declared pursuant to s. 447.4095(2), a hearing must be held within 20 calendar days after the parties submit the list of issues at impasse to the special magistrate. The special magistrate may ~~shall be empowered to~~ administer oaths and issue subpoenas on behalf of the parties to the dispute or on his or her own behalf. Within 15 calendar days after the close of the ~~final~~ hearing, or 7 calendar days after the close of the hearing for an impasse declared pursuant to s. 447.4095(2), the special magistrate shall submit ~~transmit~~ his or her recommended decision

to the commission and to the representatives of both parties by any method of service agreed to by the parties which establishes proof of delivery ~~registered mail, return receipt requested~~. Such recommended decision must ~~shall~~ be discussed by the parties, and each recommendation of the special magistrate is ~~shall be~~ deemed approved by both parties unless specifically rejected by either party by written notice filed with the commission within 20 calendar days, or 10 calendar days for an impasse declared pursuant to s. 447.4095(2), after the date the party received the special magistrate's recommended decision. The written notice must ~~shall~~ include a statement of the cause for each rejection and ~~shall~~ be served upon the other party at the same time as it is filed with the commission.

(4) If either the public employer or the bargaining agent ~~employee organization~~ does not accept, in whole or in part, the recommended decision of the special magistrate, all of the following procedures apply:

(a) The chief executive officer of the governmental entity involved shall, within 10 calendar days after rejection of a recommendation of the special magistrate, submit to the legislative body of the governmental entity involved a copy of the findings of fact and recommended decision of the special magistrate, together with the chief executive officer's recommendations for settling the disputed impasse issues. The chief executive officer shall also submit ~~transmit~~ his or her recommendations to the bargaining agent at the same time as the recommendations are submitted to the legislative body. ~~employee organization;~~

(b) Within 10 calendar days after rejection of a

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recommendation of the special magistrate, the bargaining agent ~~employee organization~~ shall submit its recommendations for settling the disputed impasse issues to such legislative body and to the chief executive officer.~~;~~

(c) The legislative body or its ~~a~~ duly authorized committee ~~thereof~~ shall ~~forthwith~~ conduct a public hearing at which the parties shall ~~be required to~~ explain their positions with respect to the rejected recommendations of the special magistrate. For an impasse declared pursuant to s. 447.4095(2), the legislative body must conduct the public hearing within 20 calendar days after the parties submit their recommendations to the legislative body.~~;~~

(d) Thereafter, the legislative body shall take such action as it deems to be in the public interest, including the interest of the public employees involved, to resolve all disputed impasse issues. For an impasse declared pursuant to s. 447.4095(2), the legislative body must take action within 10 calendar days after the close of the public hearing.~~; and~~

(e)1. Following the resolution of the disputed impasse issues by the legislative body, the parties shall reduce to writing an agreement which includes those issues agreed to by the parties and those disputed impasse issues resolved by the legislative body's action taken pursuant to paragraph (d). For an impasse declared pursuant to s. 447.4095(2), the parties must reduce the agreement to writing within 10 calendar days after the resolution of the disputed impasse issues by the legislative body.

2. The agreement must ~~shall~~ be signed by the chief executive officer and the bargaining agent and ~~shall~~ be

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submitted to the public employer and ~~to~~ the public employees in ~~who are members of~~ the bargaining unit for ratification. For an impasse declared pursuant to s. 447.4095(2), the chief executive officer and the bargaining agent must sign the agreement within 7 calendar days after the agreement is reduced to writing and must submit the agreement to the public employer and the bargaining unit for ratification within 10 calendar days after the agreement is signed. For an impasse declared pursuant to s. 447.4095(2), the agreement must be signed, submitted, and ratified separately from other bargainable issues.

3. If the ~~such~~ agreement is not ratified by all parties, pursuant to ~~the provisions of~~ s. 447.309, the legislative body's action taken pursuant to ~~the provisions of~~ paragraph (d) shall take effect as of the date of such legislative body's action for the remainder of the first fiscal year which was the subject of negotiations; however, the legislative body's action may ~~shall~~ not take effect with respect to those disputed impasse issues that ~~which~~ establish the language of contractual provisions that ~~which~~ could have no effect in the absence of a ratified agreement, including, but not limited to, preambles, recognition clauses, and duration clauses.

Section 17. Section 447.405, Florida Statutes, is amended to read:

447.405 Factors to be considered by the special magistrate.—The special magistrate shall conduct the hearings and render recommended decisions with the objective of achieving a prompt, peaceful, and just settlement of disputes between the bargaining agents ~~public employee organizations~~ and the public employers. The factors~~, among others,~~ to be given weight by the

special magistrate in arriving at a recommended decision must ~~shall~~ include:

(1) Comparison of the annual income of employment of the public employees in question with the annual income of employment maintained for the same or similar work of employees exhibiting like or similar skills under the same or similar working conditions in the local operating area involved.

(2) Comparison of the annual income of employment of the public employees in question with the annual income of employment of public employees in similar public employee governmental bodies of comparable size within this ~~the~~ state.

(3) The interest and welfare of the public.

(4) Comparison of peculiarities of employment in regard to other trades or professions, specifically with respect to:

(a) Hazards of employment.

(b) Physical qualifications.

(c) Educational qualifications.

(d) Intellectual qualifications.

(e) Job training and skills.

(f) Retirement plans.

(g) Sick leave.

(h) Job security.

(5) Availability of funds.

Section 18. Section 447.4095, Florida Statutes, is amended to read:

447.4095 Financial urgency.—

(1) In the event of a financial urgency requiring modification of an agreement, the chief executive officer or his or her representative and the bargaining agent or its

representative shall meet as soon as possible to negotiate the impact of the financial urgency. If after a reasonable period of negotiation, which may ~~shall~~ not exceed 14 calendar days, a dispute exists between the public employer and the bargaining agent, an impasse is ~~shall be~~ deemed to have occurred, and one of the parties must ~~shall~~ so declare in writing to the other party and to the commission. The parties must ~~shall~~ then proceed to follow the requirements under ~~pursuant to the provisions of~~ s. 447.403. An unfair labor practice charge may ~~shall~~ not be filed during the 14 calendar days during which negotiations are occurring under ~~pursuant to~~ this section.

(2) For the purposes of this section, the implementation of appropriations to local governments by the Legislature which are specifically directed in law to be disbursed as salaries to employees of local governments is considered a financial urgency. If the use of funding appropriated by the Legislature to local governments is restricted to salaries and associated costs of such salaries and the implementation of such appropriations will require modification of an agreement, the chief executive officer or his or her representative and the bargaining agent or its representative must meet within 15 calendar days after the effective date of the appropriation to negotiate the impact of the financial urgency. If, 30 calendar days after the effective date of the appropriation, a dispute exists between the public employer and the bargaining agent as to the impact of the financial urgency, one of the parties must, within 2 business days, declare an impasse in writing to the other party and to the commission. The parties must then proceed to follow the requirements under s. 447.403. An unfair labor

practice charge may not be filed during the 30-day period of negotiations or while the parties are proceeding through the resulting impasse process. This subsection does not apply to public employees in public safety units.

Section 19. Paragraphs (c) and (f) of subsection (1) and subsection (2) of section 447.501, Florida Statutes, are amended, and paragraph (g) is added to subsection (1) of that section, to read:

447.501 Unfair labor practices.—

(1) Public employers or their agents or representatives are prohibited from:

(c) Refusing to bargain collectively, failing to bargain collectively in good faith, or refusing to sign a final agreement agreed upon with the ~~certified~~ bargaining agent for the public employees in the bargaining unit.

(f) Refusing to discuss grievances in good faith pursuant to the terms of the collective bargaining agreement with either the ~~certified~~ bargaining agent for the public employee or the employee involved.

(g) Failing to provide to any registered employee organization or any petitioning public employee who is seeking to support, oppose, or intervene in the certification, recertification, or decertification of a bargaining agent equal access to the public employer's facilities and its internal means of communication for those purposes. The public employer must provide such equal access from the date of the filing of a petition pursuant to s. 447.307 or s. 447.308 until the final resolution of the petition.

(2) An ~~A public~~ employee organization or anyone acting on

~~in~~ its behalf or its officers, representatives, agents, or members are prohibited from:

(a) Interfering with, restraining, or coercing public employees in the exercise of any rights guaranteed them under this part or interfering with, restraining, or coercing managerial employees by reason of their performance of job duties or other activities undertaken in the interests of the public employer.

(b) Causing or attempting to cause a public employer to discriminate against a public ~~an~~ employee because of such ~~the~~ employee's membership or nonmembership in an employee organization or attempting to cause the public employer to violate ~~any of the provisions of~~ this part.

(c) Refusing to bargain collectively or failing to bargain collectively in good faith with a public employer.

(d) Discriminating against a public ~~an~~ employee because he or she has signed or filed an affidavit, a petition, or a complaint or given any information or testimony in any proceedings provided for in this part.

(e) Participating in a strike against the public employer by instigating or supporting, in any positive manner, a strike. A person who violates ~~Any violation of~~ this paragraph is ~~shall~~ subject ~~the violator~~ to the penalties provided in this part.

(f) Instigating or advocating support, in any positive manner, for an employee organization's activities from high school or grade school students or students in institutions of higher learning.

Section 20. Subsection (1) of section 447.503, Florida Statutes, is amended to read:

447.503 Charges of unfair labor practices.—It is the intent of the Legislature that the commission act as expeditiously as possible to settle disputes regarding alleged unfair labor practices. To this end, violations of the provisions of s. 447.501 shall be remedied by the commission in accordance with the following procedures and in accordance with chapter 120; however, to the extent that chapter 120 is inconsistent with the provisions of this section, the procedures contained in this section shall govern:

(1) A proceeding to remedy a violation of ~~the provisions of~~ s. 447.501 must ~~shall~~ be initiated by the filing of a charge with the commission by a public ~~an~~ employer, a public employee, or an employee organization, or any combination thereof, whose substantial interests will be affected as referenced in chapter 120. Such a charge must ~~shall~~ contain a clear and concise statement of facts constituting the alleged unfair labor practice, including the names of all individuals involved in the alleged unfair labor practice, and include specific reference to the provisions of s. 447.501 alleged to have been violated, and such other relevant information as the commission may by rule require or allow. Service of the charge must ~~shall~~ be made upon each named respondent at the time of filing with the commission. The charge must be accompanied by sworn statements and documentary evidence sufficient to establish a prima facie violation of the applicable unfair labor practice provision. Such supporting evidence is not to be attached to the charge and is to be furnished only to the commission.

Section 21. Subsections (2) through (5) and paragraph (a) of subsection (6) of section 447.507, Florida Statutes, are

amended to read:

447.507 Violation of strike prohibition; penalties.—

(2) If a public employee, a group of public employees, an employee organization, or any officer, agent, or representative of any employee organization engages in a strike in violation of s. 447.505, either the commission or any public employer whose public employees are involved or whose public employees may be affected by the strike may file suit to enjoin the strike in the circuit court having proper jurisdiction and proper venue of such actions under the Florida Rules of Civil Procedure and Florida Statutes. The circuit court shall conduct a hearing, with notice to the commission and to all interested parties, at the earliest practicable time. If the plaintiff makes a prima facie showing that a violation of s. 447.505 is in progress or that there is a clear, real, and present danger that such a strike is about to commence, the circuit court must ~~shall~~ issue a temporary injunction enjoining the strike. Upon final hearing, the circuit court shall either make the injunction permanent or dissolve it.

(3) If an injunction to enjoin a strike issued pursuant to this section is not promptly complied with, on the application of the plaintiff, the circuit court shall immediately initiate contempt proceedings against those who appear to be in violation. An employee organization found to be in contempt of court for violating an injunction against a strike shall be fined an amount deemed appropriate by the court. In determining the appropriate fine, the court shall objectively consider the extent of lost services and the particular nature and position of the public employee group in violation. A ~~In no event shall~~

~~the~~ fine may not exceed $30,000 ~~$5,000~~. Each officer, agent, or representative of an employee organization found to be in contempt of court for violating an injunction against a strike shall be fined at least $300, but not more than $600, ~~not less than $50 nor more than $100~~ for each calendar day that the violation is in progress.

(4) An employee organization is ~~shall be~~ liable for any damages that ~~which~~ might be suffered by a public employer as a result of a violation of ~~the provisions of~~ s. 447.505 by the employee organization or its representatives, officers, or agents. The circuit court having jurisdiction over such actions may ~~is empowered to~~ enforce judgments against employee organizations in the amount deemed appropriate by the court in accordance with this section. An action may not~~, as defined in this part, by attachment or garnishment of union initiation fees or dues which are to be deducted or checked off by public employers. No action shall~~ be maintained pursuant to this subsection until all proceedings that ~~which~~ were pending before the commission at the time of the strike or that ~~which~~ were initiated within 30 days after ~~of~~ the strike have been finally adjudicated or otherwise disposed of. In determining the amount of damages, if any, to be awarded to the public employer, the trier of fact 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. The trier of fact shall also take into consideration any damages that might have been recovered by the public employer under subparagraph (6)(a)4.

(5) If the commission, after a hearing on notice conducted

according to rules adopted ~~promulgated~~ by the commission, determines that a public ~~an~~ employee has violated s. 447.505, it may order the termination of such employee's ~~his or her~~ employment by the public employer. Notwithstanding any other provision of law, a person knowingly violating s. 447.505 ~~the provision of said section~~ may, subsequent to such violation, be appointed, reappointed, employed, or reemployed as a public employee, but only upon the following conditions:

(a) Such person shall be on probation for ~~a period of~~ 18 months after ~~following~~ his or her appointment, reappointment, employment, or reemployment, during which period he or she shall serve without permanent status and at the pleasure of the agency head.

(b) His or her compensation may not ~~in no event~~ exceed the compensation ~~that~~ received immediately before ~~prior to~~ the time of the violation.

(c) The compensation of the person may not be increased until at least ~~after the expiration of~~ 1 year after ~~from~~ such appointment, reappointment, employment, or reemployment.

(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 bargaining ~~employee~~ unit.

3. Revoke any requirement of the public employer to engage in membership ~~the right of~~ dues deduction for the ~~and collection previously granted to said~~ employee organization pursuant to s.

447.303.

4. Fine the organization up to $40,000 ~~$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, regardless of whether the fine exceeds $40,000, ~~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 must ~~shall~~ be used by the public employer ~~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 must consider ~~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 22. Present subsection (3) of section 447.509, Florida Statutes, is redesignated as subsection (6), and a new subsection (3) and subsections (4) and (5) are added to that section, to read:

447.509 Other unlawful acts; exceptions.—

(3) Public employers, their agents or representatives, or any persons acting on their behalf may not provide any form of compensation or paid leave to a public employee, directly or indirectly, for the purpose of engaging in employee organization activities.

(4) Notwithstanding subsection (3), a public employee may do any of the following:

(a) Be granted time off without pay or benefits to engage in employee organization activities, provided that the public

employer and the bargaining agent agree. An employee organization may compensate a public employee for engaging in employee organization activities.

(b) Use compensated personal leave, whether the leave is the public employee's or is voluntarily donated by other public employees in the bargaining unit, to engage in employee organization activities if:

1. The leave is accrued at the same rate by similarly situated public employees in the bargaining unit without regard to membership in or participation with an employee organization.

2. The public employee may freely choose how to use the leave.

(c) Engage in representational employee organization activities on behalf of the bargaining agent while in a duty status without loss of pay or benefits, provided that the public employer and the bargaining agent agree.

(5) Subsections (3) and (4) do not apply to public employees in public safety units.

Section 23. Subsection (3) of section 110.114, Florida Statutes, is amended 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 ~~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 pursuant to chapter 447 as the ~~exclusive~~ bargaining agent ~~pursuant to chapter 447~~ for a unit of public ~~state~~ employees ~~in which the employee is included~~. Such deductions shall be subject

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to ~~the provisions of~~ s. 447.303.

Section 24. Paragraph (w) of subsection (2) of section 110.205, Florida Statutes, is amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not covered by this part include the following:

(w) Managerial employees and~~, as defined in s. 447.203(4),~~ confidential employees, as those terms are defined in s. 447.203 ~~s. 447.203(5)~~, and supervisory employees who spend the majority of their time communicating with, motivating, training, and evaluating employees, and planning and directing employees' work, and who have the authority to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline subordinate employees or effectively recommend such action, including all employees serving as supervisors, administrators, and directors. Excluded are employees also designated as special risk or special risk administrative support and attorneys who serve as administrative law judges pursuant to s. 120.65 or for hearings conducted pursuant to s. 120.57(1)(a). Additionally, registered nurses licensed under chapter 464, dentists licensed under chapter 466, psychologists licensed under chapter 490 or chapter 491, nutritionists or dietitians licensed under part X of chapter 468, pharmacists licensed under chapter 465, psychological specialists licensed under chapter 491, physical therapists licensed under chapter 486, and speech therapists licensed under part I of chapter 468 are excluded, unless otherwise collectively bargained.

Section 25. Subsection (6) of section 112.3187, Florida Statutes, is amended to read:

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

112.3187 Adverse action against employee for disclosing information of specified nature prohibited; employee remedy and relief.—

(6) TO WHOM INFORMATION DISCLOSED.—The information disclosed under this section must be disclosed to any agency or federal government entity having the authority to investigate, police, manage, or otherwise remedy the violation or act, including, but not limited to, the Office of the Chief Inspector General, an agency inspector general or the employee designated as agency inspector general under s. 112.3189(1) or inspectors general under s. 20.055, the Florida Commission on Human Relations, and the whistle-blower's hotline created under s. 112.3189. However, for disclosures concerning a local governmental entity, including any regional, county, or municipal entity, special district, community college district, or school district or any political subdivision of any of the foregoing, the information must be disclosed to a chief executive officer as defined in s. 447.203 ~~s. 447.203(9)~~ or other appropriate local official.

Section 26. Subsection (5) of section 121.031, Florida Statutes, is amended to read:

121.031 Administration of system; appropriation; oaths; actuarial studies; public records.—

(5) The names and addresses of retirees are confidential and exempt from ~~the provisions of~~ s. 119.07(1) to the extent that no state or local governmental agency may provide the names or addresses of such persons in aggregate, compiled, or list form to any person except to a public agency engaged in official business. However, a state or local government agency may

provide the names and addresses of retirees from that agency to a bargaining agent as defined in s. 447.203 ~~s. 447.203(12)~~ or to a retiree organization for official business use. Lists of names or addresses of retirees may be exchanged by public agencies, but such lists may ~~shall~~ not be provided to, or open for inspection by, the public. Any person may view or copy any individual's retirement records at the Department of Management Services, one record at a time, or may obtain information by a separate written request for a named individual for which information is desired.

Section 27. Subsection (1) of section 447.02, Florida Statutes, is amended to read:

447.02 Definitions.—The following terms, when used in this chapter, shall have the meanings ascribed to them in this section:

(1) The term "labor organization" means any organization of employees or local or subdivision thereof, having within its membership residents of the state, whether incorporated or not, organized for the purpose of dealing with employers concerning hours of employment, rate of pay, working conditions, or grievances of any kind relating to employment and recognized as a unit of bargaining by one or more employers doing business in this state, except that an "employee organization," as defined in s. 447.203 ~~s. 447.203(11)~~, shall be included in this definition at such time as it seeks to register pursuant to s. 447.305.

Section 28. Section 447.609, Florida Statutes, is amended to read:

447.609 Representation in proceedings.—Any full-time

employee or officer of any public employer or employee organization may represent his or her employer or any public employee in ~~member of~~ a bargaining unit in any proceeding authorized in this part, excluding the representation of any person or public employer in a court of law by a person who is not a licensed attorney.

Section 29. Subsection (2) of section 1011.60, Florida Statutes, is amended to read:

1011.60 Minimum requirements of the Florida Education Finance Program.—Each district which participates in the state appropriations for the Florida Education Finance Program shall provide evidence of its effort to maintain an adequate school program throughout the district and shall meet at least the following requirements:

(2) MINIMUM TERM.—Operate all schools for a term of 180 actual teaching days or the equivalent on an hourly basis as specified by rules of the State Board of Education each school year. The State Board of Education may prescribe procedures for altering, and, upon written application, may alter, this requirement during a national, state, or local emergency as it may apply to an individual school or schools in any district or districts if, in the opinion of the board, it is not feasible to make up lost days or hours, and the apportionment may, at the discretion of the Commissioner of Education and if the board determines that the reduction of school days or hours is caused by the existence of a bona fide emergency, be reduced for such district or districts in proportion to the decrease in the length of term in any such school or schools. A strike, as defined in s. 447.203 ~~s. 447.203(6)~~, by employees of the school

district may not be considered an emergency.

Section 30. This act shall take effect July 1, 2026.

The Florida Senate

APPEARANCE RECORD

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3-2-2026
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name SAL NUZZO

Phone 850-322-9941

Address 3026 KALEB CT
Street

Email SNUZZO@CONSUMERSDEFENSE.COM

TALL FL 32309
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)

The Florida Senate

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03/02/2026
Meeting Date

Fiscal Policy
Committee

SB- 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Rebecca Van Gyseghem-Harrison Phone

Address Street

Email

Keystone Heights 32656
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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3/2/26
Meeting Date

SB 1296
Bill Number or Topic

Senate Fiscal Policy
Committee

Amendment Barcode (if applicable)

Name Ronnie Gray

Phone 386-647-4600

Address 1740 Ohio Ave S.
Street

Email

Live Oak FL 32064
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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3-02-2026
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jonathan Fielder

Phone

Address
Street

Email

Sun City Center FL 33571
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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3/02/2026
Meeting Date

Fiscal
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Megan Leanne Kurlinski

Phone

Address 1708 SE 7th Street
Street

Email megankurlinski@icloud.com

Cape Coral FL 33990
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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3/2/26
Meeting Date

Senate Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Rick Myhre

Phone 850-926-0065

Address 69 Arran Road
Street

Email

Crawfordville FL 32327
City State Zip

Speaking: [x] For [ ] Against [ ] Information **OR** Waive Speaking: [ ] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[x] 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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3-2-2026
Meeting Date

Fiscal
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name John Aubek

Phone

Address
Street

Email

Fort Myers FL 33919
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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The Florida Senate

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MONDAY MARCH 2, 2026
Meeting Date

FISCAL POLICY
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name JOHN O'BERSKI

Phone

Address
Street

Email

SEBRING FL 33876
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

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March 2, 2026
Meeting Date

Senate Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Kimi Evans

Phone

Address
Street

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:

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3-2-2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Sergio Torino

Phone

Address
Street

Email [redacted]

Seminole FL 33772
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)

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3/2/26
Meeting Date

Fiscal
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Brad Campen

Phone 352-339-5431

Address 227 SW 75th Terrace
Street

Email BradCampen@aol.com

Gainesville, FL 32607
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

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Celia Caputi

Phone 850-566-6463

Address 89 Gulf Breeze Dr
Street

Email celia.caputi@aol.com

Crawfordville 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:

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S-001

The Florida Senate

APPEARANCE RECORD

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3-2-2026
Meeting Date

FISCAL POLICY
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name MICHAEL A. SCHAD

Phone 850-567-4290

Address 3700 CAPITAL CRL SE
Street

Email maaschad01@gmail.com

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:

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

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3-2-2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Madison Guth

Phone 667-401-1729

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:

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3-2-26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Daniel Martinez

Phone 305-240-2917

Address 107 E College Ave
Street

Email DMartinez@AFPHQ.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:
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. 2020-2022JointRules.pdf (flsenate.gov)

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Alicia Walton

Phone

Address
Street

Email

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:

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3-2-26
Meeting Date

FISCAL POLICY
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name MICHAEL LAUB

Phone

Address
Street

Email

EDGEWATER FL 32141
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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Deliver both copies of this form to
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3/2/26
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Carol Hurst Phone

Address Email

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:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

March 2, 2026
Meeting Date

1296
Bill Number or Topic

Deliver both copies of this form to
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Committee

Amendment Barcode (if applicable)

Name Stacy Kennett

Phone 239-451-1310

Address 1504 NE 35th St
Street

Email Stacy Kennett (at) gmail.com

Cape Coral FL 33909
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

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3/2/26
Meeting Date

SB 1796
Bill Number or Topic

Fiscal
Committee

Amendment Barcode (if applicable)

Name Robert Loveitt

Phone 813-390-5307

Address 4611 Fox Hunt Dr.
Street

Email Blovetk65gmail.com

Tampa FL 33624
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)

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3-2-26
Meeting Date

Fiscal Policy
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Richard M. Crews

Phone

Address
Street

Email

Glen St Mary FL 32040
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)

The Florida Senate

APPEARANCE RECORD

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

3/2/26
Meeting Date

Fiscal
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Dr. Rich Templin

Phone 850-224-8826

Address 135 S. 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:
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

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3-2-26
Meeting Date

Senate Fiscal Policies
Committee

SB 196
Bill Number or Topic

Amendment Barcode (if applicable)

Name Douglas Deters

Phone 904-536-1174

Address
Street

Email coachdeters@gmail.com

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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3-2-26
Meeting Date

Senate Fiscal Policies
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Martin Westall

Phone 904-629-4191

Address 4816 Las Floras Ct
Street

Email MartinWestall602@Gmail.com

Elkton, FL 32033
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

2 March 2026
Meeting Date

Fiscal Policy
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Mackie, Glafira

Phone

Address

Email

Street

Yulee FL 32097
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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Senate professional staff conducting the meeting

3/2/2026
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Shonda Zimmerman Phone 863-273-0882

Address Street

Email

Sebring FL 33870
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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Senate professional staff conducting the meeting

3/2/26
Meeting Date

Fiscal Policy
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Tyler Anderson

Phone

Address

Email

Street

Lakeland FL 33812
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

3/2/2025
Meeting Date

[redacted] Fiscal Policy
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Deep Adhikari
Adhikari

Phone 561-324-1197

Address
Street

Email deep.drago@gmail.com

Gainesville FL 32601
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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Senate professional staff conducting the meeting

3/2/26
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Megan Stip

Phone (813) 521-3745

Address

Email meganjstip@gmail.com

Street

Port Richey FL 34668
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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3-2-26
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Christine Tapalaga Phone

Address Email

Street

Parrish FL 34219
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

3/21
Meeting Date

3226
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Tracy Rebando

Phone 352-250-4303

Address 23120 outback lane
Street

Email Rebandot@gmail.com

Eustis FL 32736
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

3/2/24
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Alexandra Vaporis

Phone 727-359-7036

Address

Email vaporisalexandra@gmail.com

Street

Tarpon Springs FL 34689
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

March 2, 2026
Meeting Date

FISCAL POLICIES
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Evelyn A Townsley

Phone 941-209-9886

Address 504 18th Ave W
Street

Email evelyn.townsley@icloud.com

Palmetto FL 34221
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

3/2/26
Meeting Date

SB 1296
Bill Number or Topic

Fiscal
Committee

Amendment Barcode (if applicable)

Name Tammie Grant

Phone (352)816-1385

Address 14039 NE 52nd PlRd
Street

Email tammiegrant@yahoo.com

Silver Spring FL 34488
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

03-02-2026
Meeting Date

fiscal policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Heather Lawrenz

Phone

Address

Email luvalfa@hotmail.com

Street

Ponte Vedra FL 32081
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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March 2, 2026
Meeting Date

Fiscal Policies
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Julie Kerber

Phone 941-773-8105

Address 4323 Preston Park Dr.
Street

Email Jkerber29@gmail.com

Parrish FL 34219
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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3/2/26
Meeting Date

Fiscal
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Shirley Campen

Phone 352-231-4617

Address 227 SW 75th Terrace
Street

Email Shirlalexandra1@yahoo.com

Gainesville, FL 32607
City State Zip

Alachua County

Speaking: ☑ For ☐ Against ☐ Information **OR** 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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Senate professional staff conducting the meeting

3/2/24
Meeting Date

FISCAL
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Theresa King

Phone 850-228-8940

Address PO 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: President Florida Building Trades

☐ 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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Senate professional staff conducting the meeting

3/2/26	SB 1296
Meeting Date	Bill Number or Topic
Fiscal Policy	
Committee	Amendment Barcode (if applicable)

Name Carolyn Johnson

Phone 850-521-1200

Address 136 S Bronough St
Street

Email cjohnson@flchamber.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:
Florida Chamber of Commerce

☐ 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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Senate professional staff conducting the meeting

3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jason Bellamy-Fults

Phone

Address
Street

Email

Gainesville FL 32609
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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Senate professional staff conducting the meeting

03/02/2026		SB 1296
Meeting Date		Bill Number or Topic
Committee		Amendment Barcode (if applicable)

Name Jay Marion

Phone 862-255-5359

Address

Email janpus@me.com

Street

Winermere FL 34786

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)

3/2/2026
Meeting Date

Fiscal
Committee

The Florida Senate
APPEARANCE RECORD

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

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Kimberly Robinson

Phone (850) 566-1102

Address 1663 Baldwin Park
Street

Tallahassee FL 32301
City State Zip

Email kamrobinson0@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

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Senate professional staff conducting the meeting

3/2/26
Meeting Date

SB 1296
Bill Number or Topic

Fiscal
Committee

Amendment Barcode (if applicable)

Name Angela Barron

Phone 352-525-5188

Address 15560 NW 413rd Ct
Street

Email Aangel9903@aol.com

Reddick FL 32686
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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3/2/2026
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Edward Ferguson

Phone (305) 300-9540

Address 709 Phippen Waiters Rd
Street

Email edward.ferguson88@gmail.com

Dania Beach FL 33004
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

3-2-26
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name William Bouie

Phone 305-307-6412

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:

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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

March 2, 2026
Meeting Date

Fiscal policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Auntrece Henry

Phone 7868775383

Address 3153 NW 45 st.
Street

Email Auntrece@yahoo.com

Miami Fl. 33142
City State Zip

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Meeting Date	Bill Number or Topic
3/2/26	SB 296
Committee	**Amendment Barcode (if applicable)**

Name David Diaz Phone

Address Email

Street

North Miami 33168

City State Zip

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/2/26
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Joe Simmons Jr.

Phone 786 357 5523

Address 1149 NE 201st Terr.
Street
Miami, Fl. 33179
City State Zip

Email afscmelocal871@gmail

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

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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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02/02/2026
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Mario D. Ambrose

Phone (786) 247-9536

Address 17948 NW. 40th Ct.
Street

Email Mariodambrose@gmail.com

Miami Gdns. FL 33055
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

3/02/2022
Meeting Date

Fiscal
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Kimberly Ann Robinson

Phone (850) 616-1102

Address 1663 Baldwin Park Drive
Street

Tallahassee FL 32304
City State Zip

Email Kannrobinson06@gmail.com

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

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/2/2026
Meeting Date

SB 1296
Bill Number or Topic

Fiscal
Committee

Amendment Barcode (if applicable)

Name Angela Barron

Phone 352.525.5188

Address 15560 NW 43rd Ct.
Street

Email Aangel9903@aol.com

Reddick, Fl. 32686
City State Zip

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3-2-26
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Jerell Winstead

Phone 786-527-5641

Address 2381 NW 59 St
Street

Email Natalise55@yahoo.com

Miami FL 33127
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

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3/2/26
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Nancy Chatman

Phone 561-363-8447

Address 142 Park St.
Street

Email authenticestates2021@gmail.com

Eustis FL 32726
City State Zip Lake county

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

PLEASE CHECK ONE OF THE FOLLOWING:

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The Florida Senate

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3/2/2026
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Rebecca DeAn Phone

Address Email

Street

Gulfport FL 33707

City State Zip

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

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S-001 (08/10/2021)

The Florida Senate

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3/2/26
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name NEIL DEVINE Phone

Address Street Email

MULBERRY FLORIDA 33860
City State Zip

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/2/26
Meeting Date

Physical Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Nicole Farmer Phone

Address Email

Street

Lake Wales Fl.
City State Zip

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

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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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03/02/2021
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Casey Mohrien

Phone 607-240-7343

Address 471 NE 25th St
Street

Email Casey.mohrien@jhsmiami.org

Miami FL 33137
City State Zip

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/2/26
Meeting Date

Fiscal
Committee

SB 2960
Bill Number or Topic

Amendment Barcode (if applicable)

Name Elizabeth Wiley

Phone 352.496.2003

Address 16435 SE 94th ter
Street

Email queenoftruckin@gmail.com

Summerfield FL 34491
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Geoffrey Deibel

Phone 850-644-6215

Address 2511 Armistead Rd
Street

Email gsdcommercial@gmail.com

Tallahassee FL
City State Zip

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

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S-001 (08/10/2021)

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3.2.26
Meeting Date

Fyscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Ellery Farmer

Phone

Address
Street

Email

Lake Wales FL 33898
City State Zip

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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March 2
Meeting Date

SB 1296
Bill Number or Topic

fiscal
Committee

Amendment Barcode (if applicable)

Name JODI FIDDIA

Phone 352-598-2258

Address 1442 N.E. 36th PL
Street

Email jfiddia@yahoo.com

Ocala FL 34479
City State Zip

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

2 March 2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Robin Goodman

Phone 850-345-0146

Address 850 S Gadsden St Apt 418
Street

Email Robingoodman32312@gmail.com

Tallahassee FL 32301
City State Zip

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/2/26
Meeting Date

Education
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Ronnie Gray, Superintendent Phone

Address Suwannee County Email

Street

City *State* *Zip*

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

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The Florida Senate

APPEARANCE RECORD

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3-2-26
Meeting Date

Fiscal
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Allen Jones

Phone

Address

Email

Street

Tallahassee FL 32303
City State Zip

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

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S-001 (08/10/2021)

3/2/26
Meeting Date

The Florida Senate

APPEARANCE RECORD

SB 1296

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

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Lisa Bush

Phone ~~(305)~~ 561 445-1493

Address 2495 SW 19th Terrace

Email Lisabush0410@gmail.com

Street

Miami FL 33145

City State Zip

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

2 MARCH 2026
Meeting Date

FISCAL POLICY
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name KIM SMITH

Phone

Address 7024 GLENVIEW DR
Street

Email

TAMPA FL 33619
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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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

3-2-24
Meeting Date

Fiscal Policy
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Kelly LaBeaz

Phone 614-578-3979

Address 3812 SE Fairway W
Street

Email krlabeaz@gmail.com

Stuart FL 34997
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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☒ 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

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3-2-2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name MICHAEL BUCHLER Phone 703-473-3787

Address 2069 WILDRIDGE DR. Email michael.buchler@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:

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

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The Florida Senate

APPEARANCE RECORD

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

March 2, 2024
Meeting Date

Senate Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Mary Rivera

Phone

Address
Street

Email

Fort McCoy, FL 32134
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3-2-26
Meeting Date

1296
Bill Number or Topic

Deliver both copies of this form to
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Committee

Amendment Barcode (if applicable)

Name Rusty Brown

Phone 817 455-4207

Address 111 S. Main St.
Street

Email rbrown@freedomlandadvisors.com

Grapevine TX 76051
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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The Florida Senate

APPEARANCE RECORD

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3/2/26
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name James Stoner

Phone 904-584-7413

Address
Street

Email jstoner318@gmail.com

City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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The Florida Senate

APPEARANCE RECORD

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3-2-26
Meeting Date

Fiscal Policy
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Laurie Simmons

Phone 850-258-4332

Address 428 Chapelwood Drive
Street

Email lauriekoz@aol.com

Dothan AL 36305
City *State* *Zip*

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

PLEASE CHECK ONE OF THE FOLLOWING:

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The Florida Senate

APPEARANCE RECORD

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Leanne Pedraja

Phone 850-209-8573

Address 1261 Church Ave.
Street

Email pedraja.lg@gmail.com

Chipley, FL 32428
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/2/2026
Meeting Date

SB1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name MARC JOHNSON

Phone (850) 321-4063

Address 5963 DEFOORES ST
Street

Email MARCANTHONYTONYTO@YAHOO.COM

TLA FL 32305
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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The Florida Senate

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3/2/24
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Shamelka Monroe

Phone (850) 408-9587

Address 1
Street

Email Shamelka430@gmail

Tall FIA 32304
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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APPEARANCE RECORD

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2 Feb 2026
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Kathleen Crowe Phone

Address 205 North Pearl St. Email
Street

Jax FL 32202
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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The Florida Senate

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3/2/2026
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Ruth Santiago Phone

Address Email

Street

Saint cloud FL 34769
City State Zip

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

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The Florida Senate

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3/2/2026
Meeting Date

FISCAL POLICY
Committee

SB 296
Bill Number or Topic

Amendment Barcode (if applicable)

Name VLAD GHIOROAIA

Phone

Address
Street

Email

TAMPA FL 33647
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Duncan Lawrence

Phone

Address

Email

Street

Largo FL 33774
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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3-2-26
Meeting Date

Fiscal
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Rick Myers Phone

Address Email

Street

Jacksonville FL 32250
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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The Florida Senate

APPEARANCE RECORD

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03/02/26
Meeting Date

Fiscal Policy
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Raymond Robbins

Phone

Address
Street

Email raymonderobbins@gmail.com

Bell FL 32619
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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APPEARANCE RECORD

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3/2/2026
Meeting Date

Fiscal Policy
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Andrew Valentine

Phone

Address
Street

Email

Tampa FL 33604
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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APPEARANCE RECORD

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03/02/26
Meeting Date

Fiscal Policy
Committee

SB-1296
Bill Number or Topic

X
Amendment Barcode (if applicable)

Name Lindsey Bell

Phone

Address [redacted]
Street

Email

Keystone Heights FL 32656
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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The Florida Senate

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3/2/24
Meeting Date

Senate Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Erin Skipper
Erin Skipper

Phone

Address
Street

Email

City *State* *Zip*

Speaking: [x] For [ ] Against [ ] Information **OR** Waive Speaking: [ ] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[x] I am appearing without compensation or sponsorship.

[ ] I am a registered lobbyist, representing:

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Mark Rendell Phone (772) 713-6221

Address 3102 Tidepool Place Email rendell.mark@brevardschools.org
Street

Melbourne FL 32940
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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3/2/26
Meeting Date

Senate Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Mark Kendell

Phone 321.633.1000

Address 2700 Judge Fran Jamieson Way
Street

Email

Viera FL 32940
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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3/2/26
Meeting Date

Senate Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Laura Cox - Leon County School Board Phone 850-487-7100

Address 2757 W. Pensacola St. Email coxl@leonschools.net
Street

Tallahassee FL 32304
City State Zip

Speaking: [X] For [ ] Against [ ] Information **OR** Waive Speaking: [ ] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[X] 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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2/2/2026
Meeting Date

Fiscal Policy
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Marley Pence

Phone

Address
Street

Email

Gainesville FL 32601
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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3-2-26
Meeting Date

Fiscal Pol
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name James Fogle

Phone

Address
Street

Email

Gainesville FL 32605
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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03/02/2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Elizabeth Pritchett

Phone

Address
Street

Email

Kissimmee Fl 34759
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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3/02/2026
Meeting Date

Fiscal
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Michael Smith

Phone

Address
Street

Email

Cape Coral FL 33993
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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☐ 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

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3/2/2026
Meeting Date

Fiscal
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Vanessa Childs

Phone

Address
Street

Email

Deerfield Beach FL 33441
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

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Senate professional staff conducting the meeting

3/2/22
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Laura Allgood

Phone (863) 669-3860

Address 3660 Wellington Place
Street

Email lauraallgood@comcast.net

Bartow FL 33830
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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3/2/26
Meeting Date

FISCAL POLICY
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name JACK FIORITO

Phone 850-443-2321

Address 2451 OAKDALE ST.
Street

Email JTFIORITO@COMCAST.NET

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:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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03/02/26
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Jaklyn South Phone

Address Street Email

Panama City FL 32401
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

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3/2/2026
Meeting Date

SB1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Carly Karas

Phone 850 376 5226

Address 7005 Benton Dr
Street

Email cskaras1120@gmail.com

Panama City, FL 32404
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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☐ 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

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March 2, 2026
Meeting Date

SB1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Aubrey R. Davey Phone

Address 7010 Jolee Rd. Email

Street

Panama City Fl 32404

City State Zip

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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March 2 2026
Meeting Date

FISCAL
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Dennis Velez

Phone

Address 1610 EMBERS PKWY
Street

Email dvelez0169@gmail.com

Cape Coral FL 33993
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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The Florida Senate

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3-2-21
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Robes Heath

Phone

Address
Street

Email

Panama City FL 32404
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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03/02/2026
Meeting Date

FISCAL
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Ryan Kamba

Phone 920-464-0841

Address 21218 Meehan Ave
Street

Email crazybry79@hotmail.com

Port Charlotte FL 33952
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:

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S-001 (08/10/2021)

The Florida Senate

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3/2/26
Meeting Date

Senate Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Elijan Key

Phone 850-627-9051

Address 35 martin luther king Jr. Blvd
Street

Email

Quincy FL 32351
City State Zip

Speaking: [X] For [ ] Against [ ] Information **OR** Waive Speaking: [ ] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[X] 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

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3/2/24
Meeting Date

Fiscal
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Heidi Paquette

Phone 239-822-1414

Address
Street

Email

N. Ft myers FL 33917
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

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3/2/2026
Meeting Date

Fiscal Policy Committee
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Sandra Thuringer

Phone

Address
Street

Email G8Rmickey54@icloud.com

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.

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03-02-2026
Meeting Date

Bill 1296
Bill Number or Topic

Graduate Assistants United
Committee

Amendment Barcode (if applicable)

Name Ysabel Flores

Phone 407-450-8728

Address 275 John Knox Road Apt KK201
Street

Email ysabelfloresart@gmail.com

Tallahassee F 32303
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

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3-2-2026
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name CHRIS SANDERS Phone

Address 6000 N. UNIVERSITY DR. Email
Street

~~FORT~~ TAMARAC FLORIDA 33321
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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3/2/26
Meeting Date

Fiscal policy
Committee

SB 96
Bill Number or Topic

Amendment Barcode (if applicable)

Name larry Tarver

Phone (786)9237982

Address 2831 NW 65 St
Street

Email Plies357gmail.com

miami FL 33147
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:

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03/02/2026
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jordan Scott

Phone 773-793-8332

Address 1919 Dawsey St
Street

Tallahassee FL 32303
City State Zip

Email JscottCAM10@gmail.com

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

PLEASE CHECK ONE OF THE FOLLOWING:

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3/2/26
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

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

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S-001 (08/10/2021)

3/2/26
Meeting Date

The Florida Senate

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SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Brian Crooks Phone

Address Email

Street

Panama City FL 32405

City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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03/02/26
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Chaize Harrell

Phone 717 698 7721

Address 3242 19th Ave S
Street

Email

St Petersburg FL 33712
City *State* *Zip*

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

PLEASE CHECK ONE OF THE FOLLOWING:

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Meeting Date

The Florida Senate

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SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Joshua Sanlor

Phone

Address
Street

Email

Panama city FL 32444
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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3/2/26	SP1296
Meeting Date	Bill Number or Topic
Committee	Amendment Barcode (if applicable)

Name Robert Thomas Phone 941-716-0351

Address 9669 Nastrand Cir Email Moonachie1981@gmail.com

Street
Port Charlotte FL 33981
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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The Florida Senate

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3/2/2026	SB 1296
Meeting Date	Bill Number or Topic
govt Oversight	
Committee	Amendment Barcode (if applicable)

Name Levi Mitzen Phone 571-288-2052

Address 2513 Prest Ct. Email LeviMitzen@gmail.com
Street

Tallahassee FL 32301
City State Zip

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

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March 2, 2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Lynne Sykes

Phone

Address

Email lynne.sykes@stjohns.k12.fl.u

Street

St. Augustine FL 32086
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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3/2/2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Nicholas Filannino

Phone 914 450 3236

Address 2016 NE 8th St
Street

Email NFilannino@ufl.edu

Gainesville FL 32609
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.

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	SB 1296
Meeting Date	Bill Number or Topic
Committee	Amendment Barcode (if applicable)

Name Mitcheal Pearl Phone

Address Email

Street

Bradenton FL 34209

City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Robert Cassanello

Phone

Address

Email

Street

winter Springs FL 32708
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001

The Florida Senate

APPEARANCE RECORD

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Meeting Date	Bill Number or Topic
	1256
Committee	**Amendment Barcode (if applicable)**

Name Erik Campbell Phone

Address 6000 N University Dr Email EVCamp1267@gmail.com
Street

Ft Lauderdale 33321
City *State* *Zip*

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

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jeremy Bullian

Phone

Address
Street

Email

Tampa
City

State

33617
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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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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3/2/26
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Carol Barlow

Phone 850 496 2861

Address 1512 Comander Ln
Street

Email cvb116@gmail.com

Nicevile FL 32578
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:

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3/2/26
Meeting Date

The Florida Senate

APPEARANCE RECORD

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1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Robert Kriete

Phone

Address 6708 Providence Rd

Email

Street

Riverview FL 33578

City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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☐ 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

Mar 2, 2026
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Charles F. Schneider, J.D. Phone 830 209 4583

Address 1512 Coronado Lane
Street

Niceville FL. 32578
City State Zip

Email

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

PLEASE CHECK ONE OF THE FOLLOWING:

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☐ 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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Senate professional staff conducting the meeting

3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Rachel Brooks

Phone 850-759-9574

Address 2571 Armistead Rd
Street

Tallahassee FL 32308
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:

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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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03/02/2026
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Toni Davis

Phone 813.551.7740

Address 5117 Dandelion St.
Street

Email d3vilsr3j3ct@icloud.c

Apollo Beach FL 33572
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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The Florida Senate

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03-01-2021
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Douglas Behr

Phone 954-275-2689

Address 6000 W. University Drive
Street

Email dougbehr1269@bellsouth.net

Fort Lauderdale FL 33321
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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The Florida Senate

APPEARANCE RECORD

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Cassandra "Cassie" Urbenz

Phone (727)641-2817

Address 916 NW 6th Ave
Street

Email cassieurbenz@gmail.com

Gainesville FL 32601
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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The Florida Senate

APPEARANCE RECORD

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3/2/26	SB 1296
Meeting Date	Bill Number or Topic
Fiscal Policy	
Committee	Amendment Barcode (if applicable)

Name Stephanie Kunkel

Phone 850-320-4208

Address 213 S. Adams Street
Street

Email Stephanie.Kunkel@floridaea.org

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 Education Association

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

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The Florida Senate

APPEARANCE RECORD

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

March
Meeting Date

Fiscal policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Zina Ward

Phone 802 373 7858

Address 1412 N MLK Jr Blvd
Street

Email zina.b.ward@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:

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S-001

The Florida Senate

APPEARANCE RECORD

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3/2/2026
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Ronald Williams Phone 205-505-0854

Address 5447 Fern Creek Dr N Email ronald.w68@yahoo.com
Street

Jacksonville FL 32277
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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Senate professional staff conducting the meeting

03.02.2026
Meeting Date

FISCAL POLICY (FP)
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name TERESA ROACH

Phone

Address 1529 CHULI NENE
Street

Email

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:

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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

2 March 2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name ALDA BALTHROP-LEWIS

Phone 512 814 8452

Address 411 N CALHOUN ST
Street

Email alda.balthrop.lewis@gmail.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:

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The Florida Senate

APPEARANCE RECORD

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

March 2, 2026
Meeting Date

Senate Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Melissa Gleman

Phone

Address
Street

Email

Starke FL 32091
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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The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

03/2/26
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Destyn Hepworth

Phone 219-424-0766

Address 229 Thompson ave
Street

Email Dhepworth6054@gmail.com

Interlachen FL 32148
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:

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S-001 (08/10/2021)

The Florida Senate

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3/2/26
Meeting Date

FISCAL POLICY
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name GLENDA ABICHT (ABBOTT) (PRONOUNCED)

Phone

Address
Street

Email

MIAMI, FL 33165
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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3/2/2024
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Warren J. Brown

Phone 336 456 5443

Address

Email Warrenbeze2@gmail.com

Street

Davenport FL 33896
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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March 2, 2026
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Tiffany Hennessy

Phone

Address 240 14th St.
Street

Email

Panama City Beach, FL 32413
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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The Florida Senate

APPEARANCE RECORD

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3/2/26
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Casey Hennessy

Phone

Address 240 14th
Street

Email

PCB FL 32413
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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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

MARCH 2
Meeting Date

FISCAL Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Mindy RAE Boldon

Phone

Address
Street

Email mindyboldon3108@gmail.com

Bradenton FL 34209
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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3/2/26
Meeting Date

Fiscal policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Thatcher Moore

Phone (314) 324-3199

Address

Email

Street

Gainesville FL 32601
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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The Florida Senate

APPEARANCE RECORD

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2 Mar 26
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Reese Howell Phone

Address P.O. Box 165 Email
Street

Riverview FL 33578
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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03/02/2026
Meeting Date

Fiscal
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jennifer Cosby

Phone

Address

Street

Email

LaBelle FL 33935
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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☐ 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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3/2/26
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Stephanie Eady Phone

Address 1460 Kirkland St Email
Street

Bradley FL 33835
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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☐ 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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March 2, 2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jennifer Grill

Phone 850 559-3926

Address 2750 Old St. Augustine Rd HP0
Street

Email jcgrill@hotmail.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:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

2/2/26
Meeting Date

fiscal policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Amy Burdette

Phone 512-785-3259

Address 501 Coldstream Dr
Street

Email amymburdette@gmail.com

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. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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March 2, 2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Alex Ledgerwood

Phone 850 637 2021

Address 420 N. Adams St. #404
Street

Email ahledgerwood@gmail.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:

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S-001 (08/10/2021)

The Florida Senate

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2-2-26
Meeting Date

S.B. 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Calvin Orr
Calvin Orr

Phone

Address
Street

Email

Pompano Fla 33060
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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03/02/2026
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name James Robbins

Phone

Address
Street

Email

Tampa 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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The Florida Senate

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3/2/26
Meeting Date

FISCAL
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name RICHARD JONES

Phone

Address

Email

Street

PUNTA GORDA FL 33983
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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The Florida Senate

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3-2-26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Kevin Updorff / Neum Updorff

Phone 850 712-5889

Address

Email

Street

City State Zip 32533

Speaking: ☐ For ☐ Against ☐ Information **OR** 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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03/02/2026
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Kaylee Appleton

Phone

Address
Street

Email

Tampa FL
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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☐ 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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The Florida Senate

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3/2/26
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Donald Walker

Phone 813 6199761

Address 922 Iris Lake Dr
Street

Email donald.walker84@yahoo

Tampa FL 33619
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

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Aimee Smith

Phone

Address
Street

Email

Bowling Green FL 33834
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

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03/02/2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Megan Pritchett

Phone

Address
Street

Email

Kissimmee FL 34759
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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3-2-2026
Meeting Date

Senate Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Helen Hamel

Phone

Address
Street

Email

Summerfield FL 34491
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:

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S-001 (08/10/2021)

The Florida Senate

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3/2/26
Meeting Date

Fiscal
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Elizabeth Boyett

Phone 904-806-7857

Address 27 Litke Lane
Street

St. Augustine FL 32086
City State Zip

Email Elizabeth.Boyett@stjohns.k12.fl.us

Speaking: ☐ For ☐ Against ☐ Information **OR** 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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3/2/26
Meeting Date

FISCAL POLICY
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name BRIAN NATHAN

Phone

Address
Street

Email

TAMPA FL 33615
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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3/2/26
Meeting Date

Fiscal
Committee

1294
Bill Number or Topic

Amendment Barcode (if applicable)

Name Kevin Daly

Phone 293 822 3364

Address 1366 Solana Dr
Street

Email Khtdaly@gmail.com

Fort Myo FL 33908
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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MARCH 2, '26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name BARB TOEPKE (TEP' KEY) Phone

Address 5016 N Branch Ave Email
Street

Tampa FL 33603
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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March 2, 2026
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Dawn Shock

Phone

Address 17183 Key Lime Blvd
Street

Email Shockdawn@AOL.com

Loxahatchee FL 33470
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

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3-2-2026
Meeting Date

SB1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Patricia Hatch-Sabers

Phone

Address

Email ted1881@aol.com

Street

Boynton Bch. 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:

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S-001 (08/10/2021)

The Florida Senate

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3/2/2026
Meeting Date

Fiscal Policy Committee
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Ronald Pollard

Phone

Address

Street

Email

Apopka Fla 32712
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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☐ 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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March 02, 2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Ian Slauch

Phone 217-552-4855

Address 521 Shephard St
Street

Email ianslauch@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:

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S-001 (08/10/2021)

3/2/26
Meeting Date

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Latisha Jones

Phone 813-495-9765

Address 4055 Willow Dr
Street
Mulberry, FL 33860
City State Zip

Email tishaj.atu1593@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

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3/2/26
Meeting Date

SB1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Angel Louk

Phone 386 405 0420

Address
Street

Email

Tampa Fl. 33635
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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3-2-24
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Yolanda Lancaster

Phone 813-324-9116

Address 14524 N. Nebraska
Street

Email Yolandalancaster@myyahoo.com

Tampa FL 33613
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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3/2/26	SB 1296
Meeting Date	Bill Number or Topic
Fiscal Policy	
Committee	Amendment Barcode (if applicable)

Name Jorge Chamizo

Phone (850) 681-0024

Address 108 S Monroe St
Street

Email jorge@flapartners.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:
Mackinac Center Workers for Opportuity

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

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The Florida Senate

APPEARANCE RECORD

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3/2/26
Meeting Date

S. Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name William Lawson Phone

Address 3622 Hedgewood Dr. Email
Street

Winter Pk 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:

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S-001 (08/10/2021)

The Florida Senate

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3-2-2026
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Shawnese Jennings

Phone 904-753-9272

Address 7845 Poetia Court
Street

Email ShawneseJennings@YAHOO.COM

Jacksonville FL 32256
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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3/2/26
Meeting Date

SB1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Chelsea O'Keefe

Phone 727-364-5453

Address 11371 Portola Lane
Street

Email cmokeefe12@gmail.com

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:

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S-001 (08/10/2021)

The Florida Senate

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3/2/2026		1296
Meeting Date		Bill Number or Topic
Committee		Amendment Barcode (if applicable)

Name Lindsey Ivy-Teeling Phone 770-686-0048

Address 5447 Fern Creek Dr N Email Lindsey.Ivy@outlook.com
Street

Jacksonville FL 32277
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

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3/2/2026
Meeting Date

Fiscal Policy
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Luis Matos-Tovar

Phone (619) 518-0549

Address 2855 Apalachee PKWY
Street

Email Luis00321@gmail.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:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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March 2, 2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Miranda Brown

Phone

Address
Street

Email

Pensacola 32507
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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The Florida Senate

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3/2/26
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Henry Griffin

Phone 904 307 7951

Address 2576 Brockview Pointe
Street

Email hengriffin46@gmail.com

Jax FL 32073
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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3/2/26
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Beth McBride

Phone 904-382-5232

Address 620 Miller's Dam Court
Street

Email saracon28@gmail.com

Ponte Vedra Beach FL 32082
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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Mar-2-26		1296
Meeting Date		Bill Number or Topic
Committee		Amendment Barcode (if applicable)

Name Antonio Dumaret Phone

Address 6109 Scorpio circle Email
Street

Tampa FL 33614
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)

3-2-26

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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SB 1296

Bill Number or Topic

Amendment Barcode (if applicable)

Name Nathan Hoffman

Phone 217-503-7368

Address 215 South Monroe
Street

Email nathan@afloridapromise.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: Foundation for Florida's Future

☐ 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

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3-2-26
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Kimberly S. McDermaid

Phone

Address 7135 Summit Drive
Street

Email

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:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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March 2, 2026
Meeting Date

Fiscal Policy
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Debbie Crews

Phone

Address

Email

Street

Eden St. Mary FL 32040
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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

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March 2, 2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Mark Avery

Phone

Address
Street

Email

Ocala FL 34472
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

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Lisa Torres

Phone 646-709-7951

Address 1312 Beach Village Cir
Street

Email TorresLisa0330@gmail.com

Palm Coast FL 32137
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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The Florida Senate

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3/2/26
Meeting Date

FISCAL POLICY
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Rev. John Louis Meeks, Jr. Phone 904 386 0716

Address _____ Email strongbad74@gmail.com
Street

Jacksonville Fla 32277
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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The Florida Senate

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3/2/26
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Denise Verrill

Phone 813 407 6596

Address 303 Genna Ave
Street

Email

Seffner FL 33584
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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☐ 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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3/2/26
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Elaine Caraballo

Phone 813-494-6823

Address 14223 Alistar Manor Dr.
Street

Email blackbass70@icloud.com

Wiamia Fla 33598
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.

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

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3-2-26
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Sara Bimbo

Phone 813-4180874

Address 6867 Gideon Circle
Street

Email Sbimbo0062@gmail.com

Zephyrhills FL 33541
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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The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

March 2, 26
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Laytona Chesteen

Phone 813-454-1741

Address 6904 River run dr # 101
Street

Tpa FL 33617
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:

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3/2/26
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Dusty Mendoza Phone

Address Email

Street

Wauchula, FL 33873
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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03/02/2026
Meeting Date

Fiscal Policy
Committee

12 96
Bill Number or Topic

Amendment Barcode (if applicable)

Name Bruce Bendl

Phone

Address
Street

Email

Spring Hill FL 34608
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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3/2/26
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Kelly L. Goshorn Phone

Address Email

Street

Tampa 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:

☐ 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

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3-2-26
Meeting Date

Fiscal
Committee

SB 1246
Bill Number or Topic

Amendment Barcode (if applicable)

Name Melissa Jackson

Phone 352-512-5881

Address
Street

Email

Ocala FL. 34480
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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The Florida Senate

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3-2-26
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Shelly Kress

Phone

Address
Street

Email

Tampa FL 33611
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: N/A error

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Mickey Mickley

Phone 904 616-2535

Address 20 Pittman CT
Street

Email mcm21@bellsouth.net

St Augustine FL 32086
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)

3/2/20
Meeting Date

The Florida Senate

APPEARANCE RECORD

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

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Alyssa Roelans Phone 786 350 8540

Address 1001 Falcon Avenue Email
Street

Miami Springs 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:

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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

03/02/2025
Meeting Date

Fiscal Policy
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Madeline Sutherland

Phone (850)-322-7043

Address
Street

Email madeline.sutherland2@gmail.com

Gainesville, 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

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

3.2.26
Meeting Date

Fiscal
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Chinonso Osigwe Phone

Address Email

Street

Ocala FL 34480
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

March 2, 2026
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Emily Lu

Phone 646 898 4319

Address 2039 N Meridian Rd. Apt 103
Street

Email

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:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

03/02/2026
Meeting Date

Fiscal Policy
Committee

SB
Bill Number

Amendment Barcode (if applicable)

Name Larissa Cummings

Phone

Address
Street

Email

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:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Stephanie Yocum

Phone

Address
Street

Email

Lakeland FL 33813
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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3-2-26
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Kari Ann Walker

Phone

Address 14 South 1st Street
Street

Email

Lake Wales FL 33853
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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03/02/2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name George Roman

Phone

Address

Email

Street

Gainesville FL 32605
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

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Kaitlyn Gattie

Phone

Address
Street

Email

Eagle Lake FL 33839
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

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3/2/2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Tessa Barber

Phone

Address

Email

Street

Clearwater FL 33762
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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3/2/26
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Karen Woodall

Phone 850-321-9396

Address 579 E. Call St.
Street

Email fcfep@yahoo.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: 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:

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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

2 MAR 26
Meeting Date

FISCAL POLICY
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name PAGEL, CHRIS

Phone (904) 753-0130

Address 3002 RIVERSIDE DR.
Street

Email mecdrafting@hotmail.com

FERNANDINA FL 32034
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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03/02/26
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Chris Segal

Phone 954-599-8463

Address

Street

Email

Tallahassee FL 32309
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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Senate professional staff conducting the meeting

3/2/2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Kat Nickell

Phone (863) 529-9056

Address 1055 W. Fee Cir
Street

Email mrskatnickell@gmail.com

Bartow FL 33830
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)

3/2/26
Meeting Date

The Florida Senate

APPEARANCE RECORD

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

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Connie Cosme

Phone 813-789-2558

#21

Address 5414 Deerbrooke Creek Cir.
Street

Email ConCosmo@GMAIL.Com

Tampa FL 33624
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

3/2/26
Meeting Date

Committee on Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Daniel Diaz

Phone (904) 861-5114

Address 4294 Park Crossing Trl
Street

Email ddd18c@gmail.com

Tallahassee FL 32313
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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Senate professional staff conducting the meeting

2/2/26
Meeting Date

Fiscal Policy
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Michael Anderson

Phone 407-300-6029

Address 226 West 20th st
Street

Email michael.James.Anderson315@gmail.com

Apopka FL 32703
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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Senate professional staff conducting the meeting

3/2/26
Meeting Date

Fiscal Policy
Committee

SB1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Samuel Reddick

Phone 407-733-5681

Address 3287 Harry St
Street

Email reddicksamuel@gmail.com

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:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Sheffal Arnold

Phone 754 201 8354

Address 19731 N.W. 7th Ave
Street

Email sheffalarnold@gotmail.com

Miami FL 33169
City State Zip

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

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

3/2/26
Meeting Date

FP
Committee

The Florida Senate

APPEARANCE RECORD

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

CS/1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Matt Theobald 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:

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S-001

The Florida Senate

APPEARANCE RECORD

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

03-02-2026
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Shemee Bellamy-Fults

Phone 352-281-3156

Address 8606 NW 33rd Ave
Street

Email sjbellamy77@gmail.com

Gainesville FL 32609
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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3/2/26
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Michael Sampson

Phone 904 885 4928

Address 5208 N Pearl
Street

Email MSampson@afscme.org

JAX FL 32216
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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The Florida Senate

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3/2/26
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Kenneth Green

Phone 786-212-8135

Address 1310 NW 183rd St miami garden FL
Street

Email

Miami FL 32169
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

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Crystal Tessmann

Phone

Address
Street

Email

Gainesville FL 32605
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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The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

3/2/2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jayson Bromberg

Phone 631-553-8362

Address 204 Cactus Street Unit B
Street

Email itb31415@gmail.com

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:

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S-001 (08/10/2021)

3/2/2026
Meeting Date

The Florida Senate

APPEARANCE RECORD

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

SB - 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Jonathan Pelliam

Phone

Address
Street

Email

34753
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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3/2/26
Meeting Date

42
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Claudette Gilbert

Phone 9044766247

Address 4214 Carroll Dr
Street

Email claudettegilbert58@yahoo.com

Jax Fla 32209
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/2/2026
Meeting Date

FISCAL POLICY
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name MATHEW WRIGHT

Phone (417) 230-7145

Address 1001 OCALA RD, Apt 143
Street

Email mathew shayne wright@gmail.com

TALLAHASSEE FL 32304
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/2/26
Meeting Date

Fiscal
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Mark McCullough
Mark McCullough

Phone 786-566-3720

Address 501 NE 109th St
Street

Email Markmcf@gmail.com

Miami FL 33161
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.

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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03/02/2026
Meeting Date

1296
Bill Number or Topic

42
Committee

Amendment Barcode (if applicable)

Name Barbara Green

Phone 904-401-6221

Address 10535 Lem Turner Rd Apt. 1005
Street

Email 1946babsbdngsinthebox@gmail.com

Jacksonville, Florida 32218
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.

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The Florida Senate

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3/2/2026
Meeting Date

Fiscal
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jacob Mass

Phone 561-405-[illegible]

Address Tallahassee
Street

FL 32308
City State Zip

Email

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

PLEASE CHECK ONE OF THE FOLLOWING:

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☐ 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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The Florida Senate

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Greta Dracayon

Phone 850 415 3136

Address 720 3rd Street
Street

Email gdracayon@hotmail.com

Chipley FL 32428
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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The Florida Senate

APPEARANCE RECORD

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Ciara Jackson

Phone 850-373-8496

Address 3667 Budfield Rd
Street

Email math_matters88@yahoo.com

Graceville FL 32440
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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3-2-26
Meeting Date

Fiscal policy
Committee

SB 1292
Bill Number or Topic

Amendment Barcode (if applicable)

Name Monica Rehberg

Phone 850-726-7251

Address 650 5th St.
Street

Email calverley_rehberg@yahoo.com

Chipley FL 32428
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)

3-2-26
Meeting Date

Floor Policy
Committee

The Florida Senate
APPEARANCE RECORD

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SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Mary Blocker-Williams

Phone 9045200308

Address P.O. Box 12939
Street

Email afscmeregionlvp@gmail.com

Jay FL 32209
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

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3-2-26
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Barbara DeVane

Phone 850-251-4280

Address 625 E. Brevard St
Street

Email barbaradevane1@yahoo.com

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:
FL NOW

☐ 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

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2 MARCH 2024
Meeting Date

FISCAL POLICY
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name ERIC BIGGINS

Phone 904 587-3477

Address 2612 W 25th ST
Street

JACKSONVILLE FL 32209
City *State* *Zip*

Email ewbiggins@yahoo.com

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

PLEASE CHECK ONE OF THE FOLLOWING:

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☐ 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

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3/2/26
Meeting Date

Fiscal
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name J Ferguson Phone

Address Email

Street

Tampa FL 33647
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:

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S-001 (08/10/2021)

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3-2-2026
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Frances Brown

Phone 850-980-7094

Address 540 Sand Pine Circle
Street

Email brownf3228@gmail.com

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.

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S-001 (08/10/2021)

The Florida Senate

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3-2-26
Meeting Date

Physical
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Talvia D Still

Phone 850-778-0176

Address 8469 Titus Ln
Street

Email tstill9055@gmail.com

Tallahassee FL 32305
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:

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3-2-24
Meeting Date

SB 1296
Bill Number or Topic

physical policy
Committee

Amendment Barcode (if applicable)

Name Dolly Benton

Phone 904-888-6970

Address 680 Linwood Ave
Street

Email

Jacksonville Fla 32206
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.

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3/2/26
Meeting Date

SB 1296
Bill Number or Topic

Fiscal Policy
Committee

Amendment Barcode (if applicable)

Name Sharon Wilder

Phone 904 905-0663

Address 6744 Perry Street
Street

Email WilderSharon67@gmail

Jay 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.

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3/2/26
Meeting Date

Pthy Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Betty A. Tolen

Phone 904 428-3577

Address 8036 Capeside Wy
Street

Email betty@tolen@gmail.com

JAX FL 32222
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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03-2-26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name John Works

Phone 850-481-2728

Address 2909 Dalton Street
Street

Email johnworks23@yahoo.com

Vernon FL 32462
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.

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

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3/2/2026
Meeting Date

Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jaylin Jenkins

Phone (904) 462-0917

Address 5434 Vernon Road
Street

Email firstjenkins@gmail.com

Jax FL 32209
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

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3-2-26
Meeting Date

S. Fiscal Policy
Committee

1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Elvin Marte

Phone

Address 3106 Swann Ln
Street

Email

Safty Harbor, FL 34695
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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

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03/02/2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Liam Michael Philbin

Phone (407) 697-0964

Address 1327 Jackson Bluff Road
Street

Email lmp22m@fsu.edu

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:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/2/2026	SB 1296
Meeting Date	Bill Number or Topic
Committee	Amendment Barcode (if applicable)

Name Brittany Rutherford Phone (832) 491-2410

Address 5522 Autumn Ridge Rd #201 Email brittanykayy@yahoo.com
Street

Lakeland FL 33805
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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The Florida Senate

APPEARANCE RECORD

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3-2-26
Meeting Date

SD1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Sue Hermann

Phone 631-278-3559

Address 5287 56th Ave N
Street

Email ShermannJ@optonline.net

St. Petersburg FL 33709
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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Senate professional staff conducting the meeting

3-2-26
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Veronica Jackson

Phone 407-309-0250

Address 5254 Lescot Lane
Street

Email Roni.VJ69@Gmail.com

Orlando FL 32811
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

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☐ 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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3-2-26
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Diego Henry Jr

Phone 407-879-5201

Address 5102 cholla way
Street

Email zimri03@live.com

Orlando FL 32818
City State Zip

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

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3/2/2026
Meeting Date

SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Edner Alouidor

Phone 321-442-4908

Address 146 Southampton Dr
Street

Email papined54@yahoo.fr

Kissimmee FL 34744
City State Zip

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

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S-001 (08/10/2021)

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3/2/26
Meeting Date

SB 1796
Bill Number or Topic

FISCAL POLICY COMMITTEE
Committee

Amendment Barcode (if applicable)

Name PAUL KAPLAN

Phone 561-349-5367

Address 5016 SABBELINE TERRACE
Street

Email OCEANSOUND@ZOHO.COM

GREENACRES, FL 33463
City State Zip

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

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S-001 (08/10/2021)

The Florida Senate

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Albert Acuedo Phone 561-475-7817

Address 4875 orleans ct Email

Street

W P.B FL 33415

City State Zip

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

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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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3226
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name SHARON MARAJ

Phone 561 -537 6989

Address 16393 E Prestwick DR
Street

Email Sharon_Maraj@outlook.com

Lutahatchee FE 33470
City State Zip

Speaking: [redacted] Against ☐ Information **OR** Waive Speaking: ☐ In Support ☑ Against

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Robin McKinnes

Phone (561) 601-0069

Address 221 Cypress Dr.
Street

Email McKinnesr46@gmail.com

West Palm Beach FL 33403
City State Zip

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

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Madison Drace

Phone 315-409-6987

Address ~~2553~~ 2353 Mission Road, Apt B5
Street

Email madisonddrace@gmail.com

Tallahassee FL 32304
City State Zip

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

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S-001 (08/10/2021)

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3/2/26
Meeting Date

FISCAL POLICY
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name ISABEL MILBOURN

Phone 207-720-0303

Address 3565 COYOTE CREEK DRIVE
Street

Email isabel.milbourn@gmail.com

TALLAHASSEE FL 32301
City State Zip

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

3/2/2026
Meeting Date

Fiscal Policy Committee
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name DONALD DIEUJUSTE

Phone (561) 727-7650

Address 2746 Lantana RD Apt #407
Street

Email DieujusteDonald25@gmail.com

Lake Worth FL 33462
City State Zip

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

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The Florida Senate

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Senate professional staff conducting the meeting

3/2/26
Meeting Date

fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Belinda Davis

Phone 561 702-7092

Address 315 N.W. 3rd Ave
Street

Email Johnnyfla315@aol.com

Delray Beach FL 33444
City State Zip

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

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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

March 2, 2026
Meeting Date

Fiscal Policy Committee
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Stephen Shambach

Phone 904-687-9611

Address 259 S. Villas Ct Apt. A
Street

Email sh.shambach@gmail.com

Tallahassee FL 32303
City State Zip

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

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S-001 (08/10/2021)

3/2/26
Meeting Date

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

SB 296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name ANA MARISCAL

Phone 9546694489

Address 3170 Holiday Springs Blvd #306
Street

Margate FL 33063
City State Zip

Email ANAMMARISCAL1@gmail.com

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

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S-001 (08/10/2021)

The Florida Senate

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3/2/2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name James Szalkie

Phone 317-908-7544

Address 204 Cactus St.
Street

Tallahassee FL 32304
City State Zip

Email Jamesszalkie122@gmail.com

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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2/2/24
Meeting Date

1256
Bill Number or Topic

Fiscal Policy committee
Committee

Amendment Barcode (if applicable)

Name Iran Acevedo

Phone (561) 424-1393

Address 3893 Lake Tahoe cir
Street

Email Joey.1941@aol.com

wpb FL 33409
City State Zip

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

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The Florida Senate

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3/2/2024
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Zefuia Durham III

Phone

Address 5400 NW 39th Ave
Street

Email

Gainesville FL 32609
City State Zip

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

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3/2/2026	SB 1296
Meeting Date	Bill Number or Topic
FISCAL POLICY	
Committee	Amendment Barcode (if applicable)

Name ROBERT DUARTE Phone 8503466714

Address 1922 CHULI WENE Email me@robdvarte.com
Street

TALLAHASSEE FL 32301
City *State* *Zip*

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

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S-001

3-2-26
Meeting Date

The Florida Senate

APPEARANCE RECORD

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SB 1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Mallory Kenney

Phone 9045898017

Address 310 Fawnridge Ln
Street

Email Hotemal@hotmail.com

Orange Park, Fl 32073
City State Zip

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

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2/2/26
Meeting Date

1296
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name HUNTER HOLLINGSWORTH

Phone 352-281-6761

Address 1030 SW 11TH TERR.
Street

Email

GAINESVILLE FL
City State Zip

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

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S-001 (08/10/2021)

The Florida Senate

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March 2, 2026
Meeting Date

Fiscal Policy
Committee

SB 1296
Bill Number or Topic

Amendment Barcode (if applicable)

Name Ashley Bonner

Phone 240-577-3790

Address 718 SW 16th Ave
Street

Email ashbonner310@gmail.com

Gainesville FL 32601
City State Zip

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

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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 1298
INTRODUCER:	Governmental Oversight and Accountability Committee and Senator Martin
SUBJECT:	Public Records/Public Employees Relations Commission
DATE:	February 27, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harmsen	McVaney	GO	**Fav/CS**
2.	Harmsen	Siples	FP	**Unfavorable**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1298 makes confidential and exempt from the public records inspection and copying requirements the showing of interest signed by employees and filed with the Public Employees Relations Commission (commission) as part of a petition to revoke the certification of their bargaining unit. The commission may release the showing of interest to any employee, employer, or employee organization that has sufficient reason to believe that any of the signatures obtained on the showings of interest were obtained by collusion, coercion, intimidation, or misrepresentation, or are otherwise invalid.

This bill is subject to the Open Government Sunset Review Act and will be repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

The bill provides a statement of public necessity as required by the State Constitution. Because the bill creates or expands a new public record exemption, it requires a two-thirds vote of the members present and voting in each house of the Legislature for final passage.

The bill may increase costs minimally for state and local government agencies.

The bill takes effect July 1, 2026.

II. Present Situation:

Access to Public Records - Generally

The State Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.[1] The applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.[2]

Additional requirements and exemptions related to public records are found in various statutes and rules, depending on the branch of government involved. For instance, s. 11.0431, F.S., provides public access requirements for legislative records. Relevant exemptions are codified in s. 11.0431(2)-(3), F.S., and adopted in the rules of each house of the legislature.[3] Florida Rule of Judicial Administration 2.420 governs public access to judicial branch records.[4] Lastly, ch. 119, F.S., known as the Public Records Act, provides requirements for public records held by executive agencies.

The Florida Statutes specify conditions under which public access to governmental records must be provided. The Public Records Act guarantees every person's right to inspect and copy any state or local government public record at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record.[5] A violation of the Public Records Act may result in civil or criminal liability.[6]

Executive Agency Records – The Public Records Act

The Public Records Act provides that all state, county, and municipal records are open for personal inspection and copying by any person. Each agency has a duty to provide access to public records.[7]

Section 119.011(12), F.S., defines "public records" to include:

> [a]ll documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

The Florida Supreme Court has interpreted this definition to encompass all materials made or received by an agency in connection with official business which are used to "perpetuate,

[1] FLA. CONST. art. I, s. 24(a).
[2] *Id.*; s*ee Sarasota Citizens for Responsible Gov't v. City of Sarasota*, 48 So. 3d 755, 762-763 (Fla. 2010).
[3] *See* Rule 1.48, *Rules and Manual of the Florida Senate*, (2022-2024) and Rule 14.1, *Rules of the Florida House of Representatives*, Edition 2 (2022-2024).
[4] *State v. Wooten*, 260 So. 3d 1060 (Fla. 4th DCA 2018).
[5] Section 119.07(1)(a), F.S.
[6] Section 119.10, F.S. Public records laws are found throughout the Florida Statutes, as are the penalties for violating those laws.
[7] Section 119.01(1), F.S.

communicate, or formalize knowledge of some type."[8] It has further held that such material is a public record regardless of whether it is in final form or the ultimate product of an agency.[9]

Creation of Public Records Exemptions

Only the Legislature may create an exemption to public record disclosure and copying requirements.[10] An exemption must be created by general law and must specifically state the public necessity justifying the exemption.[11] Further, the exemption must be no broader than necessary to accomplish the stated purpose of the law. A bill enacting an exemption may not contain other substantive provisions[12] and must pass by a two-thirds vote of the members present and voting in each house of the Legislature.[13]

When creating a public records exemption, the Legislature may provide that a record is "exempt" or "confidential and exempt." There is a difference between records the Legislature has makes exempt from the Public Records Act and those which the Legislature has makes confidential and exempt from the Public Records Act.[14] Records designated as "confidential and exempt" are not subject to inspection by the public and may only be released under the circumstances defined by statute.[15] Records designated as "exempt" may be released at the discretion of the records custodian under certain circumstances.[16]

Open Government Sunset Review Act

The provisions of s. 119.15, F.S., known as the Open Government Sunset Review Act[17] (the Act), prescribe a legislative review process for newly created or substantially amended[18] public records or open meetings exemptions, with specified exceptions.[19] The Act requires the repeal of such exemption on October 2 of the fifth year after its creation or substantial amendment, unless the Legislature reenacts the exemption.[20]

The Act provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary.[21] An exemption serves an identifiable purpose if the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption and it meets one of the following purposes:

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[8] *Shevin v. Byron, Harless, Schaffer, Reid & Assoc.*, 379 So. 2d 633, 640 (Fla. 1980).
[9] *Id*.
[10] FLA. CONST. art. I, s. 24(c).
[11] *Id.*
[12] The bill may, however, contain multiple exemptions that relate to one subject.
[13] FLA. CONST. art. I, s. 24(c).
[14] *WFTV, Inc. v. The Sch. Bd. of Seminole County*, 874 So. 2d 48, 53 (Fla. 5th DCA 2004).
[15] *Id.*
[16] *Williams v. City of Minneola*, 575 So. 2d 683 (Fla. 5th DCA 1991).
[17] Section 119.15, F.S.
[18] An exemption is considered to be substantially amended if it is expanded to include more records or information or to include meetings as well as records. Section 119.15(4)(b), F.S.
[19] Section 119.15(2)(a) and (b), F.S., provides that exemptions required by federal law or applicable solely to the Legislature or the State Court System are not subject to the Open Government Sunset Review Act.
[20] Section 119.15(3), F.S.
[21] Section 119.15(6)(b), F.S.

- It allows the state or its political subdivisions to effectively and efficiently administer a governmental program, and administration would be significantly impaired without the exemption;[22]
- It protects sensitive, personal information, the release of which would be defamatory, cause unwarranted damage to the good name or reputation of the individual, or would jeopardize the individual's safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is exempt;[23] or
- It protects information of a confidential nature concerning entities, such as trade or business secrets.[24]

The Act also requires specified questions to be considered during the review process.[25] In examining an exemption, the Act directs the Legislature to question the purpose and necessity of reenacting the exemption.

If the exemption is continued and expanded, then a public necessity statement and a two-thirds vote for passage are again required.[26] If the exemption is continued without substantive changes or if the exemption is continued and narrowed, then a public necessity statement and a two-thirds vote for passage are *not* required. If the Legislature allows an exemption to expire, the previously exempt records will remain exempt unless otherwise provided by law.[27]

III. Effect of Proposed Changes:

Section 1 amends s. 447.308, F.S., to make a showing of interest signed by employees confidential and exempt from public records inspection and copying requirements. These showings of interest are filed with the commission by public employees who are seeking a revocation of certification of their bargaining unit.

The bill allows the commission to release the showing of interest to any employee, employer, or employee organization that has sufficient reason to believe that any of the signatures obtained on the showings of interest were obtained by collusion, coercion, intimidation, or misrepresentation, or are otherwise invalid.

Showings of interest signed by employees who wish to begin representation by a bargaining agent are already made confidential and exempt in s. 447.307(2), F.S., but the commission may release the documents to any employee, employer, or employee organization that has sufficient

[22] Section 119.15(6)(b)1., F.S.
[23] Section 119.15(6)(b)2., F.S.
[24] Section 119.15(6)(b)3., F.S.
[25] Section 119.15(6)(a), F.S. The specified questions are:
- What specific records or meetings are affected by the exemption?
- Whom does the exemption uniquely affect, as opposed to the general public?
- What is the identifiable public purpose or goal of the exemption?
- Can the information contained in the records or discussed in the meeting be readily obtained by alternative means? If so, how?
- Is the record or meeting protected by another exemption?
- Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?

[26] *See generally* s. 119.15, F.S.
[27] Section 119.15(7), F.S.

reason to believe that any of the employee signatures were obtained by collusion, coercion, intimidation, or misrepresentation or are otherwise invalid.

Section 3 provides that the showing of interest statement signed by public employees indicating their desire to no longer be represented by their bargaining agent should enjoy the same confidentiality and exempt status as those showing of interest statements signed by employees who wish to begin representation by a bargaining agent (which is made exempt in s. 447.307(2), F.S. Additionally, section 3 states that it is necessary to make these documents confidential and exempt to avoid a chilling of the employees' exercise of their right to no longer be represented by a union.

Section 2 subjects this exemption to the Open Government Sunset Review Act and repeals the exemption on October 2, 2031, unless it is reviewed and saved from repeal through reenactment by the Legislature. Additionally, this section provides that if this expansion is not saved from repeal, the text of subsection 447.308(1), F.S. will revert to its form as it existed on June 30, 2026.

Section 4 provides that the act takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

Vote Requirement

Article I, section 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records disclosure requirements. This bill creates a new exemption and thus requires a two-thirds vote to be enacted.

Public Necessity Statement

Article I, section 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public records disclosure requirements to state with specificity the public necessity justifying the exemption. This bill creates a new exemption and thus a statement of public necessity is required.

Section 3 of the bill contains a statement of public necessity which provides that information protected from public copying and disclosure requirements is necessary to avoid a chilling of the employees' exercise of their right to no longer be represented by a

union and provide similar protections to those employees wishing to no longer be represented by a union as those employees wishing to be represented already enjoy.

Breadth of Exemption

Article I, section 24(c) of the State Constitution requires an exemption to the public records disclosure requirements to be no broader than necessary to accomplish the stated purpose of the law. The breadth of the exemption appears to be no broader than necessary to accomplish the purpose of the laws.

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 private sector may be subject to the cost associated with an agency's review and redactions of exempt records in response to a public records request.

C. Government Sector Impact:

The government sector may incur costs related to the review and redaction of exempt records associated with responding to public records requests.

VI. Technical Deficiencies:

None identified.

VII. Related Issues:

None identified.

VIII. Statutes Affected:

This bill substantially amends section 447.308 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 Governmental Oversight and Accountability on February 11, 2026:

- Changes the effective date of the creation of the exemption for showing of interest cards for the decertification of a union to "upon becoming a law" rather than July 1, 2026.
- Removes the provision that would have expanded a public records exemption to include the personal identifying information of the commission's chair, commissioners, hearing officers, and their spouses and children.
- Removes the provision that would have expanded the public records and meetings exemption to make confidential and exempt specified commission deliberations and any draft orders and related written communication that is developed in preparation for, or preliminary to, the issuance of a final written order.

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 the Committee on Governmental Oversight and Accountability; and Senator Martin

585-02790-26 20261298c1

A bill to be entitled

An act relating to public records; amending s. 447.308, F.S.; providing an exemption from public records requirements for a showing of interest signed by the employees or the group of employees who no longer desire to be represented by a certified bargaining agent; providing for future legislative review and repeal of the exemption; providing for the reversion of specified statutory text under certain conditions; providing statements of public necessity; providing an effective date.

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

Section 1. Subsection (1) of section 447.308, Florida Statutes, is amended to read:

447.308 Revocation of certification of employee organization.—

(1) Any employee or group of employees which no longer desires to be represented by the certified bargaining agent may file with the commission a petition to revoke certification. The petition must ~~shall~~ 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 for purposes of collective bargaining by the certified bargaining agent. The time of filing said petition is ~~shall be~~ governed by ~~the provisions of~~ s. 447.307(3)(d) relating to petitions for certification. The showing of interest signed by the employees is confidential and exempt from s. 119.07(1) and s. 24(a),

585-02790-26 20261298c1

Article I of the State Constitution, except that any employee, employer, or employee organization having sufficient reason to believe any of the employee signatures were obtained by collusion, coercion, intimidation, or misrepresentation or are otherwise invalid shall be given a reasonable opportunity to verify and challenge the signatures appearing on the petition. The commission or one of its designated agents shall investigate the petition to determine its sufficiency. If the commission finds the petition to be insufficient, it may dismiss the petition. If the commission finds that the petition is sufficient, it shall immediately:

(a) Identify the bargaining unit and determine which public employees shall be qualified and entitled to vote in the election held by the commission.

(b) Identify the public employer or employers.

(c) Order an election by secret ballot, the cost of said election to be borne equally by the parties, except as the commission may provide by rule. The commission's order assessing costs of an election may be enforced pursuant to the provisions of this part.

Section 2. The amendment made by this act to s. 447.308(1), Florida Statutes, is subject to the Open Government Sunset Review Act in accordance with s. 119.15, Florida Statutes, and shall stand repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature. If the expansion of the exemption is not saved from repeal, the text of that subsection must revert to that in existence on June 30, 2026, except that any amendment to such text enacted other than by this act must be preserved and continue to operate to the

extent that such amendments are not dependent upon the amendment to the text which expires pursuant to this section.

Section 3. The Legislature finds that it is a public necessity that the showing of interest statements signed by public employees indicating their desire to no longer be represented by their bargaining agent be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. The showing of interest statements signed by public employees indicating their desire to be represented by a bargaining agent are already confidential and exempt pursuant to s. 447.307, Florida Statutes, in order to avoid the practical effect of chilling the employees' exercise of the right to form and join a union. Similarly, the showing of interest statements seeking to decertify a union must be kept confidential in order to avoid the practical effect of chilling the employees' exercise of the right to no longer be represented by a union. The Legislature finds that the harm that may result from the release of this showing of interest information outweighs any public benefit that may be derived from the disclosure of the information.

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

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

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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3/2/26
Meeting Date

Fiscal
Committee

1298
Bill Number or Topic

Amendment Barcode (if applicable)

Name Theresa King

Phone 850-228-8940

Address PO 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: President Florida Building 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. 2020-2022JointRules.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

3/2/26
Meeting Date

Fiscal
Committee

SB 1298
Bill Number or Topic

Amendment Barcode (if applicable)

Name Dr. Rick Templin

Phone 850-224-6926

Address 135 S. 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:
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. 2020-2022JointRules.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:	SB 1300
INTRODUCER:	Senator Calatayud
SUBJECT:	Education and Workforce Development for Current and Former Inmates
DATE:	February 27, 2026
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wyant	Stokes	CJ	**Favorable**
2.	Sanders	Betta	AEG	**Favorable**
3.	Wyant	Siples	FP	**Favorable**

I. Summary:

SB 1300 amends s. 334.044, F.S., to expand duties of the Department of Transportation (DOT) to expend funds for a workforce development program. The bill allows the DOT to provide grants from the State Transportation Trust Fund to private educational providers and for certification and training opportunities within the Florida Transportation Academy.

The bill amends s. 334.62, F.S., to allow the DOT to coordinate with the Department of Corrections (DOC) to identify and create certification and training opportunities for nonviolent, scheduled-release inmates and inmates who have two years or less remaining on their sentence. Such certification and training opportunities must include programs within the state correctional institutions or correctional facilities to train and license the specified inmates to operate a commercial motor vehicle. The bill requires the curriculum for such programs to include training for Class A and Class B commercial driver licenses.

The bill creates s. 446.55, F.S., to allow employers with 100 or fewer employees, to apply to the Department of Financial Services (DFS) for reimbursement of the proportionate cost of workers' compensation and automobile liability premiums paid during the fiscal year. The reimbursement applies to former inmates who have less than two years of commercial driving experience and who were hired during the previous fiscal year. The bill provides application for reimbursement requirements. Reimbursements are limited to $5,000 per employee and $20,000 per employer.

The bill amends s. 944.801, F.S., to allow the DOC's Correctional Education Program to develop and implement a vocational curriculum for implementation within the state correctional institutions or correctional facilities to train and license inmates to operate a commercial motor vehicle. Additionally, the bill requires the Correctional Education Program's annual report to contain specified information.

The bill amends ss. 945.091 and 945.0913, F.S., to allow an inmate to drive a state-owned vehicle if he or she is participating in, or a graduate of, a department career and technical education program or a contracted commercial driver license training program.

The bill has an indeterminate impact on state revenues and expenditures. *See* **Section V., Fiscal Statement**.

The bill takes effect on July 1, 2026.

II. Present Situation:

Truck Driver Shortage

The United States continues to experience a persistent shortage of commercial truck drivers, with industry estimates indicating a shortfall in the tens of thousands of positions. In 2025, estimates placed the gap at more than 80,000 drivers, and projections suggest that long-term demand will require over 1.2 million new drivers over the next decade to replace retirees and keep pace with freight growth.[1] The shortage is driven in part by an aging workforce, high annual turnover, and challenges in attracting younger workers and addressing training barriers.[2]

Florida's labor market for CDL-A truck drivers includes an estimate of over 16,000 job openings statewide.[3] State-level workforce development programs, including state colleges and district career centers, have highlighted the need for expanded training opportunities to address the shortage.[4]

Requirements to Obtain a Commercial Driver's License (CDL)

Federal law establishes minimum qualification standards for individuals operating commercial motor vehicles. Motor carriers are prohibited from permitting unqualified individuals to drive.[5]

To be qualified, a commercial driver must, among other requirements:[6]

- Be at least 21 years old;[7]

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[1] TruckClub, *Trucking's Driver Shortage: What's Behind It* and *How the Industry is Responding* (Sept. 18, 2025), https://www.truckclub.com/trucking-news/driver-shortage-in-trucking (last visited Feb. 17, 2026).
[2] Freight Amigo, *The Ongoing US Truck Driver shortage: Impacts & Adaptions 2025*, https://www.freightamigo.com/en/blog/logistics/the-ongoing-truck-driver-shortage-in-the-us-impacts-and-adaptations/ (last visited Feb. 17, 2026).
[3] Florida Educator Preparation & Leadership Network 2025 Convening, *Florida' Labor Market Needs: CDL-A Truck Drivers*, p. 33, https://www.fau.edu/education/academicdepartments/el/school-leaders/initiatives/leadership-learning-center/fepln/convening/2025-convening-presentation/documents/fepln-2025-day-1-ppt.pdf. (last visited Feb. 17, 2026).
[4] Spectrum News, Pinellas Technical College aims to bridge female truck driver gap, reduce storage, https://baynews9.com/fl/tampa/news/2023/06/08/pinellas-technical-college-aims-to-bridge-female-truck-driver-gap--reduce-shortage (last visited Feb. 17, 2026).
[5] 49 C.F.R. s. 391.11(a).
[6] 49 C.F.R. s. 391.11(b)(1)-(3).
[7] An individual who is at least 18 years of age, but younger than 21, is restricted to intrastate operation only. https://www.flhsmv.gov/driver-licenses-id-cards/commercial-motor-vehicle-drivers/commercial-driver-license/ (last visited Feb. 17, 2026). *also*, 49 C.F.R. s. 383.71(a). A Commercial Learner's Permit can be issued to a person 18 years of age or older.

- Be able to read and speak the English language sufficiently to communicate with the general public, understand traffic signs and signals, respond to official inquiries, and accurately complete required reports and records; and
- Have the training, experience, or both, necessary to safely operate the type of commercial motor vehicle driven.

Drivers must also meet federal physical qualification standards, hold a valid commercial driver license issued by only one jurisdiction, not be subject to federal disqualification, and have successfully completed a road skills test or an equivalent licensing requirement accepted by the employing motor carrier.[8]

In Florida, CDLs are issued in three primary classes based on the type and weight of vehicle to be operated:[9]

- Class A licenses allow operation of any combination vehicle, such as e.g., tractor-trailers, with a gross vehicle weight rating of 26,001 pounds or more when the towed vehicle weighs more than 10,000 pounds;
- Class B licenses allow operation of a single vehicle with a gross vehicle weight rating of 26,001 pounds or more; and
- Class C licenses allow operation of vehicles not covered by Class A or B that either transport a specified number of passengers or hazardous materials.

Beginning, February 6, 2026, all driver license knowledge and skills examinations will be administered exclusively in English.[10]

Florida law prohibits the Department of Highway Safety and Motor Vehicles from issuing a driver license to a person who is an unauthorized alien or undocumented immigrant.[11]

Florida Department of Transportation (FDOT)

The FDOT has several general powers and duties, including expending funds for a construction workforce development program, in consultation with affected stakeholders, for delivery of projects designated in the department's work program.[12] The FDOT may annually expend up to five million dollars from the State Transportation Trust Fund for fiscal years 2025-2026 through 2029-2030 in grants to state colleges and school districts, with priority given to state colleges and school districts in rural communities.[13] These funds may be used for:

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[8] 49 C.F.R. s. 391.11(b)(4)-(7).
[9] Florida Highway Safety and Motor Vehicles, License Classes, Endorsements & Designations, https://www.flhsmv.gov/driver-licenses-id-cards/general-information/license-classes-endorsements-designations/ (last visited Feb. 17, 2026).
[10] Florida Department of Highway Safety and Motor Vehicles, *Driver Licenses & ID Cards* (Jan. 30, 2026), https://www.flhsmv.gov/2026/01/30/flhsmv-announces-driver-license-exams-to-be-administered-in-english-only/ (last visited Feb. 17, 2026).
[11] Section 322.033, F.S.
[12] Section 334.044(35), F.S.
[13] *See* s. 288.0656(2), F.S. A rural community means a county with a population of 75,000 or fewer; a county with a population of 125,000 or fewer which is contiguous to a county with a population of 75,000 or fewer; a municipality within a county described Florida statute; or an unincorporated federal enterprise community or an incorporated rural city with a population of 25,000 or fewer and an employment base focused on traditional agricultural or resource-based industries,

- The purchase of equipment simulators with authentic original equipment manufacturer controls and a companion curriculum;
- The purchase of instructional aids for use in conjunction with the equipment simulators; and
- Supporting offering an elective course in heavy civil construction which must, at a minimum, provide the student with:
  - Occupational Safety and Health Administration 10-hour certification; and
  - Fill equipment simulator certification.[14]

Florida Transportation Academy (FTA)

In 2025, the Florida Legislature codified the FTA[15] to prioritize the continued need for transportation industry workforce development programs. To support, promote, and sustain workforce development efforts in the transportation sector, the FDOT has the authority to coordinate with various entities,[16] including the DOC. Coordination with the DOC is intended to identify and create certification and training opportunities for nonviolent inmates and to establish a process for notifying the FDOT when a nonviolent inmate seeking employment has a scheduled release date.[17]

Education for State Prisoners

The Bureau of Workforce Development within the DOC offers Career and Technical Education (CTE) programs throughout the state's correctional institutions and work camps.[18] Currently, the DOC provides 92 CTE courses in 37 distinct vocational trades spanning 11 career clusters aligned to Florida's in-demand occupations. Expansion of programs has been achieved through contracted education partners, including state colleges, technical colleges, and community providers. Technical training, employability skill development, and industry-recognized credentialing are integrated into the CTE programs to ensure returning citizens are job-ready upon release.[19]

As part of these efforts, the DOC operates the Correctional Education Program (CEP), which manages educational services in all state correctional facilities. The CEP develops, evaluates, and periodically updates CTE programs based on labor market demand and workforce needs.[20] In addition to curriculum development and evaluation, the CEP must annually report correctional education activities to the Secretary of Corrections.[21] Current law does not specify the data elements that must be included in the report.

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located in a county not defined as rural, which has at least three or more of the economic distress factors identified Florida statute and verified by the department.

[14] Section 334.044(35), F.S.

[15] Section 25, ch. 2025-155, L.O.F. *See also*, Florida Department of Transportation, *Florida Transportation Academy Construction Division*, https://movingi4forward.com/workforce-development-landing-page/ (last visited Feb. 17, 2026).

[16] *See* s. 334.62, F.S. The FDOT may coordinate with the DOC, the Department of Juvenile Justice, veteran's organizations, the Department of Commerce, CareerSource Florida, regional business communities, the American Council of Engineering Companies, and the Florida Transportation Builders Association.

[17] Section 334.62(1), F.S.

[18] Florida Department of Corrections, *Bureau of Workforce Development*, https://www.fdc.myflorida.com/programs/bureau-of-workforce-development (last visited Feb. 17, 2026).

[19] *Id*.

[20] Section 944.801(1), (2), and 3(h) F.S.

[21] Section 944.801(3)(f), F.S.

The CEP is authorized to establish specialized educational programs for inmates, including prison entrepreneurship programs and workforce certifications, and to adopt procedures for admitting student inmates. Programs may include in-prison education, development of business plans, graduation and certification of successful student inmates, and post release transitional or continuing education services. The DOC may implement programs in partnership with public or private colleges or universities, nonprofit organizations, or other authorized providers using existing resources.[22]

Additionally, the CEP may work with the Department of Agriculture and Consumer Services, the Florida Forest Service Division, and the DFS, Division of State Fire Marshal to develop certifications and training programs, such as state forest staff training to protect homes, forestland, and natural resources from wildfires.[23]

Department of Corrections Commercial Driver's License Training Opportunities

As part of broader workforce development efforts, vocational and pre-release programs may provide training related to CDLs. In Florida, workforce initiatives such as Florida HIRES, which involves CareerSource Florida and the DOC, have included training opportunities for in-demand occupations, including Class B commercial truck driving.[24] The Florida HIRES program currently operates at Kissimmee Community Release Center (Kissimmee CRC). Female inmates from Orlando Community Release Center that are eligible for the program are provided daily transport to and from Kissimmee CRC to participate in the program. Cohorts typically take six weeks to complete the program. The program is contracted for five cohorts for Fiscal Year 2025-2026, serving 75 total inmates for Class B CDLs.[25]

Through contract with the Tallahassee State College, the DOC currently operates a Class A CDL program for work release inmates at Tallahassee Community Release Center. The 320-hour course is completed in over eight weeks. The program is contracted for two cohorts for Fiscal Year 2025-2026, serving 16 total inmates.[26]

Inmate Transportation in Work-Released Program

An inmate is prohibited from driving a state-owned vehicle for the purpose of transporting other inmates who are participating in a work-release program that allows inmates to be gainfully employed in the community while remaining in the custody and supervision of the DOC.[27] Due to this prohibition and the required knowledge and skills tests, commercial vehicle driving programs are only offered to inmates housed at Work Release Centers, where testing and training

[22] Section 944.801(5), F.S.
[23] Section 944.801(6), F.S.
[24] Florida Daily, CareerSource Florida, *Department of Corrections Honor Graduates of Commercial Driver License Program* (Feb. 2022), https://floridadaily.com/careersource-florida-department-of-corrections-honor-graduates-of-commercial-driver-license-program/#google_vignette (last visited Feb. 17, 2026).
[25] Florida Department of Corrections, *Agency Analysis of 2026 House Bill 325*, p. 2 (Nov. 21, 2025) (on file with the Senate Committee on Criminal Justice).
[26] *Id*.
[27] Section 945.0913, F.S.; *see also* s. 945.091(1)(b), F.S. and rule 33-601.605(9)(a), F.A.C.

facilities are available. Both Class A and Class B licenses require knowledge exams and skills tests, including pre-trip inspection, basic vehicle control, and on-road driving.[28]

III. Effect of Proposed Changes:

The bill amends s. 334.044, F.S., to expand duties of the DOT to expend funds for a workforce development program. The bill allows for the DOT to expend funds from the State Transportation Trust Fund in grants to private educational providers and for certification and training opportunities within the Florida Transportation Academy.

The bill amends s. 334.62, F.S., to allow the DOT to coordinate with the DOC to identify and create certification and training opportunities for nonviolent, scheduled-release inmates and inmates who have two years or less remaining on their sentence. Such certification and training opportunities must include programs within the state correctional institutions or correctional facilities to train and license the specified inmates to operate a commercial motor vehicle. The bill requires the curriculum for such programs to include training for Class A and Class B commercial driver licenses.

The bill creates s. 446.55, F.S., to allow employers, with 100 or fewer employees, to apply to the DFS for reimbursement of the proportionate cost of workers' compensation and automobile liability premiums paid during the fiscal year for former inmates who have less than two years of commercial driving experience and who were hired during the previous fiscal year. The bill requires the following information for the application for reimbursement:

- The number of employees for whom reimbursement is sought.
- Each employee's name, the date he or she was hired, the date on which he or she was issued a commercial driver license, the criminal offense for which the employee was convicted, and the final disposition of the employee's case.
- The total amount of reimbursement requested, and the method used by the employer to determine the proportionate share of the cost of premiums attributable to each employee.
- The employer's name, point of contact, and contact information.
- An attestation by the employer agreeing to maintain all documentation supporting the information provided in the application for at least five years.
- Any other information requested by the department.

The employee for whom reimbursement is sought must be a United States citizen or qualified noncitizen authorized to work in the United States who is proficient in English.

A reimbursement may not be sought for an employee who was convicted of any murder, manslaughter, sexual battery, robbery, arson, aggravated assault, aggravated battery, kidnapping, escape, breaking and entering with intent to commit a felony, or aircraft piracy, or any attempt to commit the aforementioned crimes.

Reimbursements are limited to $5,000 per employee and $20,000 per employer.

[28] Florida Department of Corrections, *Agency Analysis of 2026 House Bill 325*, (Nov. 21, 2025), pp. 2-3., (on file with the Senate Committee on Criminal Justice).

The bill amends s. 944.801, F.S., to allow the DOC's Correctional Education Program (CEP) to develop and implement a vocational curriculum for implementation within the state correctional institutions or correctional facilities to train and license inmates to operate a commercial motor vehicle. The curriculum must include training for Class A and Class B driver licenses, and participation is limited to prerelease inmates and inmates with two years or less remaining on their sentence. Additionally, the bill requires the CEP's annual report to include the following:

- The number of inmates who completed vocational training through the Correctional Education Program.
- The number of inmates who completed vocational training through the Correctional Education Program and were employed within six months after being released from prison.
- Statistics on whether the employed former inmates who completed training through the CEP are employed in an occupation aligned with their education and training received through the program.

The bill amends ss. 945.091 and 945.0913, F.S., to allow an inmate to drive a state-owned vehicle if he or she is participating in, or a graduate of, a department career and technical education program or a contracted commercial driver license training program.

The bill takes effect on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require the cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

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 impact to the private sector is indeterminate as the number of inmates participating in the CEP is unknown. Additionally, Florida companies who apply for (and receive) the reimbursement of the proportionate cost of workers' compensations and automobile liability premiums paid for former inmates with less than two years of commercial driver experience, may experience a positive fiscal outcome. Trucking companies who participate in the hiring of former inmates who have completed the CDL training prescribed in the bill, may have a positive yet indeterminate fiscal impact, as training costs will be diminished.

C. Government Sector Impact:

There is an indeterminate negative impact on the DFS for reimbursement of the proportionate cost of workers' compensations and automobile liability premiums paid for former inmates with less than two years of commercial driver experience. Reimbursements are limited to $20,000 per employer, however, it cannot be determined how many employers will apply for reimbursement.

There is an indeterminate negative impact on the DOC due to an increase in programming opportunities through the CEP, which may result in an increase in staffing or operational cost. The bill will require the DOC to update technology systems which can be absorbed within existing resources.[29]

Additionally, the bill allows the DOT to annually expend up to $5,000,000 in funds for a workforce development program, rather than solely for a construction workforce development program as previously specified.

VI. Technical Deficiencies:

The DOC's General Counsel raised a concern with Line 126 of the bill, stating:

> It is not clear from the bill language if the intent is for the Department to only provide CDL training to inmates who are proficient in English or alternatively whether or how employers of inmates who are not proficient in English will get reimbursed as contemplated by Section 2 of the bill. Moreover, how proficiency will be established is not stated. Finally, it is not clear whether this provision is legally viable to the extent it may preclude fully trained inmates from finding employment by operation of the bill language.

In addition, the DOC, with regards to Lines 227-228, states "[I]t is not clear how an extension of the limits of confinement relates to or is necessary for implementation of s. 945.0913(2), F.S., since that provision restricts inmates to activities that take place on DOC [department] property or other state owned property." Further, the DOC indicates it is not clear from s. 945.0913(2), F.S., if the bill contemplates inmates leaving the limits of confinement.

[29] *Id*.

Furthermore, the DOC raises a concern with Lines 260-266, stating, "[I]t is not clear from the bill language whether the inmates described (1) must be licensed; (2) must be accompanied by an appropriately licensed driver while operating a motor vehicle if they are not licensed, or (3) are permitted to transport passengers, all of which could raise issues of DOC [Department] and inmate liability."

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 334.044, 334.62, 944.801, 945.091, 945.0913.

This bill creates section 446.55 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

By Senator Calatayud

38-00607A-26 20261300__

A bill to be entitled

An act relating to education and workforce development for current and former inmates; amending s. 334.044, F.S.; authorizing the Department of Transportation to expend certain funds for all workforce development programs, rather than only construction workforce development programs; revising the entities to which and the purposes for which the department may provide certain grants; amending s. 334.62, F.S.; requiring that certification and training opportunities include training for specified commercial driver licenses for certain inmates; authorizing the department to use workforce development funds for certain certification and training opportunities; creating s. 446.55, F.S.; defining the term "employer"; authorizing employers to apply to the Department of Financial Services for reimbursement of the cost of certain workers' compensation and automobile liability premiums, subject to appropriation; providing requirements for the reimbursement application; providing requirements and restrictions for reimbursement; requiring the department to process an application and notify the applicant within a specified timeframe; requiring the department to coordinate with the employer for a certain purpose; providing reimbursement limits; amending s. 944.801, F.S.; requiring the Correctional Education Program under the Department of Corrections to include specified information in a report annually submitted to the Secretary of Corrections; authorizing

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Florida Senate - 2026 **SB 1300**

38-00607A-26 20261300__

the Correctional Education Program to develop and implement a vocational curriculum in which certain inmates can earn specified commercial driver licenses; amending s. 945.091, F.S.; conforming a provision to changes made by the act; amending s. 945.0913, F.S.; authorizing inmates to drive a state-owned vehicle under certain circumstances; providing an effective date.

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

Section 1. Subsection (35) of section 334.044, Florida Statutes, is amended to read:

334.044 Powers and duties of the department.—The department shall have the following general powers and duties:

(35) To expend funds for a ~~construction~~ workforce development program, in consultation with affected stakeholders, for delivery of projects designated in the department's work program. The department may annually expend up to $5 million from the State Transportation Trust Fund for fiscal years 2025-2026 through 2029-2030 in grants to state colleges, ~~and~~ school districts, and private educational providers, with priority given to state colleges and school districts in counties that are rural communities as defined in s. 288.0656(2), for certification and training opportunities within the Florida Transportation Academy, for the purchase of equipment simulators with authentic original equipment manufacturer controls and a companion curriculum, for the purchase of instructional aids for use in conjunction with the equipment simulators, and to support

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offering an elective course in heavy civil construction which must, at a minimum, provide the student with an Occupational Safety and Health Administration 10-hour certification and a fill equipment simulator certification.

Section 2. Subsection (1) of section 334.62, Florida Statutes, is amended to read:

334.62 Florida Transportation Academy.—The Legislature finds that the growth and sustainability of the transportation industry workforce is vital to the continued success and efficiency of the state's supply chain and economic competitiveness. In order to prioritize the continued need for transportation industry workforce development programs, the Florida Transportation Academy is established within the department. In order to support, promote, and sustain workforce development efforts in the transportation sector, the department may do all of the following:

(1) Coordinate with the Department of Corrections to identify and create certification and training opportunities for nonviolent, scheduled-release inmates and inmates who have 2 years or less remaining on their sentence and create a notification process between the Department of Corrections and the department for nonviolent inmates with imminent scheduled-release dates who are expected to seek employment upon release. Such certification and training opportunities must include programs within the state correctional institutions or correctional facilities to train and license nonviolent, scheduled-release inmates and inmates who have 2 years or less remaining on their sentence to operate a commercial motor vehicle. The curriculum for such programs must include training

for Class A and Class B commercial driver licenses. The department's workforce development funds as described in s. 334.044(35) may be used to fund such certification and training opportunities.

Section 3. Section 446.55, Florida Statutes, is created to read:

446.55 Reimbursement for insurance premiums.—

(1) For purposes of this section, the term "employer" means an employer principally headquartered in this state which employed 100 or fewer employees as of the end of the calendar year immediately preceding the year in which reimbursement is sought.

(2) Subject to appropriation, employers may apply to the Department of Financial Services, in a format prescribed by the department, for reimbursement of the proportionate cost of workers' compensation and automobile liability premiums paid during the fiscal year for former inmates who have less than 2 years of commercial driving experience and who were hired during the previous fiscal year.

(a) An application for reimbursement must include all of the following information:

1. The number of employees for whom reimbursement is sought.

2. Each employee's name, the date he or she was hired, the date on which he or she was issued a commercial driver license, the criminal offense for which the employee was convicted, and the final disposition of the employee's case.

3. The total amount of reimbursement requested and the method used by the employer to determine the proportionate share

of the cost of premiums attributable to each employee.

4. The employer's name, point of contact, and contact information.

5. An attestation by the employer agreeing to maintain all documentation supporting the information provided in the application for at least 5 years.

6. Any other information requested by the department.

(b) The employee for whom reimbursement is sought must be a United States citizen or qualified noncitizen authorized to work in the United States who is proficient in English.

(c) An employer may not request reimbursement for an employee who was convicted of any of the offenses in s. 945.091(5).

(3) Within 45 days after receipt of a completed application, the department must process the application and notify the applicant of approval or denial of the application. Before making its determination, the department must coordinate with the employer to verify the information on the application relating to the employer and the employees for whom reimbursement is sought.

(4) Reimbursements provided under this section are limited to $5,000 per employee and $20,000 per employer.

Section 4. Paragraph (h) of subsection (3) and subsections (5) and (6) of section 944.801, Florida Statutes, are amended to read:

944.801 Education for state prisoners.—

(3) The responsibilities of the Correctional Education Program shall be to:

(h) Develop a written procedure for selecting programs to

add to or delete from the vocational curriculum. The procedure shall include labor market analyses that demonstrate the projected demand for certain occupations and the projected supply of potential employees. In conducting these analyses, the department shall evaluate the feasibility of adding vocational education programs that have been identified by the Department of Commerce, the Department of Education, or a regional coordinating council as being in undersupply in this state. The department shall periodically reevaluate the vocational education programs in major institutions to determine which of the programs support and provide relevant skills to inmates who could be assigned to a correctional work program that is operated as a Prison Industry Enhancement Program. The annual report of correctional education activities required under paragraph (f) must include all of the following information:

1. The number of inmates who completed vocational training through the Correctional Education Program.

2. The number of inmates who completed vocational training through the Correctional Education Program and were employed within 6 months after being released from prison.

3. Statistics on whether the employed former inmates who completed training through the Correctional Education Program are employed in an occupation aligned with their education and training received through the Correctional Education Program.

(5) The Correctional Education Program may:

(a) Establish a prison entrepreneurship program and adopt procedures for admitting student inmates. If the department elects to develop the program, it must include at least 180 days of in-prison education. The program curriculum must include a

component on developing a business plan, procedures for graduation and certification of successful student inmates, and at least 90 days of transitional and postrelease continuing educational services. Transitional and postrelease continuing educational services may be offered to graduate student inmates on a voluntary basis and are not a requirement for completion of the program. The department shall enter into agreements with public or private colleges or universities, other nonprofit entities, or other authorized providers under s. 1002.45(1)(a)1. to implement the program. The program must be funded with existing resources.

(b) ~~(6) The Correctional Education Program may~~ Work in cooperation with the Department of Agriculture and Consumer Services, Florida Forestry Service Division, and the Florida Department of Financial Services, Division of State Fire Marshal to develop a program for implementation within state correctional institutions or correctional facilities to train and certify inmates as firefighters. The program should include, but not be limited to, certification of inmates as state forest staff trained to help protect homes, forestland, and natural resources from the effects of wildfires throughout the state.

(c) Develop and implement a vocational curriculum for implementation within the state correctional institutions or correctional facilities to train and license inmates to operate a commercial motor vehicle. The vocational curriculum must include training for Class A and Class B driver licenses, and participation in such curriculum is limited to prerelease inmates and inmates who have 2 years or less remaining to serve on their sentence.

Section 5. Paragraph (b) of subsection (1) of section 945.091, Florida Statutes, is amended to read:

945.091 Extension of the limits of confinement; restitution by employed inmates.—

(1) The department may adopt rules permitting the extension of the limits of the place of confinement of an inmate as to whom there is reasonable cause to believe that the inmate will honor his or her trust by authorizing the inmate, under prescribed conditions and following investigation and approval by the secretary, or the secretary's designee, who shall maintain a written record of such action, to leave the confines of that place unaccompanied by a custodial agent for a prescribed period of time to:

(b) Work at paid employment, participate in an education or a training program, or voluntarily serve a public or nonprofit agency or faith-based service group in the community, while continuing as an inmate of the institution or facility in which the inmate is confined, except during the hours of his or her employment, education, training, or service and traveling thereto and therefrom. An inmate may travel to and from his or her place of employment, education, or training only by means of walking, bicycling, or using public transportation or transportation that is provided by a family member or employer. Contingent upon specific appropriations or as authorized in s. 945.0913(2), the department may transport an inmate in a state-owned vehicle if the inmate is unable to obtain other means of travel to his or her place of employment, education, or training.

1. An inmate may participate in paid employment only during

the last 36 months of his or her confinement, unless sooner requested by the Florida Commission on Offender Review or the Control Release Authority.

2. While working at paid employment and residing in the facility, an inmate may apply for placement at a contracted substance abuse transition housing program. The transition assistance specialist shall inform the inmate of program availability and assess the inmate's need and suitability for transition housing assistance. If an inmate is approved for placement, the specialist shall assist the inmate. If an inmate requests and is approved for placement in a contracted faith-based substance abuse transition housing program, the specialist must consult with the chaplain before such placement. The department shall ensure that an inmate's faith orientation, or lack thereof, will not be considered in determining admission to a faith-based program and that the program does not attempt to convert an inmate toward a particular faith or religious preference.

Section 6. Section 945.0913, Florida Statutes, is amended to read:

945.0913 Inmates prohibited from driving state-owned vehicles to transport inmates in a work-release program; exception.—

(1) Except as provided in subsection (2), an inmate may not drive a state-owned vehicle for the purpose of transporting inmates who are participating in a work-release program authorized in s. 945.091(1)(b).

(2) An inmate may drive a state-owned vehicle if he or she is participating in, or a graduate of, a department career and

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technical education program or a contracted commercial driver license training program. An inmate may only operate a state-owned vehicle on department property or other state-owned property that is specifically designated for career and technical education purposes.

Section 7. This act shall take effect July 1, 2026.

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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:	SB 1318
INTRODUCER:	Senator Rodriguez
SUBJECT:	Florida Tax Credit Scholarship Program
DATE:	February 27, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Palazesi	Bouck	ED	**Favorable**
2.	Gray	Elwell	AED	**Favorable**
3.	Palazesi	Siples	FP	**Favorable**

I. Summary:

SB 1318 makes a technical change to clarify that when a student's Florida Tax Credit scholarship account has been closed the remaining funds in the scholarship account must revert, but do not revert to the state.

This bill does not have an impact on state revenues or expenditures. **See Section V., Fiscal Impact Statement.**

The bill takes effect on July 1, 2026.

II. Present Situation:

Florida's K-12 Scholarship Program

Florida offers several scholarship programs that allow parents of an eligible student to register their child to attend a private school that may better serve the student's particular needs, provide educational options for their student with a disability, or direct the education of their child. The three scholarship programs include:

- The Family Empowerment Scholarship (FES), which includes:
  - The Family Empowerment Scholarship for students attending a private school (FES-EO).
  - The Family Empowerment Scholarship for students with disabilities (FES-UA).[1]
- The Florida Tax Credit (FTC) Scholarship Program,[2] for students attending a private school or for students in a personalized education program (PEP).[3]
- The Hope Scholarship Program (HSP).[4]

[1] Section 1002.394, F.S.; *see also* Rule 6A-6.0952, F.A.C.
[2] Section 1002.395, F.S.; *see also* Rule 6A-6.0960, F.A.C.
[3] Section 1002.395(2), F.S.
[4] Section 1002.40, F.S.; *see also* Rule 6A-6.0951, F.A.C.

The Department of Education (DOE) and Commissioner of Education[5] are tasked with implementation and oversight responsibilities. Florida's scholarship programs are administered by scholarship funding organizations (SFOs) approved by the DOE.[6]

As of November 2025, a total of 560,935 students were funded in the scholarship program in the 2025-2026 school year:

- 307,993 students were funded through the FES-EO scholarship;
- 163,242 students were funded through the FES-UA scholarship;
- 7,560 students were funded through the FTC scholarship; and
- 84,140 students were funded through the PEP scholarship.[7]

Florida Tax Credit Scholarship Program

The Florida Tax Credit scholarship program (FTC) was established in 2001 to provide an income tax credit for corporations that contribute money to nonprofit Scholarship-Funding Organizations (SFOs) that award scholarships to students from families with limited financial resources.[8] The FTC scholarship program allows taxpayers to make private, voluntary contributions to eligible nonprofit scholarship-funding organizations and receive a dollar-for-dollar credit against the following Florida taxes:

- Corporate income tax;
- Excise tax on liquor, wine, and malt beverages;
- Gas and oil production tax;
- Insurance premium tax; and
- Use tax due under a direct pay permit.[9]

In any state fiscal year when the annual tax credit amount for the prior state fiscal year is equal to or greater than 90 percent of the tax credit cap amount applicable to that state fiscal year, the tax credit cap amount increases by 25 percent. In the 2012-2013 state fiscal year the tax credit cap was $229 million,[10] for the 2024-2025 fiscal year the tax credit cap was $1,091,957,093.[11]

The FTC Scholarship program consists of two types of scholarships, the FTC scholarship for low-income students to attend an eligible private school and students who elected a PEP scholarship. The purpose of the FTC scholarship program is to:

- Enable taxpayers to make private, voluntary contributions to nonprofit scholarship-funding organizations in order to promote the general welfare.

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[5] Section 1002.421, F.S.
[6] *See* ss. 1002.394(11) and 1002.395(6) and (15), F.S.
[7] Email, Florida Department of Education (Dec. 1, 2025) (on file with the Senate Committee on Education Pre-K-12).
[8] Florida Department of Education, *Florida Tax Credit FAQs*, *available at* https://www.fldoe.org/schools/school-choice/k-12-scholarship-programs/ftc/ftc-faqs.stml, (last visited Feb. 16, 2026).
[9] Florida Department of Revenue, *Florida Tax Credit Scholarship Program, available at* https://floridarevenue.com/taxes/taxesfees/Pages/sfo_taxes.aspx, last visited (Feb. 16, 2026).
[10] Section 1002.395(5)(a), F.S.
[11] Florida Department of Education, *Florida Tax Credit Scholarships, available at* https://www.fldoe.org/schools/school-choice/k-12-scholarship-programs/ftc/, last visited (Feb. 16, 2026).

- Provide taxpayers who wish to help parents with limited resources exercise their basic right to educate their children as they see fit with a means to do so.
- Promote the general welfare by expanding educational opportunities for children of families that have limited financial resources.
- Enable children in this state to achieve a greater level of excellence in their education.
- Improve the quality of education in this state, both by expanding educational opportunities for children and by creating incentives for schools to achieve excellence.[12]

In 2023, the legislature passed HB 1,[13] which incorrectly required SFOs to revert remaining funds from tax credits to the state when certain conditions were met. The law should direct reverted funds back to the SFO which received the donations. The SFO is required to revert funds from the FTC scholarship program when a student's scholarship account is closed for one of the following reasons:

- Denial or revocation of program eligibility by the commissioner for fraud or abuse, including, but not limited to, the student or student's parent accepting any payment, refund, or rebate, in any manner, from a provider;
- Two consecutive fiscal years in which an account has been inactive; or
- The student remains unenrolled in an eligible private school for 30 days while receiving a scholarship that requires full-time enrollment.[14]

III. Effect of Proposed Changes:

This bill amends s. 1002.395, F.S., to make a technical change to clarify that when a student's Florida Tax Credit Scholarship Program account has been closed the remaining funds in the scholarship account must revert, but do not revert to the state.

The bill takes effect on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

[12] Section 1002.395, F.S.
[13] Chapter 2013-16, Laws of Fla.
[14] Section 1002.395(11)(h), F.S.

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:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1002.395 of the Florida Statutes.

IX. Additional Information:

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

None.

B. Amendments:

None.

By Senator Rodriguez

40-00284A-26 20261318__

A bill to be entitled

An act relating to the Florida Tax Credit Scholarship Program; amending s. 1002.395, F.S.; removing language requiring certain program funds to revert to the state; providing an effective date.

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

Section 1. Paragraphs (g) and (h) of subsection (11) of section 1002.395, Florida Statutes, are amended to read:

1002.395 Florida Tax Credit Scholarship Program.—

(11) SCHOLARSHIP AMOUNT AND PAYMENT.—

(g) Reimbursements for program expenditures may continue until the account balance is expended or remaining funds have reverted ~~to the state~~.

(h) A student's scholarship account must be closed and any remaining funds shall revert ~~to the state~~ after:

1. Denial or revocation of program eligibility by the commissioner for fraud or abuse, including, but not limited to, the student or student's parent accepting any payment, refund, or rebate, in any manner, from a provider of any services received pursuant to paragraph (6)(d);

2. Two consecutive fiscal years in which an account has been inactive; or

3. The student remains unenrolled in an eligible private school for 30 days while receiving a scholarship that requires full-time enrollment.

Section 2. This act shall take effect July 1, 2026.

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

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 1332
INTRODUCER:	Fiscal Policy Committee and Senator Martin
SUBJECT:	Career Offender Registration
DATE:	March 3, 2026
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Vaughan	Stokes	CJ	**Favorable**
2.	Kolich	Harkness	ACJ	**Favorable**
3.	Vaughan	Siples	FP	**Fav/CS**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

CS/SB 1332 amends ss. 775.261, 944.608, and 944.609, F.S., to make changes to registration requirements for career offenders. Many of the changes to these sections increase registration requirements, and create similar requirements contained in the sexual predator and sexual offender registry. The bill, in part:

- Requires initial registration in person at the sheriff's office within 48 hours of establishing a residence or release.
- Expands the list of required information to include addresses, phone numbers, employment, vehicles, professional licenses, and immigration status.
- Requires annual reregistration during the offender's birth month at the sheriff's office.
- Redefines "permanent residence," "temporary residence," and "transient residence."
- Requires reporting of in-state travel residences within 48 hours of establishment.
- Requires reporting of changes to phone numbers and employment within 48 hours.
- Requires local jail custodians to notify the Florida Department of Law Enforcement (FDLE) within three business days after intake or release of a career offender.
- Requires the Department of Corrections (DOC) to report noncompliance and provide updated information and digitized photographs to the FDLE.
- Requires federal agencies supervising career offenders to share information with the FDLE and indicate whether it may be used for public notification.
- Requires law enforcement agencies to verify offender addresses at least annually and report noncompliance to the FDLE.

- Provides that each failure to register or report required information constitutes a separate offense, punishable as a third degree felony.[1]

The bill amends s. 322.141, F.S., to require a career offender to obtain the marking of "775.261," on their driver license or identification card.

The bill may have a positive indeterminate prison bed impact on the Department of Corrections. See Section V., Fiscal Impact Statement.

The bill takes effect on October 1, 2026.

II. Present Situation:

Florida Career Offender Registration

The Florida Career Offender Registration Act,[2] was signed into law in 2002, and as of January 1, 2003, a select group of convicted felons who present a threat to the public and to communities, are required to register their residences with law enforcement and a state registry maintained by the FDLE, the Career Offender Application for Statewide Tracking (COAST). These offenders, by virtue of their histories of offenses, present a threat to the public and to communities. Registration is not a punishment, but merely a status. Currently, there are over 20,000 Florida career offenders, with approximately 6,800 residing in Florida communities and 1,200 offenders that have absconded or have an unknown location.[3]

Section 775.261, F.S., defines "career offender" as any person who is designated as a habitual violent felony offender, a violent career criminal, or a three-time violent felony offender[4] or as a prison releasee reoffender.[5] Career offenders are subject to registration requirements intended to assist law enforcement in monitoring and tracking offenders who pose a heightened risk to public safety.

Residency

"Permanent Residence" means a place where the career offender abides, lodges, or resides for 14 or more consecutive days.[6]

"Temporary residence"[7] means:

- A place where the career offender abides, lodges, or resides for a period of 14 or more days in the aggregate during any calendar year and which is not the career offender's permanent address;

[1] A third degree felony is punishable by a term of imprisonment not to exceed five years and a $5,000 fine, as provided in ss. 775.082, 775.083, or 775.084, F.S.
[2] Section 775.261, F.S.
[3] Florida Department of Law Enforcement (FDLE), *Legislative Bill Analysis SB 1332*, October 1, 2026 (on file with the Senate Appropriations Committee on Criminal and Civil Justice).
[4] Section 775.084, F.S.
[5] Section 775.082(9), F.S.
[6] Section 775.261(1)(f), F.S.
[7] Section 775.261(1)(g), F.S.

- For a career offender whose permanent residence is not in this state, a place where the career offender is employed, practices a vocation, or is enrolled as a student for any period of time in this state; or
- A place where the career offender routinely abides, lodges, or resides for a period of four or more consecutive or nonconsecutive days in any month and which is not the career offender's permanent residence, including any out-of-state address.

Registration

Career offenders are required to complete an initial registration with the FDLE or the sheriff's office in the county where they maintain a permanent or temporary residence within two working days after establishing a residence or within two working days after release from custody or supervision. At registration, offenders provide identifying information such as name, date of birth, physical description, fingerprints, photograph, and residential address.[8]

After initial registration, subsequent reporting requirements include reporting in person to a driver license office of the Department of Highway Safety and Motor Vehicles (DHSMV) within two working days to obtain or update a driver license or identification card that reflects the offender's status. Career offenders must also report any changes in residence, name, employment, or vehicle ownership within two working days, and provide proof of registration when updating their license or identification card.[9]

The FDLE maintains a public registry of career offenders, and law enforcement agencies may notify the community of an offender's presence.[10] Failure to register a residence or comply with reporting requirements constitutes a third-degree felony.[11]

III. Effect of Proposed Changes:

The bill makes multiple changes to the Florida Career Offender Registration Act, to make the registration requirements for career offenders similar to those for sexual offenders and sexual predators.

License Designation – Section 322.141, F.S.

The bill amends s. 322.141, F.S., to require that a person who is designated as a career offender under s. 775.261, F.S., or s. 944.608, F.S., have a marking on the front of their driver license or identification card notating "775.261, F.S," which is the Florida Career Offender Registration Act.

Unless previously secured or updated, each career offender must report in person within 48 hours to the driver license office of the DHSMV during the month of his or her birth in order to obtain an updated or renewed driver license or identification card with the notation of "775.261, F.S."

[8] Section 775.261(4)(a), F.S.
[9] Section 775.261(4)(d), F.S.
[10] Section 775.261(5), F.S.
[11] A third degree felony is generally punishable by a term of imprisonment not to exceed five years and a $5,000 fine, as provided in ss. 775.082, 775.083, or 775.084, F.S.

The Florida Career Offender Registration Act – Section 775.261, F.S.

Definitions

The bill amends s. 775.261(2), F.S., by revising and clarifying definitions of "permanent residence" and "temporary residence." Under the bill, the definitions specify how days are calculated for each type of residence.

The bill changes the definition of career offender residences by reducing the length of time to establish a residence (permanent or temporary) from 14 days to three days.

"Permanent residence" means a place where the person abides, lodges, or resides for three or more consecutive days. For the purpose of calculating a permanent residence, the first day that a person abides, lodges, or resides at a place is excluded and each subsequent day is counted. A day includes any part of a calendar day.

"Temporary residence" means a place where the person abides, lodges, or resides, including, but not limited to, vacation, business, or personal travel destinations in or out of this state, for a period of three or more days in the aggregate during a calendar year that is not the career offender's permanent or transient residence. An in-state travel residence is a temporary residence. For a career offender whose permanent residence is not in this state, a place where the career offender is employed, practices a vocation, or is enrolled as a student for any period of time in this state is also a temporary residence. For the purpose of calculating a temporary residence, the first day that a person abides, lodges, or resides at a place is excluded and each subsequent day is counted. A day includes any part of a calendar day.

The bill defines "in-state travel residence" to mean a temporary residence in this state established by a person who already has an existing permanent, temporary, or transient residence in this state.

"Transient residence" means a county where the career offender lives, remains, or is located for the purpose of abiding, lodging, or residing for a period of three or more days in the aggregate during a calendar year that is not the person's permanent or temporary residence. The term includes, but is not limited to, a place where the career offender sleeps or seeks shelter and a location that has no specific street address. For the purpose of calculating a transient residence under this paragraph, the first day that a career offender lives, remains, or is located in a county for the purpose of abiding, lodging, or residing is excluded and each subsequent day is counted. A day includes any part of a calendar day.

The bill provides a definition for "professional license" to mean the document of authorization or certification issued by an agency of this state for a regulatory purpose, or by any similar agency in another jurisdiction for a regulatory purpose, to a person to engage in an occupation or to carry out a trade or business.

The bill defines "vehicles owned" to mean any motor vehicle as defined in s. 320.01, F.S., which is registered, co-registered, leased, titled, or rented by a career offender; a rented vehicle that a career offender is authorized to drive; or a vehicle for which a career offender is insured as a driver. The term also includes any motor vehicle as defined in s. 320.01, F.S., which is

registered, co-registered, leased, titled, or rented by a person or persons residing at a career offender's permanent residence for five or more consecutive days.

Criteria for Registration

The bill amends s. 775.261(3), F.S., to clarify that a career offender released on or after July 1, 2002, is deemed to be released upon conviction, if no sanction is imposed. The bill adds "federal prison" to and removes "a fine" from the list of sanctions.

Initial Registration

The bill amends s. 775.261(4), F.S., to specify that upon initial registration, a career offender must report in person to the sheriff's office. The bill removes the ability of a career offender to register with the FDLE, and requires that registrations occur in person:

- Within 48 hours of being released in the county he or she establishes residency from custody, control, or supervision of:
  - The Florida Department of Corrections (DOC); or
  - A local detention facility; or
- In the county where he or she was convicted within 48 hours after being convicted for a qualifying offense for registration if the offender is not in the custody or control of, or under the supervision of, the DOC, or is not in the custody of a contractor-operated correctional facility or local detention facility.

The bill adds the following to the list of information that a career offender must provide upon registration:

- Sex.
- Tattoos or other identifying marks.
- Fingerprints.
- Palm prints.
- Employment information.
- Address of permanent or legal residence and address of any current temporary residence within the state or out of state.
- If he or she has no permanent or temporary address, any transient residence within this state;
- The address, location or description, and dates of any current or known future temporary residence within Florida or out of state.
- The make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned.
- Home and cellular telephone numbers.

If the career offender has a passport, he or she must produce the passport, and, if he or she is an alien, must produce or provide information about documents establishing immigration status. The career offender must provide information about any professional licenses he or she has.

If the career offender's place of residence is a motor vehicle, trailer, mobile home, manufactured home, vessel, liveaboard vessel, or houseboat, the career offender must provide the specified information to the FDLE *through the sheriff's office*.

The career offender must report any change in any of the required information.

The bill adds palm prints to the list of items a sheriff must obtain upon registration and specifies that the sheriff's office must promptly provide to the FDLE the information received from the career offender.

Maintaining Registration

The bill also provides that a career offender who is unable to secure or update a driver license or an identification card with the DHSMV must report any change in the career offender's name within 48 hours after the change to the sheriff's office in the county where he or she resides or is located.

A career offender must report in person to the sheriff's office within 48 hours after any change in vehicles owned.

A career offender must register all changes to his or her home and cellular telephone numbers, including added and deleted numbers, and all changes to employment information, including the creation of a new business if self-employed, *in person at the sheriff's office*, or in person at the DOC if the career offender is in the custody or control, or under the supervision, of the DOC.

If a career offender is in the custody of the local jail, the custodian of the local jail must notify the FDLE within three business days after intake and upon release. The custodian must provide the FDLE with a digitized photograph of the career offender and notify the FDLE if the career offender dies or escapes from custody.

Establishing A Residence in This State After Registration

The bill amends s. 775.261(6), F.S., to specify that a career offender report in person to a driver license office:

- Each time a career offender's driver license or identification card is subject to renewal; and
- Without regard to the status of the offender's driver license or identification card, within 48 hours after any change in the offender's permanent or temporary residence.

The DHSMV is required to forward to the FDLE and to the DOC all photographs and information provided by career offenders.

A career offender who is unable to secure or update a driver license or an identification card with the DHSMV is also required to report any change in the career offender's permanent, temporary or transient residence within 48 hours after the change, in person, to the sheriff's office in the county where the offender resides. The career offender still must obtain a Florida driver license or an identification card as required in this section.

A career offender must report an in-state travel residence within 48 hours after establishing the residence. The report must be made *in person at the sheriff's office in the county in which the career offender is located,* or in person at the DOC if the career offender is in the custody or control, or under the supervision, of the DOC.

A career offender who vacates a permanent, temporary, or transient residence and fails to establish or maintain another permanent, temporary or transient residence must, within 48 hours after vacating the permanent, temporary or transient residence, report in person to the sheriff's office of the county in which he or she is located to provide specified information.

A career offender who remains at a permanent, temporary, or transient residence after reporting his or her intent to vacate such residence must, within 48 hours after the date upon which the offender indicated he or she would or did vacate such residence, report in person to the agency to which he or she reported for the purpose of reporting his or her address at such residence. When the sheriff receives the report, the sheriff must promptly convey the information to the department. An offender who makes a report notifying the sheriff's office that they intended to or did vacate a residency, but does not vacate and fails to make a subsequent report, commits a second degree felony.[12]

Establishing a Non-Florida Residence

The bill amends s. 775.261(7), F.S., to specify that any career offender that intends to establish a permanent, temporary, or transient residence in another state or jurisdiction other than Florida must report in person to the sheriff of the county of current residence at least 48 hours before the date he or she intends to leave the state.

The bill amends s. 775.261(7), F.S., to specify that any travel that is not known by the career offender 48 hours before he or she intends to establish a residence in another state or jurisdiction must be reported in person to the sheriff's office as soon as possible before departure.

The bill provides that if a career offender reports his or her intent to establish residency in another state or jurisdiction other than Florida, but remains in the state without reporting to the sheriff, he or she commits a second degree felony.

Annual Reregistration Requirement

The bill creates s. 775.261(8), F.S., to specify that each year during the month of the career offender's birthday, a career offender must report in person to the sheriff's office in the county in which he or she maintains a permanent, temporary, or transient residence or is otherwise located to reregister. Reregistration must include changes to any of the following:

- Name.
- Social security number.
- Race.
- Sex.
- Date of birth.
- Height.
- Weight.
- Hair and eye color.
- Tattoos or other identifying marks.
- Fingerprints.

[12] A second degree felony is punishable by up to 15 years imprisonment and a $10,000 fine. Sections 775.082 and 775.083, F.S.

- Palm prints.
- Photograph.
- Employment information.
- Address of permanent residence and address of any current temporary residence within the state or out of state.
- If he or she has no permanent or temporary address, any transient residence within this state.
- The address, location or description, and dates of any current or known future temporary residence within Florida or out of state.
- The make, model, color, VIN, and license tag number of all vehicles owned.
- Home and cellular telephone numbers.

If the career offender has a passport, he or she must produce the passport, and, if he or she is an alien, must produce or provide information about documents establishing immigration status. The career offender must provide information about any professional licenses he or she has.

The bill specifies that a post office box may not be provided in lieu of a physical address. If the career offender's place of residence is a motor vehicle, trailer, mobile home, manufactured home, vessel, liveaboard vessel, or houseboat, the career offender must provide the specified information to the FDLE *through the sheriff's office*.

The sheriff's office must electronically submit all such information provided by the career offender within two business days after the career offender provides it to the sheriff's office.

Verification

The bill creates s. 775.261(9), F.S., to specify that county and local law enforcement agencies, in conjunction with the FDLE, must, at a minimum, verify annually the addresses of career offenders who are not under the care, custody, control, or supervision of the DOC, and may verify the addresses of career offenders who are under the care, custody, control, or supervision of the DOC. Local law enforcement agencies must report to the FDLE any failure by a career offender to comply with registration requirements.

Relief from Registration

The bill amends s. 775.261, F.S., to specify that a career offender be considered for removal of the requirement to register only if he or she has been lawfully released from confinement, supervision, or sanction, whichever is later, for at least 20 years and has not been arrested for any felony or misdemeanor offense since that release. Such a career offender may petition the criminal division of the circuit court of the circuit in which the registered career offender designation initially occurred for the purpose of removing the requirement for registration as a career offender.

The bill requires, in addition to the state attorney in the circuit in which the petition is filed, the FDLE to be given notice of the hearing on the matter and may present evidence in opposition to the relief.

Community and Public Notification

The bill provides that the FDLE is responsible for the online maintenance of the current information regarding each registered career offender. The FDLE must maintain hotline access for state, local, and federal law enforcement agencies to obtain instantaneous locator file and criminal characteristics information on release and registration of career offenders for the purposes of monitoring, tracking, and prosecution. The photograph and fingerprints need not be stored in a computerized format.

The bill specifies that the career offender registration list is a public record and the FDLE may disseminate this public information by any means deemed appropriate, including operating a toll-free telephone number for this purpose. The department must adopt guidelines as necessary regarding the registration of a career offender and the dissemination of information regarding a career offender as required by this section.

Penalties

The bill provides additional career offender registration violations to include:
- Failure to make a required report in connection with vacating a permanent residence; and
- Failure to respond to address verification correspondence or knowingly providing false registration information.

The bill specifies that each instance of failure to register or report changes to the required information specified constitutes a separate offense. A career offender who violates s. 944.608, F.S., or s. 944.609, F.S., may be prosecuted in the county:
- Where the act or omission was committed;
- Of the last registered address of the career offender;
- In which the conviction occurred for the offense or offenses that meet the criteria for designating a person as a career offender;
- In which he or she was designated a career offender;
- Where the career offender was released from incarceration; or
- Of the intended address of the career offender as reported by the offender before his or her release from incarceration.

The bill provides circumstances that constitute actual notice of the duty to register. Failure to register immediately after actual notice of the duty to register may constitute grounds for a subsequent charge of failure to register.

Penalties for Assisting Career Offender in Noncompliance

The bill increases the offense for assisting a career offender in noncompliance from a first degree misdemeanor to a third degree felony.[13]

[13] A third degree felony is generally punishable by up to five years imprisonment and a $5,000 fine. Sections 775.082 and 775.083, F.S.

Notification on Career Offenders – Section 944.608, F.S.

The bill amends s. 944.608, F.S., to provide that the terms "permanent residence," "temporary residence," "transient residence," "professional license," and "vehicles owned," have the same meaning as provided in s. 775.261, F.S.

A career offender who is under the supervision of the DOC, but is not incarcerated, must register with the DOC within three business days after sentencing and provide specified information. The bill adds the following to the list of information that must be provided:

- Sex.
- Employment information required to be provided pursuant to s. 775.261, F.S.
- All home and cellular telephone numbers required to be provided pursuant to s. 775.261, F.S.
- The make, model, color, VIN, and license tag number of all vehicles owned.
- Address, location or description, and dates of any current or known future temporary residence within this state or out of state.
- If the career offender has a passport, he or she must produce the passport, and, if he or she is an alien, must produce or provide information about documents establishing immigration status.
- The career offender must provide information about any professional licenses he or she has.

Career Offenders In Custody

If a career offender is in the custody of a local jail, the custodian of the local jail shall notify the FDLE within three business days after intake of the offender for any reason and upon release of the offender. The custodian of the local jail must also take a digitized photograph of the career offender while the offender remains in custody and must provide the digitized photograph to the FDLE.

If the career offender is under federal supervision, the federal agency responsible for supervising the career offender may forward to the FDLE any information regarding the career offender which is consistent with the information provided by the department under this section, and may indicate whether use of the information is restricted to law enforcement purposes only or may be used by the FDLE for purposes of public notification.

Penalties

The bill amends s. 944.608(10)(b), F.S., to specify that a career offender who commits any act or omission in violation of this section may be prosecuted in the county:

- Where the act or omission was committed.
- Of the last registered address of the career offender.
- In which the conviction occurred for the offense or offenses that meet the criteria for designating a person as a career offender.
- In which he or she was designated a career offender.
- Where the career offender was released from incarceration.
- Of the intended address of the career offender as reported by the offender before his or her release from incarceration.

The bill provides circumstances that constitute actual notice of the duty to register. Failure to register immediately after actual notice of the duty to register may constitute grounds for a subsequent charge of failure to register.

The bill amends s. 944.608(12), F.S., to provide that it is a third degree felony[14] for any person who has reason to believe that a career offender is not complying, or has not complied, with the requirements of this section and who, with the intent to assist the career offender in eluding a law enforcement agency that is seeking to find the career offender to question the career offender about, or to arrest the career offender for, his or her noncompliance with the requirements of this section. The following are the prohibited acts that can lead to such a felony charge:

- Withholding information from, or failing to notify, the law enforcement agency about the career offender's noncompliance with the requirements of this section, and, if known, the whereabouts of the career offender.
- Harboring or attempting to harbor, or assisting another person in harboring or attempting to harbor, the career offender.
- Concealing or attempting to conceal, or assisting another person in concealing or attempting to conceal, the career offender.
- Providing information to the law enforcement agency regarding the career offender which the person knows to be false information.

The bill amends s. 944.609, F.S., to provide that career offenders have a reduced expectation of privacy because of the public's interest in public safety and in the effective operation of government.

The bill adds the following information that the DOC must provide on any career offender who is being released from incarceration:

- Tattoos or other identifying marks.
- The address of any planned permanent residence or temporary residence, any transient residence within this state.
- The address, location or description, and dates of any current or known future temporary residence within this state or out of state.
- Palm prints.
- Employment information.
- All home and cellular telephone numbers.
- Passport information, if the career offender has a passport.
- Information about the documents establishing residency, if the career offender is an alien.
- The career offender must provide information about any professional licenses he or she has.

The bill takes effect on October 1, 2026.

[14] A third degree felony is generally punishable by up to five years imprisonment and a $5,000 fine. Sections 775.082 and 775.083, F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Art. VII, s. 18 of the State Constitution.

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:

None.

C. Government Sector Impact:

The Legislature's Office of Economic and Demographic Research (EDR) and the Criminal Justice Impact Conference, which provides the final, official estimate of the prison bed impact, if any, of legislation, has determined that the bill may have a positive indeterminate prison bed impact on the Department of Corrections (DOC). The EDR provides the following additional information regarding its estimate:

- Per DOC, in Fiscal Year (FY) 2024-2025, there were 38 new commitments to prison for failing to register or report changes to required information under s. 775.261, F.S. It is not known how many of these would include separate offenses under the new language. There were no new commitments for not reporting that they decided to remain in this state after indicating their intent to reside in a state or jurisdiction other than the State of Florida.

- Per FDLE, in FY 2024-2025, there was one arrest and no guilty convictions or adjudications withheld under the first degree misdemeanor for when someone assists a career offender in noncompliance.
- Per DOC, in FY 2024-2025, there were no new commitments under s. 944.608, F.S., when a career offender fails to take of a digitized photograph, or to otherwise comply with the requirements for the notification to the Department of Law Enforcement of information on career offenders. It is not known how the expanded requirements or the new felonies would increase the pool of offenders.
- Per DOC, in FY 2024-2025, the incarceration rate for a Level 1, third degree felony was 9.7 percent and the incarceration rate for a Level 4, second degree felony was 27.4 percent.[15]

The FDLE provides that they require technological updates to the Career Offender Application for Statewide Tracking (COAST) to allow for additional reporting requirements. Additionally, proposed changes will also require FDLE to update the career offender public website, the CJNet website, and training materials. FDLE will also plan to notify non-incarcerated career offenders of the legislative changes via a mailout, budget allowing.[16] The department advised that this impact is minimal.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 322.141, 775.261, 944.608, and 944.609.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

CS by Fiscal Policy Committee on March 2, 2026:
The committee substitute clarifies the definition of "transient residence" but does not make any substantive changes.

[15] Office of Economic and Demographic Research, *SB 1332- Career Offender Registration (Similar CS/HB 931)* available at https://edr.state.fl.us/Content/conferences/criminaljusticeimpact/SB1332.pdf (last visited Feb. 16, 2026),
[16] FDLE, *SB 1332 – Career Offender Registration.*

B. Amendments:

None.

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

229088

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/03/2026	.	
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The Committee on Fiscal Policy (Martin) recommended the following:

Senate Amendment

Delete line 268
and insert:
the purpose of calculating a transient residence under this paragraph, the first

By Senator Martin

33-00689D-26 20261332__

A bill to be entitled

An act relating to career offender registration; amending s. 322.141, F.S.; requiring a certain driver license or identification marking for a career offender; requiring a career offender to report to the Department of Highway Safety and Motor Vehicles in a certain month to obtain an updated or renewed driver license or identification card; amending s. 775.261, F.S.; providing and revising definitions; providing that if a sanction is not imposed upon a career offender, such offender is deemed to have been released upon conviction; requiring a career offender to report in person at the sheriff's office for initial registration; revising the time of such report; revising information and documentation required upon initial registration; specifying that information and documents are provided to the Department of Law Enforcement through the sheriff's office; specifying the manner in which changes to a career offender's information must be reported; requiring certain career offenders to report to the Department of Highway Safety and Motor Vehicles and obtain a driver license or identification card containing a required marking within a certain period of time; revising the information and documentation certain career offenders must provide to the Department of Highway Safety and Motor Vehicles when reporting; requiring a career offender to report changes to any information provided upon initial

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registration within certain periods of time; requiring the custodian of a jail to notify the Department of Law Enforcement within a certain period of time if such custodian has a career offender in his or her custody and upon release of such offender; requiring such custodian to take a digitized photograph of the career offender and provide it to the Department of Law Enforcement; requiring the custodian to notify the Department of Law Enforcement if a career offender escapes or dies; specifying the procedure for a career offender to establish a residence after initial registration; requiring the Department of Highway Safety and Motor Vehicles to forward photographs and certain information to the Department of Law Enforcement and the Department of Corrections; authorizing the Department of Highway Safety and Motor Vehicles to release certain images to the Department of Law Enforcement for purposes of public notification; requiring that certain career offenders report changes to certain information to the sheriff's office within a certain period of time; requiring a career offender to report an in-state travel residence within a certain period of time; requiring a career offender who vacates a residence and does not establish another residence to report certain information in person within a certain period of time; requiring a career offender who remains at an address that such offender previously reported he or she was vacating to report such information in person within a

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

certain period of time; requiring the sheriff's office to report such information to the Department of Law Enforcement; removing a provision relating to the registration of a career offender at an office of the Department of Law Enforcement; revising procedures for establishing a residence outside this state; requiring a career offender to report previously unknown travel in person to the sheriff's office as soon as possible before departure; revising the entities to which the career offender must provide certain residence information; requiring annual reregistration of career offenders during a certain month; specifying information that a career offender must provide upon reregistration; requiring the sheriff's office to electronically submit to and update with the Department of Law Enforcement such information within a specified timeframe; requiring certain governmental entities to verify certain career offender information at least once per year; requiring local law enforcement agencies to report to the Department of Law Enforcement failure by a career offender to comply with registration requirements; providing that certain career offenders shall be considered for removal of registration requirements in certain circumstances; revising the location in which a career offender may petition for such removal; requiring notice to the Department of Law Enforcement of such petition within a certain time period; authorizing the Department of Law Enforcement to present evidence in opposition to

removal; revising the circumstances in which a sheriff or chief of police may notify the community of the presence of a career offender; prohibiting the Department of Law Enforcement from publicly displaying information about a vehicle owned by a person who is not required to register as a career offender; revising the manner in which career offender addresses are verified and reported by law enforcement agencies; expanding circumstances under which a failure to report can result in a criminal offense; providing that a career offender commits a separate offense for each failure to register or report a piece of information; expanding the jurisdictions in which a career offender may be prosecuted for an act or omission; specifying what events constitute actual notice of the duty to register; providing that the failure to immediately register upon the occurrence of such events is grounds for a subsequent charge of failure to register; restricting a career offender from claiming a lack of notice as a defense in certain circumstances; enhancing the penalty for assisting in career offender noncompliance; amending s. 944.608, F.S.; defining terms; requiring certain career offenders under the supervision of the Department of Corrections to provide certain information after sentencing; requiring the Department of Corrections to report to the Department of Law Enforcement any failure of a career offender to comply with registration requirements; requiring a career offender

to report to the sheriff's office any vehicle changes within a certain period of time; revising the information the Department of Corrections is required to provide to the Department of Law Enforcement relating to career offenders; requiring the custodian of a jail to notify the Department of Law Enforcement within a certain period of time if such custodian has a career offender in his or her custody and upon release of such offender; requiring such custodian to take a digitized photograph of the career offender and provide it to the Department of Law Enforcement; providing that a federal agency responsible for supervising a career offender may forward certain information about the offender to the Department of Law Enforcement; providing that such federal agency may indicate whether use of the information is restricted to law enforcement purposes only or may be used for purposes of public notification; requiring a certain driver license or identification marking for a career offender who is under supervision but is not incarcerated; expanding the jurisdictions in which a career offender may be prosecuted for an act or omission; specifying what events constitute actual notice of the duty to register; providing that the failure to immediately register upon the occurrence of such events is grounds for a subsequent charge of failure to register; restricting a career offender from claiming a lack of notice as a defense in certain circumstances; creating offenses and penalties for

assisting in career offender noncompliance with provisions relating to notification to the Department of Law Enforcement; specifying that such offenses and penalties do not apply if a career offender is incarcerated in or is in the custody of certain facilities; requiring annual reregistration of career offenders during a certain month; specifying information that a career offender must provide upon reregistration; providing penalties; requiring the sheriff's office to electronically submit to and update with the Department of Law Enforcement such information within a specified timeframe; amending s. 944.609, F.S.; defining terms; providing legislative findings; specifying information the Department of Corrections must provide upon release of a career offender within a certain period of time; requiring the Department of Corrections or any law enforcement agency to notify the community of the presence of a sexual predator in the community when a career offender who is also designated as a sexual predator is in such community; providing an effective date.

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

Section 1. Subsections (3) and (4) of section 322.141, Florida Statutes, are amended to read:

322.141 Color or markings of certain licenses or identification cards.—

(3) All licenses for the operation of motor vehicles or

identification cards originally issued or reissued by the department to persons who are designated as sexual predators under s. 775.21 or subject to registration as sexual offenders under s. 943.0435 or s. 944.607, or who have a similar designation or are subject to a similar registration under the laws of another jurisdiction, or who are designated as career offenders under s. 775.261 or s. 944.608, shall have on the front of the license or identification card the following:

(a) For a person designated as a sexual predator under s. 775.21 or who has a similar designation under the laws of another jurisdiction, the marking "SEXUAL PREDATOR."

(b) For a person subject to registration as a sexual offender under s. 943.0435 or s. 944.607, or subject to a similar registration under the laws of another jurisdiction, the marking "943.0435, F.S."

(c) For a person designated as a career offender under s. 775.261 or s. 944.608, the marking "775.261, F.S."

(4)(a) Unless previously secured or updated, each sexual offender and sexual predator shall report to the department during the month of his or her reregistration as required under s. 775.21(8), s. 943.0435(14), or s. 944.607(13) in order to obtain an updated or renewed driver license or identification card as required by subsection (3).

(b) Unless previously secured or updated as required by subsection (3), each career offender shall report to the department during the month of his or her birth in order to obtain an updated or renewed driver license or identification card as required by subsection (3).

Section 2. Section 775.261, Florida Statutes, is amended to

read:

775.261 The Florida Career Offender Registration Act.—

(1) SHORT TITLE.—This section may be cited as "The Florida Career Offender Registration Act."

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

(a) "Career offender" means any person who is designated as a habitual violent felony offender, a violent career criminal, or a three-time violent felony offender under s. 775.084 or as a prison releasee reoffender under s. 775.082(9).

(b) "Chief of police" means the chief law enforcement officer of a municipality.

(c) "Community" means any county where the career offender lives or otherwise establishes or maintains a permanent, temporary, or transient ~~permanent~~ residence.

(d) "Department" means the Department of Law Enforcement.

(e) "Entering the county" includes being discharged from a correctional facility, jail, or secure treatment facility within the county or being under supervision within the county with a career-offender designation as specified in paragraph (a).

(f) "Permanent residence" means a place where the career offender abides, lodges, or resides for 3 ~~14~~ or more consecutive days that is the person's home or other place where the person primarily lives. For the purpose of calculating a permanent residence under this paragraph, the first day that a career offender abides, lodges, or resides at a place is excluded and each subsequent day is counted. A day includes any part of a calendar day.

(g) "Professional license" means the document of authorization or certification issued by an agency of this state

for a regulatory purpose, or by any similar agency in another jurisdiction for a regulatory purpose, to a person to engage in an occupation or to carry out a trade or business.

(h)1.~~(g)~~ "Temporary residence" means~~:~~

~~1.~~ a place where the career offender abides, lodges, or resides, including, but not limited to, vacation, business, or personal travel destinations in or out of this state, for 3 ~~a period of 14~~ or more days in the aggregate during any calendar year that ~~and which~~ is not the person's ~~career offender's~~ permanent or transient residence. The term includes an in-state travel residence. ~~address;~~

~~2.~~ For a career offender whose permanent residence is not in this state, the term also includes a place where the career offender is employed, practices a vocation, or is enrolled as a student for any period of time in this state. For the purpose of calculating a temporary residence under this paragraph, the first day that a career offender abides, lodges, or resides at a place is excluded and each subsequent day is counted. A day includes any part of a calendar day.~~; or~~

2. The term includes an "in-state travel residence," which means a temporary residence in this state established by a person who already has an existing permanent, temporary, or transient residence in this state.

~~3. A place where the career offender routinely abides, lodges, or resides for a period of 4 or more consecutive or nonconsecutive days in any month and which is not the career offender's permanent residence, including any out-of-state address.~~

(i) "Transient residence" means a county where the career

offender lives, remains, or is located for the purpose of abiding, lodging, or residing for a period of 3 or more days in the aggregate during a calendar year that is not the person's permanent or temporary residence. The term includes, but is not limited to, a place where the career offender sleeps or seeks shelter and a location that has no specific street address. For the purpose of calculating a day under this paragraph, the first day that a career offender lives, remains, or is located in a county for the purpose of abiding, lodging, or residing is excluded and each subsequent day is counted. A day includes any part of a calendar day.

(j) "Vehicles owned" means any motor vehicle as defined in s. 320.01 which is registered, coregistered, leased, titled, or rented by a career offender; a rented vehicle that a career offender is authorized to drive; or a vehicle for which a career offender is insured as a driver. The term also includes any motor vehicle as defined in s. 320.01 which is registered, coregistered, leased, titled, or rented by a person or persons residing at a career offender's permanent residence for 5 or more consecutive days.

(3) CRITERIA FOR REGISTRATION AS A CAREER OFFENDER.—

(a) A career offender released on or after July 1, 2002, from a sanction imposed in this state must register as required under this section ~~subsection (4)~~ and is subject to community and public notification as provided under subsection (11) ~~(5)~~. If no sanction is imposed, the person is deemed to be released upon conviction. For purposes of this section, a sanction imposed in this state means ~~includes, but is not limited to, a fine,~~ probation, community control, parole, conditional release,

control release, or incarceration in a state prison, federal prison, contractor-operated correctional facility, or local detention facility, and:

1. The career offender has not received a pardon for any felony or other qualified offense that is necessary for the operation of this paragraph; or

2. A conviction of a felony or other qualified offense necessary to the operation of this paragraph has not been set aside in any postconviction proceeding.

(b) This section does not apply to any person who has been designated as a sexual predator and who is required to register under s. 775.21 or who is required to register as a sexual offender under s. 943.0435 or s. 944.607. However, if a person is no longer required to register as a sexual predator under s. 775.21 or as a sexual offender under s. 943.0435 or s. 944.607, the person must register as a career offender under this section if the person is otherwise designated as a career offender as provided in this section.

(c) A person subject to registration as a career offender is not subject to registration as a convicted felon under s. 775.13. However, if the person is no longer required to register as a career offender under this section, the person must register under s. 775.13 if required to do so under that section.

(d) If a career offender is not sentenced to a term of imprisonment, the clerk of the court shall ensure that the career offender's fingerprints are taken and forwarded to the department within 48 hours after the court renders its finding that an offender is a career offender. The fingerprints shall be

clearly marked, "Career Offender Registration."

(4) INITIAL REGISTRATION.—Upon initial registration, a career offender shall:

(a) Report in person at ~~A career offender must register with the department by providing the following information to the department, or to~~ the sheriff's office:

1. In the county in which the career offender establishes or maintains a permanent, ~~or~~ temporary, or transient residence, within 48 hours ~~2 working days~~ after:

a. Establishing a permanent, ~~or~~ temporary, or transient residence in this state; or

b. ~~Within 2 working days after~~ Being released from the custody, control, or supervision of the Department of Corrections or from the custody of a contractor-operated correctional facility or local detention facility; or~~:~~

2. In the county where he or she was convicted within 48 hours after being convicted for a qualifying offense for registration under this section if the offender is not in the custody or control of, or under the supervision of, the Department of Corrections, or is not in the custody of a contractor-operated correctional facility or local detention facility.

(b)1. Provide his or her name~~;~~ social security number~~;~~ ~~age,~~ race; sex~~;~~ ~~gender,~~ date of birth~~;~~ height~~;~~ weight~~;~~ hair and eye color; tattoos or other identifying marks; fingerprints; palm prints~~;~~ photograph~~;~~ employment information, including occupation, business name, employment address, and telephone number; address of permanent or legal residence and address of any current temporary residence, within the state or out of

state, including a rural route address and ~~or~~ a post office box; if he or she has no permanent or temporary address, any transient residence within this state; address, location or description, and dates of any current or known future temporary residence within this state or out of state; the make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned; all home telephone numbers and cellular telephone numbers; ~~, date and place of any employment,~~ date and place of each conviction; ~~, fingerprints,~~ and a brief description of the crime or crimes committed by the career offender. A ~~career offender may not provide a~~ post office box may not be provided in lieu of a physical residential address. The career offender shall also produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The career offender shall also provide information about any professional licenses he or she has.

2. If the career offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as those terms are defined in chapter 320, the career offender shall also provide to the department through the sheriff's office written notice of the vehicle identification number (VIN); the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If a career offender's place of residence is a vessel, live-aboard vessel, or houseboat, as those terms are defined in chapter 327, the career offender shall also provide to the department through the sheriff's

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office written notice of the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number of the vessel, live-aboard vessel, or houseboat; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

3. Any change in any of the information required to be provided pursuant to this paragraph, including, but not limited to, any change in the career offender's permanent, temporary, or transient residence; name; home telephone numbers and cellular telephone numbers; employment information; and vehicles owned after the career offender reports in person at the sheriff's office must be reported in the manner provided in subsections (5)-(8).

(c) ~~2.~~ Provide any other information determined necessary by the department, including criminal and corrections records; nonprivileged personnel and treatment records; and evidentiary genetic markers, when available. When

~~(b) If~~ a career offender registers with the sheriff's office, the sheriff shall take a photograph, ~~and~~ a set of fingerprints, and palm prints of the career offender and forward the photographs, ~~and~~ fingerprints, and palm prints to the department, along with the information that the career offender is required to provide pursuant to this section. The sheriff shall promptly provide to the department the information received from the career offender.

(d) ~~(c)~~ Within 48 hours ~~2 working days~~ after the report ~~registration~~ required under this subsection ~~paragraph (a)~~, a career offender who is not incarcerated and who resides in the

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community, including a career offender under the supervision of the Department of Corrections pursuant to s. 944.608, shall report ~~register~~ in person at a driver license office of the Department of Highway Safety and Motor Vehicles, unless a driver license or identification card that complies with s. 322.141(3) was previously secured or updated under s. 944.608 ~~and shall present proof of registration~~. At the driver license office, the career offender shall:

1. If otherwise qualified, secure a Florida driver license, renew a Florida driver license, or secure an identification card. The career offender shall identify himself or herself as a career offender who is required to comply with this section and shall provide proof that the career offender reported as required in this subsection. The career offender shall provide any of the information specified in this subsection, if requested. The career offender shall submit to the taking of a photograph for use in issuing a driver license, renewed license, or identification card, and for use by the department in maintaining current records of career offenders~~, provide his or her place of permanent or temporary residence, including a rural route address or a post office box, and submit to the taking of a photograph for use in issuing a driver license, renewed license, or identification card, and for use by the department in maintaining current records of career offenders. The career offender may not provide a post office box in lieu of a physical residential address. If the career offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the career offender shall also provide to the Department of Highway Safety and Motor Vehicles the vehicle identification number; the license tag number; the motor vehicle registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If a career offender's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the career offender shall also provide to the Department of Highway Safety and Motor Vehicles the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat~~.

2. Pay the costs assessed by the Department of Highway Safety and Motor Vehicles for issuing or renewing a driver license or identification card as required by this section. The driver license or identification card issued must be in compliance with s. 322.141(3).

3. Provide, upon request, any additional information necessary to confirm the identity of the career offender, including a set of fingerprints.

(5) MAINTAINING REGISTRATION.—

(a) ~~(d)~~ Each time a career offender's driver license or identification card is subject to renewal, and, without regard to the status of the career offender's driver license or identification card, within 48 hours ~~2 working days~~ after any change ~~of the career offender's residence or change~~ in the career offender's name by reason of marriage or other legal process, the career offender must report in person to a driver license office~~,~~ and shall be subject to the requirements specified in paragraph (4)(d) ~~(c)~~. The Department of Highway

Safety and Motor Vehicles shall forward to the department and to the Department of Corrections all photographs and information provided by career offenders. Notwithstanding the restrictions set forth in s. 322.142, the Department of Highway Safety and Motor Vehicles may release a reproduction of a color-photograph or digital-image license to the department for purposes of public notification of career offenders as provided in this section and ss. 775.26 and 944.609. A career offender who is unable to secure or update a driver license or an identification card with the Department of Highway Safety and Motor Vehicles as provided in paragraph (4)(d) and this subsection shall report any change in the career offender's name by reason of marriage or other legal process within 48 hours after the change in person to the sheriff's office in the county where the career offender resides or is located. The reporting requirements under this paragraph do not negate the requirement for a career offender to obtain a Florida driver license or an identification card as required in this section.

(b) A career offender shall report in person to the sheriff's office within 48 hours after any change in vehicles owned to report those vehicle information changes.

(c) A career offender shall register all changes to his or her home telephone numbers and cellular telephone numbers, including added and deleted numbers, and all changes to employment information, including the creation of a new business if self-employed, in person at the sheriff's office, or in person at the Department of Corrections if the career offender is in the custody or control, or under the supervision, of the Department of Corrections. All changes required to be reported

under this paragraph must be reported within 48 hours after the change.

(d) If the career offender is in the custody of a local jail, the custodian of the local jail shall notify the department within 3 business days after intake of the career offender for any reason and upon release. The custodian of the local jail shall also take a digitized photograph of the career offender while the career offender remains in custody and shall provide the digitized photograph to the department. The custodian shall notify the department if the career offender escapes from custody or dies.

(6) ESTABLISHING A RESIDENCE WITHIN THIS STATE AFTER INITIAL REGISTRATION.—

(a) Each time a career offender's driver license or identification card is subject to renewal, and, without regard to the status of the career offender's driver license or identification card, within 48 hours after any change in the career offender's permanent, temporary, or transient residence, the career offender must report in person to a driver license office and shall be subject to the requirements specified in paragraph (4)(d). The Department of Highway Safety and Motor Vehicles shall forward to the department and to the Department of Corrections all photographs and information provided by career offenders. Notwithstanding the restrictions set forth in s. 322.142, the Department of Highway Safety and Motor Vehicles may release a reproduction of a color-photograph or digital-image license to the department for purposes of public notification of career offenders as provided in this section and ss. 775.26 and 944.609. A career offender who is unable to

secure or update a driver license or an identification card with the Department of Highway Safety and Motor Vehicles as provided in paragraph (4)(d) and this subsection shall report any change in the career offender's permanent, temporary, or transient residence within 48 hours after the change in person to the sheriff's office in the county where the career offender resides or is located. The reporting requirements under this paragraph do not negate the requirement for a career offender to obtain a Florida driver license or an identification card as required in this section. This paragraph does not apply to an in-state travel residence.

(b) A career offender shall report an in-state travel residence within 48 hours after establishing the residence. The report shall be made in person at the sheriff's office in the county in which the career offender is located, or in person at the Department of Corrections if the career offender is in the custody or control, or under the supervision of, the Department of Corrections.

(c) A career offender who vacates a permanent, temporary, or transient residence and fails to establish or maintain another permanent, temporary, or transient residence shall, within 48 hours after vacating the permanent, temporary, or transient residence, report in person to the sheriff's office of the county in which he or she is located. The career offender shall specify the date upon which he or she intends to or did vacate such residence. The career offender must provide or update all of the registration information required under paragraph (4)(b). The career offender must provide an address for the residence or other place where he or she is or will be

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located during the time in which he or she fails to establish or maintain a permanent, temporary, or transient residence.

(d) A career offender who remains at a permanent, temporary, or transient residence after reporting his or her intent to vacate such residence shall, within 48 hours after the date upon which the career offender indicated he or she would or did vacate such residence, report in person to the agency to which he or she reported pursuant to paragraph (c) for the purpose of reporting his or her address at such residence. When the sheriff receives the report, the sheriff shall promptly provide the information to the department. An offender who makes a report as required under paragraph (c) but fails to make a report as required under this paragraph commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(7) ESTABLISHING A NON-FLORIDA RESIDENCE.—

~~(e) If the career offender registers at an office of the department, the department must notify the sheriff and, if applicable, the police chief of the municipality, where the career offender maintains a residence within 48 hours after the career offender registers with the department.~~

(a)~~(f)~~ A career offender who intends to establish a permanent, temporary, or transient residence in another state or jurisdiction other than the State of Florida shall report in person to the sheriff of the county of current residence at least 48 hours ~~or the department within 2 working days~~ before the date he or she intends to leave this state to establish residence in another state or jurisdiction other than the State of Florida. Any travel that is not known by the career offender

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48 hours before he or she intends to establish a residence in another state or jurisdiction must be reported in person to the sheriff's office as soon as possible before departure. If the career offender is under the supervision of the Department of Corrections, the career offender shall notify the supervising probation officer of his or her intent to transfer supervision, satisfy all transfer requirements pursuant to the Interstate Compact for Supervision of Adult Offenders, as provided in s. 949.07, and abide by the decision of the receiving jurisdiction to accept or deny transfer. The career offender must provide to the sheriff ~~or department~~ the address, municipality, county, and state or jurisdiction of intended residence. The sheriff shall promptly provide to the department the information received from the career offender. The failure of a career offender to provide his or her intended place of residence is punishable as provided in subsection (13) ~~(8)~~.

(b) ~~(g)~~ A career offender who indicates his or her intent to establish a permanent, temporary, or transient residence ~~reside~~ in another ~~a~~ state or jurisdiction other than the State of Florida and later decides to remain in this state shall, within 48 hours ~~2 working days~~ after the date upon which the career offender indicated he or she would leave this state, report in person to the sheriff's office ~~sheriff or the department, whichever agency is the agency~~ to which the career offender reported the intended change of permanent, temporary, or transient residence and report~~, of~~ his or her intent to remain in this state. ~~If the sheriff is notified by the career offender that he or she intends to remain in this state,~~ The sheriff shall promptly report this information to the department. A

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career offender who reports his or her intent to establish a permanent, temporary, or transient residence ~~reside~~ in another ~~a~~ state or jurisdiction other than the State of Florida, but who remains in this state without reporting to the sheriff ~~or the department~~ in the manner required by this paragraph, commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(8) ANNUAL REREGISTRATION REQUIREMENT.—

(a) A career offender must report in person each year during the month of the career offender's birthday to the sheriff's office in the county in which he or she maintains a permanent, temporary, or transient residence or is otherwise located to reregister.

(b) The sheriff's office may determine the appropriate times and days for reporting by the career offender, which must be consistent with the reporting requirements of this subsection. Reregistration must include any changes to the following information:

1. Name; social security number; race; sex; date of birth; height; weight; hair and eye color; tattoos or other identifying marks; fingerprints; palm prints; photograph; employment information, including occupation, business name, employment address, and telephone number; address of permanent residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; if he or she has no permanent or temporary address, any transient residence within this state; address, location or description, and dates of any current or known future temporary residence within the state or out of state; the make, model,

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color, vehicle identification number (VIN), and license tag number of all vehicles owned; and all home telephone numbers and cellular telephone numbers. A post office box may not be provided in lieu of a physical residential address. The career offender shall also produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The career offender shall also provide information about any professional licenses he or she has.

2. If the career offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as those terms are defined in chapter 320, the career offender shall also provide the vehicle identification number (VIN); the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the career offender's place of residence is a vessel, live-aboard vessel, or houseboat, as those terms are defined in chapter 327, the career offender shall also provide the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number of the vessel, live-aboard vessel, or houseboat; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

(c) The sheriff's office shall electronically submit to and update with the department, in a manner prescribed by the department, all such information provided by the career offender within 2 business days after the career offender provides it to the sheriff's office.

(9) VERIFICATION.—County and local law enforcement

agencies, in conjunction with the department, shall verify the addresses of career offenders who are not under the care, custody, control, or supervision of the Department of Corrections at least one time per calendar year, and may verify the addresses of career offenders who are under the care, custody, control, or supervision of the Department of Corrections. Local law enforcement agencies shall report to the department any failure by a career offender to comply with registration requirements.

~~(h)1. The department shall maintain online computer access to the current information regarding each registered career offender. The department must maintain hotline access so that state, local, and federal law enforcement agencies may obtain instantaneous locator file and criminal characteristics information on release and registration of career offenders for purposes of monitoring, tracking, and prosecution. The photograph and fingerprints need not be stored in a computerized format.~~

~~2. The department's career offender registration list, containing the information described in subparagraph (a)1., is a public record. The department may disseminate this public information by any means deemed appropriate, including operating a toll-free telephone number for this purpose. When the department provides information regarding a career offender to the public, department personnel must advise the person making the inquiry that positive identification of a person believed to be a career offender cannot be established unless a fingerprint comparison is made, and that it is illegal to use public information regarding a career offender to facilitate the~~

~~commission of a crime.~~

~~3. The department shall adopt guidelines as necessary regarding the registration of a career offender and the dissemination of information regarding a career offender as required by this section.~~

(10)~~(i)~~ RELIEF FROM REGISTRATION.—A career offender must maintain registration with the department for the duration of his or her life, unless the career offender has received a full pardon or has had a conviction set aside in a postconviction proceeding for any offense or offenses that meet ~~meets~~ the criteria for classifying the person as a career offender for purposes of registration. However, a ~~registered~~ career offender shall be considered for removal of the requirement to register as a career offender only if he or she ~~who~~ has been lawfully released from confinement, supervision, or sanction, whichever is later, for at least 20 years and has not been arrested for any felony or misdemeanor offense since release.

(a) If the career offender meets the criteria in this subsection, the career offender may, for the purpose of removing the requirement for registration as a career offender, petition the criminal division of the circuit court of the circuit in which the ~~registered~~ career offender designation initially occurred ~~resides~~ for the purpose of removing the requirement for registration as a career offender.

(b) The court may grant or deny such relief if the ~~registered~~ career offender demonstrates to the court that he or she has not been arrested for any crime since release and the court is otherwise satisfied that the ~~registered~~ career offender is not a current or potential threat to public safety. The

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department and the state attorney in the circuit in which the petition is filed must be given notice of the petition at least 3 weeks before the hearing on the matter. The department and the state attorney may present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. If the court denies the petition, the court may set a future date at which the ~~registered~~ career offender may again petition the court for relief, subject to the standards for relief provided in this subsection ~~paragraph~~.

(c) The department shall remove a person from classification as a career offender for purposes of registration if the person provides to the department a certified copy of the court's written findings or order that indicates that the person is no longer required to comply with the requirements for registration as a career offender.

(11)~~(5)~~ COMMUNITY AND PUBLIC NOTIFICATION.—

(a) Law enforcement agencies may inform the community and the public of the presence of a career offender in the community. Upon notification of the presence of a career offender, the sheriff of the county or the chief of police of the municipality where the career offender establishes or maintains a permanent, ~~or~~ temporary, or transient residence may notify the community and the public of the presence of the career offender in a manner deemed appropriate by the sheriff or the chief of police.

(b) The sheriff or the police chief may coordinate the community and public notification efforts with the department. Statewide notification to the public is authorized, as deemed appropriate by local law enforcement personnel and the

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department.

(c)1. The department is responsible for the online maintenance of the current information regarding each career offender. The department must maintain hotline access for state, local, and federal law enforcement agencies to obtain instantaneous locator file and criminal characteristics information on release and registration of career offenders for the purposes of monitoring, tracking, and prosecution. The photograph and fingerprints need not be stored in a computerized format.

2. The department's career offender registration list is a public record. The department may disseminate this public information by any means deemed appropriate, including operating a toll-free telephone number for this purpose. When the department provides information regarding a career offender to the public, department personnel must advise the person making the inquiry that positive identification of a person believed to be a career offender cannot be established unless a fingerprint comparison is made, and that it is illegal to use public information regarding a career offender to facilitate the commission of a crime.

3. The department shall adopt guidelines as necessary regarding the registration of a career offender and the dissemination of information regarding a career offender as required by this section. However, the department may not display on or disseminate through the Internet public registry maintained by the department any information regarding a vehicle that is owned by a person who is not required to register as a career offender.

~~(6) VERIFICATION.—The department and the Department of Corrections shall implement a system for verifying the addresses of career offenders. The sheriff of each county shall annually verify the addresses of career offenders who are not under the care, custody, control, or supervision of the Department of Corrections. The sheriff shall promptly provide the address verification information to the department in an electronic format. The address verification information must include the verifying person's name, agency, and phone number, the date of verification, and the method of verification, and must specify whether the address information was verified as correct, incorrect, or unconfirmed.~~

(12)~~(7)~~ IMMUNITY.—The department, the Department of Highway Safety and Motor Vehicles, the Department of Corrections, any law enforcement agency in this state, and the personnel of those departments; an elected or appointed official, public employee, or school administrator; or an employee, agency, or any individual or entity acting at the request or upon the direction of any law enforcement agency is immune from civil liability for damages for good faith compliance with the requirements of this section or for the release of information under this section and shall be presumed to have acted in good faith in compiling, recording, reporting, or releasing the information. The presumption of good faith is not overcome if a technical or clerical error is made by the department, the Department of Highway Safety and Motor Vehicles, the Department of Corrections, the personnel of those departments, or any individual or entity acting at the request or upon the direction of any of those departments in compiling or providing

information, or if information is incomplete or incorrect because a career offender fails to report or falsely reports his or her current place of permanent, ~~or~~ temporary, or transient residence.

(13) ~~(8)~~ PENALTIES.—

(a) Except as otherwise specifically provided, a career offender who fails to register; who fails, after registration, to maintain, acquire, or renew a driver license or an identification card; who fails to provide required location information or change-of-name information; who fails to provide all home telephone numbers and cellular telephone numbers; who fails to report any changes to employment information, including the addition of new employment, termination of existing employment, and changes to the occupation, business name, employment address, and telephone number of previously reported employment; who fails to report any changes to vehicles owned, including the addition of new vehicles and changes to the make, model, color, vehicle identification number (VIN), and license tag numbers of previously reported vehicles; who fails to make a required report in connection with vacating a permanent residence; who fails to reregister as required; who fails to respond to any address verification correspondence from the department or from county or local law enforcement agencies within 3 weeks after the date of the correspondence; who knowingly provides false registration information by act or omission; or who otherwise fails, by act or omission, to comply with the requirements of this section, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Each instance of failure to register or report

changes to the required information specified in this paragraph constitutes a separate offense.

(b) A career offender who commits any act or omission in violation of this section, s. 944.608, or s. 944.609 may be prosecuted for the act or omission in the county in which the act or omission was committed, in the county of the last registered address of the career offender, in the county in which the conviction occurred for the offense or offenses that meet the criteria for designating a person as a career offender, in the county in which he or she was designated a career offender, in the county where the career offender was released from incarceration, or in the county of the intended address of the career offender as reported by the offender before his or her release from incarceration.

(c) An arrest on charges of failure to register when the career offender has been provided and advised of his or her statutory obligations to register under this section, the service of an information or a complaint for a violation of this section, or an arraignment on charges for a violation of this section constitutes actual notice of the duty to register. A career offender's failure to register immediately as required by this section following such arrest, service, or arraignment constitutes grounds for a subsequent charge of failure to register. A career offender charged with the crime of failure to register who asserts, or intends to assert, a lack of notice of the duty to register as a defense to a charge of failure to register shall immediately register as required by this section. A career offender who is charged with a subsequent failure to register may not assert the defense of a lack of notice of the

duty to register. Registration following such arrest, service, or arraignment is not a defense and does not relieve the career offender of criminal liability for the failure to register.

(d) ~~(b)~~ Any person who misuses public records information concerning a career offender, as defined in this section, or a career offender, as defined in s. 944.608 or s. 944.609, to secure a payment from such career offender; who knowingly distributes or publishes false information concerning such a career offender which the person misrepresents as being public records information; or who materially alters public records information with the intent to misrepresent the information, including documents, summaries of public records information provided by law enforcement agencies, or public records information displayed by law enforcement agencies on websites or provided through other means of communication, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

~~(9) PROSECUTIONS FOR ACTS OR OMISSIONS.—A career offender who commits any act or omission in violation of this section, s. 944.608, or s. 944.609 may be prosecuted for the act or omission in the county in which the act or omission was committed, the county of the last registered address of the career offender, the county in which the conviction occurred for the offense or offenses that meet the criteria for designating a person as a career offender, or in the county in which he or she was designated a career offender.~~

(14) ~~(10)~~ PENALTIES FOR ASSISTING IN CAREER OFFENDER NONCOMPLIANCE.—Any ~~It is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, for a~~ person

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

who has reason to believe that a career offender is not complying, or has not complied, with the requirements of this section and who, with the intent to assist the career offender in eluding a law enforcement agency that is seeking to find the career offender to question the career offender about, or to arrest the career offender for, his or her noncompliance with the requirements of this section~~, to~~:

(a) Withholds ~~Withhold~~ information from, or does not ~~fail to~~ notify, the law enforcement agency about the career offender's noncompliance with the requirements of this section and, if known, the whereabouts of the career offender;

(b) Harbors ~~Harbor~~ or attempts ~~attempt~~ to harbor, or assists ~~assist~~ another person in harboring or attempting to harbor, the career offender;

(c) Conceals ~~Conceal~~ or attempts ~~attempt~~ to conceal, or assists ~~assist~~ another person in concealing or attempting to conceal, the career offender; or

(d) Provides ~~Provide~~ information to the law enforcement agency regarding the career offender which the person knows to be false information,

commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 3. Section 944.608, Florida Statutes, is amended to read:

944.608 Notification to Department of Law Enforcement of information on career offenders.—

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

(a) "Career offender" means a person who is in the custody

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or control of, or under the supervision of, the department or is in the custody or control of, or under the supervision of, a contractor-operated correctional facility, and who is designated as a habitual violent felony offender, a violent career criminal, or a three-time violent felony offender under s. 775.084 or as a prison releasee reoffender under s. 775.082(9).

(b) "Permanent residence," "temporary residence," and "transient residence" have the same meaning as provided in s. 775.261.

(c) "Professional license" has the same meaning as provided in s. 775.261.

(d) "Vehicles owned" has the same meaning as provided in s. 775.261.

(2) If a career offender is not sentenced to a term of imprisonment, the clerk of the court shall ensure that the career offender's fingerprints are taken and forwarded to the Department of Law Enforcement within 48 hours after the court sentences the career offender. The fingerprints shall be clearly marked "Career Offender Registration."

(3) A career offender, as described in this section, who is under the supervision of the department but is not incarcerated must register with the department within 3 business days after sentencing and provide information as required by this subsection.

(a) The career offender shall provide his or her name; ~~date of birth;~~ social security number; race; sex ~~gender~~; date of birth; height; weight; hair and eye color; tattoos or other identifying marks; employment information required to be provided pursuant to s. 775.261; ~~and~~ permanent or legal

residence and address of temporary residence within the state or out of state while the career offender is under supervision in this state, including any rural route address and a ~~or~~ post office box; if no permanent or temporary address, any transient residence within this state; and address, location or description, and dates of any current or known future temporary residence within this state or out of state; the make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned; and all home telephone numbers and cellular telephone numbers required to be provided pursuant to s. 775.261. The career offender shall also produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The career offender shall also provide information about any professional licenses he or she has. The department shall verify the address of each career offender in the manner described in s. 775.261. The department shall report to the Department of Law Enforcement any failure by a career offender to comply with any registration requirements.

(b) A career offender shall report in person to the sheriff's office within 48 hours after any change in vehicles owned to report those vehicle information changes.

(4) In addition to notification and transmittal requirements imposed by any other provision of law, the department shall compile information on any career offender and provide the information to the Department of Law Enforcement. The information shall be made available electronically to the Department of Law Enforcement as soon as this information is in

the department's database and must be in a format that is compatible with the requirements of the Florida Crime Information Center.

(5) The information provided to the Department of Law Enforcement must include:

(a) The information obtained from the career offender under subsection (3);

(b) The career offender's most current address and ~~place of~~ permanent, ~~and~~ temporary, or transient residence or residences within the state or out of state, the address, location or description, and dates of any known future temporary residence within this state or out of state while the career offender is under supervision in this state, ~~including the name of the county or municipality in which the career offender permanently or temporarily resides~~ and, if known, the intended place of permanent, ~~or~~ temporary, or transient residence or residences and the address, location or description, and dates of any current or known future temporary residence within this state or out of state upon satisfaction of all sanctions;

(c) The legal status of the career offender and the scheduled termination date of that legal status;

(d) The location of, and local telephone number for, any Department of Corrections' office that is responsible for supervising the career offender; and

(e) A digitized photograph of the career offender, which must have been taken within 60 days before the career offender is released from the custody of the department or a contractor-operated correctional facility or within 60 days after the onset of the department's supervision of any career offender who is on

probation, community control, conditional release, parole, provisional release, or control release. If the career offender is in the custody ~~or control~~ of~~, or under the supervision of,~~ a contractor-operated correctional facility, the facility shall take a digitized photograph of the career offender within the time period provided in this paragraph and shall provide the photograph to the department.

(6)(a) The department shall notify the Department of Law Enforcement if the career offender escapes, absconds, or dies while in the custody or control of, or under the supervision of, the department.

(b) If any information provided by the department changes during the time the career offender is under the department's custody, control, or supervision, including any change in the career offender's name by reason of marriage or other legal process, the department shall, in a timely manner, update the information and provide it to the Department of Law Enforcement in the manner prescribed in subsection (4).

(7) If the career offender is in the custody of a local jail, the custodian of the local jail shall notify the Department of Law Enforcement within 3 business days after intake of the offender for any reason and upon release, and shall forward the information to the Department of Law Enforcement. The custodian of the local jail shall also take a digitized photograph of the career offender while the career offender remains in custody and shall provide the digitized photograph to the Department of Law Enforcement.

(8) If the career offender is under federal supervision, the federal agency responsible for supervising the career

offender may forward to the Department of Law Enforcement any information regarding the career offender which is consistent with the information provided by the department under this section, and may indicate whether use of the information is restricted to law enforcement purposes only or may be used by the Department of Law Enforcement for purposes of public notification.

(9) ~~(7)~~ A career offender, as described in this section, who is under the supervision of the department but who is not incarcerated shall, in addition to the registration requirements provided in subsection (3), register and obtain a distinctive driver license or identification card in the manner provided in s. 775.261 ~~s. 775.261(4)(c)~~, unless the career offender is a sexual predator, in which case he or she shall register as required under s. 775.21, or is a sexual offender, in which case he or she shall register as required in s. 943.0435 or s. 944.607. A career offender who fails to comply with the requirements of s. 775.261 ~~s. 775.261(4)~~ is subject to the penalties provided in s. 775.261(13) ~~s. 775.261(8)~~.

(10)(a) ~~(8)~~ The failure of a career offender to submit to the taking of a digitized photograph, or to otherwise comply with the requirements of this section, is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A career offender who commits any act or omission in violation of this section may be prosecuted for the act or omission in the county in which the act or omission was committed, in the county of the last registered address of the career offender, in the county in which the conviction occurred

for the offense or offenses that meet the criteria for designating a person as a career offender, in the county in which he or she was designated a career offender, in the county where the career offender was released from incarceration, or in the county of the intended address of the career offender as reported by the offender before his or her release from incarceration.

(c) An arrest on charges of failure to register when the offender has been provided and advised of his or her statutory obligations to register under s. 775.261, the service of an information or a complaint for a violation of this section, or an arraignment on charges for a violation of this section constitutes actual notice of the duty to register. A career offender's failure to register immediately as required by this section following such arrest, service, or arraignment constitutes grounds for a subsequent charge of failure to register. A career offender charged with the crime of failure to register who asserts, or intends to assert, a lack of notice of the duty to register as a defense to a charge of failure to register shall register immediately as required by this section. A career offender who is charged with a subsequent failure to register may not assert the defense of a lack of notice of the duty to register.

(d) Registration following such arrest, service, or arraignment is not a defense and does not relieve the career offender of criminal liability for the failure to register.

(11) ~~(9)~~ The department, the Department of Highway Safety and Motor Vehicles, the Department of Law Enforcement, personnel of those departments, and any individual or entity acting at the

request or upon the direction of those departments are immune from civil liability for damages for good faith compliance with this section, and shall be presumed to have acted in good faith in compiling, recording, reporting, or providing information. The presumption of good faith is not overcome if technical or clerical errors are made by the department, the Department of Highway Safety and Motor Vehicles, the Department of Law Enforcement, personnel of those departments, or any individual or entity acting at the request or upon the direction of those departments in compiling, recording, reporting, or providing information, or, if the information is incomplete or incorrect because the information has not been provided by a person or agency required to provide the information, or because the information was not reported or was falsely reported.

(12) Any person who has reason to believe that a career offender is not complying, or has not complied, with the requirements of this section and who, with the intent to assist the career offender in eluding a law enforcement agency that is seeking to find the career offender to question the career offender about, or to arrest the career offender for, his or her noncompliance with the requirements of this section:

(a) Withholds information from, or does not notify, the law enforcement agency about the career offender's noncompliance with the requirements of this section, and, if known, the whereabouts of the career offender;

(b) Harbors or attempts to harbor, or assists another person in harboring or attempting to harbor, the career offender;

(c) Conceals or attempts to conceal, or assists another

person in concealing or attempting to conceal, the career offender; or

(d) Provides information to the law enforcement agency regarding the career offender which the person knows to be false information,

commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. This subsection does not apply if the career offender is incarcerated in or is in the custody of a state correctional facility, a contractor-operated correctional facility, a local jail, or a federal correctional facility.

(13)(a) A career offender must report in person each year during the month of the career offender's birthday to the sheriff's office in the county in which he or she maintains a permanent, temporary, or transient residence or is otherwise located to reregister.

(b) The sheriff's office may determine the appropriate times and days for reporting by the career offender, which must be consistent with the reporting requirements of this subsection. Reregistration must include any changes to the following information:

1. Name; social security number; race; sex; date of birth; height; weight; hair and eye color; tattoos or other identifying marks; fingerprints; palm prints; photograph; employment information required to be provided pursuant to s. 775.261; address of permanent residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or

temporary address, any transient residence within this state; address, location or description, and dates of any current or known future temporary residence within the state or out of state; the make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned; and all home telephone numbers and cellular telephone numbers required to be provided pursuant to s. 775.261. A post office box may not be provided in lieu of a physical residential address. The career offender shall also produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The career offender shall also provide information about any professional licenses he or she has.

2. If the career offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as those terms are defined in chapter 320, the career offender shall also provide the vehicle identification number (VIN); the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the career offender's place of residence is a vessel, live-aboard vessel, or houseboat, as those terms are defined in chapter 327, the career offender shall also provide the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number of the vessel, live-aboard vessel, or houseboat; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

3. Any career offender who fails to report in person as required at the sheriff's office, who fails to respond to any

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address verification correspondence from the department within 3 weeks after the date of the correspondence, or who knowingly provides false registration information by act or omission commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) The sheriff's office shall, within 2 working days, electronically submit and update all information provided by the career offender to the Department of Law Enforcement in a manner prescribed by the Department of Law Enforcement.

Section 4. Section 944.609, Florida Statutes, is amended to read:

944.609 Career offenders; notification upon release.—

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

(a) "Career offender" means a person who is in the custody or control of, or under the supervision of, the department or is in the custody or control of, or under the supervision of a contractor-operated correctional facility, who is designated as a habitual violent felony offender, a violent career criminal, or a three-time violent felony offender under s. 775.084 or as a prison releasee reoffender under s. 775.082(9).

(b) "Permanent residence," "temporary residence," and "transient residence" have the same meaning as provided in s. 775.261.

(c) "Professional license" has the same meaning as provided in s. 775.261.

(d) "Vehicles owned" has the same meaning as provided in s. 775.261.

(2) The Legislature finds that certain career offenders, by virtue of their histories of offenses, present a threat to the

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public and to communities. Career offenders have a reduced expectation of privacy because of the public's interest in public safety and in the effective operation of government. The Legislature finds that requiring these career offenders to register for the purpose of tracking the career offenders and providing for notifying the public and a community of the presence of a career offender are important aids to law enforcement agencies, the public, and communities if the career offender engages again in criminal conduct. Registration is intended to aid law enforcement agencies in timely apprehending a career offender. Registration is not a punishment, but merely a status. Notification to the public and communities of the presence of a career offender aids the public and communities in avoiding being victimized by the career offender. The Legislature intends to require the registration of career offenders and to authorize law enforcement agencies to notify the public and communities of the presence of a career offender.

(3)(a) The department must provide information regarding any career offender who is being released after serving a period of incarceration for any offense, as follows:

1. The department must provide the career offender's name, any change in the career offender's name by reason of marriage or other legal process, and any alias, if known; the correctional facility from which the career offender is released; the career offender's social security number, race, sex ~~gender~~, date of birth, height, weight, and hair and eye color; tattoos or other identifying marks; address of any planned permanent residence or temporary residence, within this state or out of state, including a rural route address and a

post office box; if no permanent or temporary address, any transient residence within this state; address, location or description, and dates of any current or known future temporary residence within this state or out of state; date and county of sentence and each crime for which the career offender was sentenced; a copy of the career offender's fingerprints, palm prints, and a digitized photograph taken within 60 days before release; the date of release of the career offender; employment information, if known, required to be provided pursuant to s. 775.261; all home telephone numbers and cellular telephone numbers required to be provided pursuant to s. 775.261; information about any professional licenses the career offender has, if known; and passport information, if he or she has a passport, and, if he or she is an alien, information about the documents establishing his or her immigration status ~~and the career offender's intended residence address, if known~~. The department shall notify the Department of Law Enforcement if the career offender escapes, absconds, or dies. If the career offender is in the custody of a contractor-operated correctional facility, the facility shall take the digitized photograph of the career offender within 60 days before the career offender's release and provide this photograph to the Department of Corrections and also place it in the career offender's file. If the career offender is in the custody of a local jail, the custodian of the local jail shall notify the Department of Law Enforcement within 3 business days after intake of the offender for any reason and upon ~~of the career offender's~~ release, and provide to the Department of Law Enforcement the information specified in this paragraph and any information specified in

subparagraph 2. which the Department of Law Enforcement requests.

2. The department may provide any other information deemed necessary, including criminal and corrections records and nonprivileged personnel and treatment records, when available.

(b) The department must provide the information described in subparagraph (a)1. to:

1. The sheriff of the county where the career offender was sentenced;

2. The sheriff of the county and, if applicable, the police chief of the municipality, where the career offender plans to reside;

3. The Department of Law Enforcement;

4. When requested, the victim of the offense, the victim's parent or legal guardian if the victim is a minor, the lawful representative of the victim or of the victim's parent or guardian if the victim is a minor, or the next of kin if the victim is a homicide victim; and

5. Any person who requests such information,

either within 6 months prior to the anticipated release of a career offender or as soon as possible if a career offender is released earlier than anticipated. All such information provided to the Department of Law Enforcement must be available electronically as soon as the information is in the agency's database and must be in a format that is compatible with the requirements of the Florida Crime Information Center.

(c) Upon request, the department must provide the information described in subparagraph (a)2. to:

1. The sheriff of the county where the career offender was sentenced; and

2. The sheriff of the county and, if applicable, the police chief of the municipality, where the career offender plans to reside,

either within 6 months prior to the anticipated release of a career offender or as soon as possible if a career offender is released earlier than anticipated.

(d) Upon receiving information regarding a career offender from the department, the Department of Law Enforcement, the sheriff, or the chief of police shall provide the information described in subparagraph (a)1. to any individual who requests such information and may release the information to the public in any manner deemed appropriate, unless the information is confidential or exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(4) This section authorizes the department or any law enforcement agency to ~~may~~ notify the community and the public of a career offender's presence in the community. However, with respect to a career offender who has been found to be a sexual predator under s. 775.21, the Department of Law Enforcement or any other law enforcement agency must inform the community and the public of the sexual predator's ~~career offender's~~ presence in the community, as provided in s. 775.21.

(5) An elected or appointed official, public employee, school administrator or employee, or agency, or any individual or entity acting at the request or upon the direction of any law enforcement agency, is immune from civil liability for damages

resulting from the good faith compliance with the requirements of this section or the release of information under this section.

Section 5. This act shall take effect October 1, 2026.

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The Florida Senate

APPEARANCE RECORD

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

3/2/2026
Meeting Date

Senate Fiscal Policy
Committee

SB 1332
Bill Number or Topic

229088
Amendment Barcode (if applicable)

Name Will Grissom

Phone 850.410.7000

Address 2331 Phillips Road
Street

Email WILLIAMGRISSOM@FDLE.STATE.FL.US

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:
FDLE

☐ 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

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Meeting Date

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SB 1332
Bill Number or Topic

Amendment Barcode (if applicable)

Name WILL GRISSOM

Phone 850.410.7000

Address 2331 Phillips Road
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Email WILLIAM.GRISSOM@FDLE.STATE.FL.US

Tallahassee FL 32308
City State Zip

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

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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

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 1376
INTRODUCER:	Education Postsecondary Committee and Senator Burgess and others
SUBJECT:	Grants for Genetic Counseling Education
DATE:	February 27, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	HE	**Fav/CS**
2.	Gray	Elwell	AHE	**Favorable**
3.	Jahnke	Siples	FP	**Favorable**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1376 creates the Genetic Counseling Education Enhancement Grant Program within the State University System to support the development, growth, and sustainability of graduate genetic counseling programs accredited by the American Board of Genetic Counseling.

The bill requires the Board of Governors (BOG) to award competitive grants to state universities to address faculty shortages, student financial barriers, and clinical training needs. Grants may be awarded to establish new programs or support existing programs based on performance, including student completion and first-time board certification passage rates, with rewards for programs with above-average national certification results.

The bill requires grant funds to be used for recruiting and retaining faculty, providing scholarships to students, and establishing clinical rotations with healthcare partners. Funds may not be used for general administrative costs, facility construction, or unrelated activities. The bill requires universities receiving grants to maintain records of compliance and submit annual reports to the BOG, which will compile a statewide summary for submission to the Governor and Legislature. The BOG is also required to adopt regulations to administer the program.

The bill does not impact state revenues or expenditures as it is subject to appropriation. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2026.

II. Present Situation:

Genetic Disorders

Genetic disorders are diseases caused, in whole or in part, by changes in an individual's DNA sequence from the typical sequence. Such disorders may result from a mutation in a single gene, mutations in multiple genes, a combination of genetic mutations and environmental factors, or damage to chromosomes, including changes in the number or structure of chromosomes that carry genes. Research related to the human genome has shown that many diseases have a genetic component. Some genetic disorders result from inherited mutations present at birth, while others are caused by acquired mutations that occur during a person's lifetime and are not inherited.[1]

Genetic disorders include a wide range of conditions, such as chromosomal disorders including Down Syndrome and Fragile X syndrome; multifactorial disorders including late-onset Alzheimer's disease, arthritis, cancer in most cases, and spina bifida; and monogenic disorders including cystic fibrosis, sickle cell disease, and Tay-Sachs disease.

Chromosomal disorders affect the structures within each cell that hold genes or DNA. Multifactorial disorders stem from a combination of gene mutations and other factors, such as chemical exposure, diet, certain medications, and tobacco or alcohol use. Monogenic disorders are conditions caused by mutations in a single gene.[2]

Genetic Counseling

Genetic counseling consists of advising individuals or families affected by, or at risk of, genetic disorders and is provided by licensed genetic counselors. The scope of practice of genetic counseling includes:

- Obtaining and evaluating individual, family, and medical histories to assess genetic risk for genetic or medical conditions and diseases;
- Discussing the features, diagnosis, genetic and environmental factors, and risk management related to genetic or medical conditions and diseases;
- Identifying, ordering, and coordinating genetic laboratory tests and other diagnostic studies as part of a genetic assessment;
- Integrating genetic test results and diagnostic studies with personal and family medical history to assess and communicate risk factors;
- Explaining the clinical implications of genetic tests, diagnostic studies, and their results;
- Evaluating individual or family responses to a condition or risk of recurrence and providing counseling and anticipatory guidance;
- Identifying and using community resources that provide medical, educational, financial, and psychosocial support and advocacy;
- Providing written documentation of medical, genetic, and counseling information for families and health care professionals; and

[1] National Human Genome Research Institute, *Genetic Disorders*, https://www.genome.gov/For-Patients-and-Families/Genetic-Disorders (last visited Feb. 12, 2026).
[2] Cleveland Clinic, *Genetic Disorders*, https://my.clevelandclinic.org/health/diseases/21751-genetic-disorders (last visited Feb. 12, 2026).

- Referring patients to a physician for diagnosis and treatment.[3]

Genetic counselors practice across multiple specialties, including prenatal, pediatric, oncology, neurology, ophthalmology, psychiatry, and related clinical fields.[4] Since 1999, the profession has grown significantly. As of April 2024, there are 6,985 certified genetic counselors in the United States. The profession has grown by over 100 percent in the last ten years and is expected to grow another 100 percent over the next ten years.[5]

Genetic Counseling Accreditation

In the United States, genetic counselors must complete a graduate-level genetic counseling program accredited by the Accreditation Council for Genetic Counseling (ACGC).[6] Graduation from an accredited program is required to sit for the certification examination administered by the American Board of Genetic Counseling (ABGC).[7] The ABGC certification process establishes national professional standards and assesses competency in areas such as genetics and genomics expertise, risk assessment, counseling, communication, healthcare systems, and professional identity.[8]

Florida law is consistent with these national standards. To be licensed as a genetic counselor in Florida, an applicant must hold a master's degree from a genetic counseling training program accredited by the ACGC, or an equivalent program, or a doctoral degree from a medical genetics training program accredited by the American Board of Medical Genetics and Genomics (ABMGG) or the Canadian College of Medical Geneticists (CCMG). Applicants must also pass a recognized certification examination administered by the ABGC, the ABMGG, or the Canadian Association of Genetic Counsellors (CAGC). The Florida Department of Health is also authorized to issue a temporary license to applicants who meet all licensure requirements except passage of the certification examination and who are eligible to sit for that examination.[9]

As of December 2024, there were 63 ACGC-accredited genetic counseling programs across the United States and Canada, with a total enrollment of 1,164 students.[10] The University of South Florida was the first university in Florida to offer an accredited graduate-level program in genetic

[3] Section 483.913, F.S.
[4] National Society of Genetic Counselors, *About Genetic Counselors*, https://www.nsgc.org/About/About-Genetic-Counselors (last visited Feb. 12, 2026).
[5] National Society of Genetic Counselors, *2024 Professional Status Survey Executive Summary* (2024), at 2, *available at* *https://www.nsgc.org/Portals/0/Docs/Policy/PSS%202024%20Executive%20Summary_Final.pdf* (last visited Feb. 12, 2026).
[6] Accreditation Council for Genetic Counseling, *Get Accredited*, https://www.gceducation.org/get-accredited/ (last visited Feb. 12, 2026).
[7] American Board of Genetic Counseling, *About the CGC Credential*, https://www.abgc.net/Certify/About-the-CGC-Credential (last visited Jan. 22, 2026).
[8] Accreditation Council for Genetic Counseling, *Practice-Based Competencies for Genetic Counselors*, at 2-5 (2023), *available at* https://www.nsgc.org/Portals/0/Docs/Education/ACGC-Core-Competencies-Brochure_15_Web.pdf (last visited Feb. 12, 2026) .
[9] Section 483.914, F.S.
[10] Accreditation Council for Genetic Counseling, 2024 *ACGC Annual Accreditation Report* (2025), *available at* https://www.gceducation.org/wp-content/uploads/2025/08/ACGC-2024-Annual-Report.pdf (last visited Feb. 12, 2026).

counseling.[11] Florida State University plans to launch a Master's in Genetic Counseling program in Fall 2027.[12]

III. Effect of Proposed Changes:

The bill creates s. 1009.8963, F.S., establishing the Genetic Counseling Education Enhancement Grant Program (program) within the State University System (SUS) to support the development, growth, and sustainability of graduate-level genetic counseling programs accredited by the Accreditation Council for Genetic Counseling.

The bill requires the Board of Governors (BOG) to award competitive grants to state universities to address faculty shortages, student financial barriers, and clinical training needs in genetic counseling. The BOG is required to award funds to:

- Establish an accredited program at a state university through a one-time start-up grant based on an application submitted in a format prescribed by the BOG. The application must include:
  - A detailed plan demonstrating how grant funds will be used to achieve program accreditation.
  - The projected outcomes of establishing the program, including all of the following: anticipated student enrollment; the plan for faculty hiring and retention; anticipated program completion rates; anticipated first-time American Board of Genetic Counseling Inc., board certification examination passage rates; and the program's anticipated contribution to Florida's genetic counseling workforce.
  - Documentation demonstrating that the proposed program is supported by sufficient clinical training capacity consistent with nationally recognized accreditation standards, and that the proposed growth represents a net increase in statewide training opportunities rather than redistribution of existing supervision resources.
- Accredited programs based on program performance according to the following metrics:
  - The number of students completing the genetic counseling program.
  - The first-time American Board of Genetic Counseling, Inc., board certification examination passage rate for students completing the state university's genetic counseling program.

The bill requires the program to reward excellence among genetic counseling programs with an average first-time ABGC board certification examination passage rate above the national average.

The bill requires the grant funds provided through the program to be used for:

- The recruitment and retention of qualified faculty, including, but not limited to, salaries, professional development, and incentives.
- Financial assistance to students enrolled in the accredited program, which must be awarded as scholarships covering tuition, required books and materials, and reasonable living expenses.

[11] USF Health, College of Public Health, *MSPH with a Concentration in Genetic Counseling*, https://health.usf.edu/publichealth/apply/masters/msph-gc (last visited Feb. 12, 2026).
[12] Florida State University, College of Medicine, *Master's in Genetic Counseling*, https://med.fsu.edu/iprd/masters-degree-program-genetic-counseling (last visited Feb. 12, 2026).

- The establishment and maintenance of clinical rotations required for completion of the master's degree in genetic counseling, including partnerships with health care facilities for supervised practicum experiences, simulation training resources, and faculty oversight.

The bill prohibits grant funds from being used for general administrative overhead costs, construction of new facilities, or non-program-related activities. State universities that receive a grant through the program are required to maintain records sufficient to demonstrate compliance with program requirements.

The bill requires each state university that receives program funds to submit an annual report to the BOG. The report must include program expenditures, the outcomes achieved using grant funds, and plans for the upcoming fiscal year. The bill also requires the BOG to compile the reports into an annual statewide summary. The summary must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1 of each year.

Additionally, the bill requires the BOG to adopt regulations to administer the program.

The bill takes effect July 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.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill could have a significant impact on state expenditures for the Genetic Counseling Education Enhancement Grant Program. However, the grants are subject to an appropriation.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 1009.8963 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 Education Postsecondary on January 28, 2026:
The committee substitute clarifies the name of the accrediting body for eligible graduate-level genetic counseling programs by identifying the Accreditation Council for Genetic Counseling rather than the American Board of Genetic Counseling, Inc.

The committee substitute also adds a requirement to the grant application that the proposed program include documentation demonstrating sufficient clinical training capacity and that growth represents a net increase in statewide training opportunities, rather than a distribution of existing resources.

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 the Committee on Education Postsecondary; and Senators Burgess, Sharief, and Berman

589-02281-26 20261376c1

A bill to be entitled

An act relating to grants for genetic counseling education; creating s. 1009.8963, F.S.; creating the Genetic Counseling Education Enhancement Grant Program within the State University System; providing the purpose of the program; requiring the Board of Governors, subject to legislative appropriation, to award grant funds to state universities for specified purposes; requiring the program to reward excellence among genetic counseling programs based on specified criteria; providing authorized uses of grant funds; prohibiting such funds from being used for specified purposes; requiring state universities participating in the program to maintain specified records; requiring such state universities to submit an annual report; requiring the Board of Governors to submit an annual summary of such reports to the Governor and Legislature by a specified date; requiring the Board of Governors to adopt regulations; providing an effective date.

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

Section 1. Section 1009.8963, Florida Statutes, is created to read:

1009.8963 The Genetic Counseling Education Enhancement Grant Program.—

(1) The Genetic Counseling Education Enhancement Grant Program is created within the State University System to support

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

589-02281-26 20261376c1

the development, growth, and sustainability of graduate level genetic counseling programs accredited by the Accreditation Council for Genetic Counseling. The Board of Governors shall award competitive grants to state universities to address faculty shortages, student financial barriers, and clinical training needs in genetic counseling.

(2) Subject to appropriation, the board shall award funds to:

(a) Establish an accredited program at a state university through a one-time start-up grant based upon an application submitted in a format prescribed by the board. The application must include:

1. A detailed plan demonstrating how grant funds will be used to achieve program accreditation.

2. The projected outcomes of establishing the program, including all of the following:

a. The anticipated program enrollment.

b. The plan for hiring and retaining faculty for the program.

c. The anticipated program completion rates.

d. The anticipated first-time American Board of Genetic Counseling board certification examination passage rates.

e. The anticipated program contributions to the state's genetic counseling workforce.

3. Documentation demonstrating that the proposed program is supported by sufficient clinical training capacity consistent with nationally recognized accreditation standards and that the proposed growth represents a net increase in statewide training opportunities rather than a redistribution of existing

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

supervision resources.

(b) Accredited programs based on program performance according to the following metrics:

1. The number of students completing the genetic counseling program.

2. The first-time American Board of Genetic Counseling, Inc., board certification examination passage rate for students completing the state university's genetic counseling program.

The program shall reward excellence among genetic counseling programs with an average first-time American Board of Genetic Counseling, Inc., board certification examination passage rate above the national average.

(3)(a) Grant funds provided through the program must be used for:

1. The recruitment and retention of qualified faculty, including, but not limited to, salaries, professional development, and incentives.

2. Financial assistance to students enrolled in the accredited program. Such financial assistance must be in the form of scholarships that cover tuition, required books and materials, and reasonable living expenses.

3. The establishment and maintenance of clinical rotations required for completion of the master's degree in genetic counseling, including partnerships with health care facilities for supervised practicum experiences, simulation training resources, and faculty oversight.

(b) Grant funds may not be used for:

1. General administrative overhead costs.

2. The construction of new facilities.

3. Nonprogram-related activities.

(c) State universities that receive a grant through the program must maintain records sufficient to demonstrate compliance with this subsection.

(4)(a) Each state university receiving funds pursuant to this section shall submit an annual report to the board. The report must include:

1. Expenditures.

2. The outcomes achieved using grant funds.

3. Plans for the upcoming fiscal year for the program.

(b) The board shall annually compile the reports into a statewide summary. The summary must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1 of each year.

(5) The Board of Governors shall adopt regulations to administer this section.

Section 2. This act shall take effect July 1, 2026.

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/CS/SB 1510
INTRODUCER:	Fiscal Policy Committee; Appropriations Committee on Agriculture, Environment, and General Government; Environment and Natural Resources Committee; and Senator Massullo
SUBJECT:	Department of Environmental Protection
DATE:	March 3, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Carroll	Rogers	EN	**Fav/CS**
2.	Reagan	Betta	AEG	**Fav/CS**
3.	Carroll	Siples	FP	**Fav/CS**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/CS/SB 1510 amends laws that govern the Acquisition and Restoration Council, septic system and wastewater restrictions, basin management action plans, the Sea Level Rise Resilience Plan, the Environmental Regulation Commission, air pollution permitting, the solar facility approval process, and incentives for the use of graywater technologies.

Regarding the Acquisition and Restoration Council (ARC), the bill adds two new members. Additionally, the bill directs ARC to administer the Florida Communities Trust to improve consistency and effectiveness in conservation-focused land acquisition and resource stewardship.

Regarding onsite sewage treatment and disposal systems (septic systems), the bill:

- Removes a requirement that owners of residential properties within the Indian River Lagoon Protection program over ten acres must connect to sewer or upgrade their septic system.
- Allows a septic system remediation plan to require conventional septic system upgrades where central sewerage is unavailable for certain properties.
- Requires the Florida Department of Environmental Protection (DEP) to notify new owners of a property with a septic system of certain applicable requirements.

Regarding BMAPs, the bill provides a 60-day waiting period before an approved BMAP is effective. The bill allows the installation of distributed wastewater treatment systems on lots of

one acre or less in a BMAP, reasonable assurance plan, or pollution reduction plan if a sewer system is unavailable.

Regarding the Statewide Flooding and Sea Level Rise Resilience Plan, the bill provides that municipalities and counties that are rural communities will not need a minimum 50 percent cost share for projects in the plan.

Regarding the Environmental Regulation Commission (ERC), the bill repeals provisions establishing the ERC and removes all references to the ERC in statute.

Regarding air pollution permitting, the bill extends the due date for annual operating permits for major sources of air pollution.

Regarding the solar facility approval process, the bill creates best management practices for stormwater.

Regarding incentives for graywater technologies, the bill revises the maximum building height for multifamily projects above which the incentives do not apply.

The bill has no fiscal impact on state revenues or expenditures. See Section V., Fiscal Impact Statement.

The bill has an effective date of July 1, 2026.

II. Present Situation:

The Environmental Regulation Commission

The Environmental Regulation Commission (ERC) is a non-salaried, seven-member board created by the Legislature within the Florida Department of Environmental Protection (DEP).[1] The ERC is responsible for setting statutorily specified air and water quality standards by evaluating their scientific and technical validity, economic impacts, and risks and benefits to the public and Florida's natural resources.[2] The ERC's members are selected by the Governor and confirmed by the Senate.[3] They must be representative of:

- Agriculture;
- The development industry;
- Local government;
- The environmental community;
- Residents; and

[1] Florida Department of Environmental Protection (DEP), *Environmental Regulation Commission*, https://floridadep.gov/ogc/ogc/content/environmental-regulation-commission (last visited Jan. 23, 2026).
[2] *Id.*; section 403.804(1), F.S. The ERC does not establish DEP policies, priorities, plans, or directives. It may adopt procedural rules governing its meetings and hearings.
[3] DEP, *Environmental Regulation Commission*; section 20.255(6), F.S.

- Members of the scientific and technical community with substantial expertise in water pollutants, toxicology, epidemiology, geology, biology, environmental science, or engineering. [4]

DEP must conduct a study of the economic and environmental impact of any proposed standard that would be stricter or more stringent than one set by federal law or regulation.[5] The study must be submitted to the ERC, which must initially adopt the standard and submit it to the Governor and Cabinet. The Governor and Cabinet must take final action and must accept, reject, modify, or remand the standard for further proceedings within 60 days of the submission.[6]

The ERC was created in statute in 1975.[7] It was established 35 years before the legislative rule ratification requirement, which requires legislative approval of rules that have adverse economic impacts or high regulatory costs.[8] In the past 10 years, the ERC has met four times: once in 2016, 2017, 2024, and 2025.[9]

Acquisition and Restoration Council

The Acquisition and Restoration Council (ARC) is a 10-member body that makes recommendations on the acquisition, management, and disposal of state-owned lands.[10] ARC's members are composed of:

- The Secretary of DEP (or designee);
- The director of the Florida Forest Service (or designee);
- The executive director of the Fish and Wildlife Conservation Commission (or designee);
- The director of the Division of Historical Resources (or designee);
- One member appointed by Commissioner of Agriculture;
- One member appointed by the Fish and Wildlife Conservation Commission; and
- Four members appointed by the Governor.[11]

Of the Governor's four appointees, three must be from scientific disciplines related to land, water, or environmental sciences and one must have at least five years of experience managing lands for both active and passive types of recreation.[12] The appointees serve four-year staggered terms and may not serve for more than six years.[13]

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[4] *Id*.
[5] Section 403.804(2), F.S.
[6] *Id*.
[7] Chapter 75-22, Laws of Fla.; section 403.804, F.S.
[8] Chapter 2010-279, Laws of Fla.; section 120.541(3), F.S.
[9] DEP, *Environmental Regulation Commission Agenda* (2016), *available at* https://floridadep.gov/sites/default/files/ERC_Agenda_July.pdf; DEP, *ERC Meeting*, https://floridadep.gov/ogc/ogc/content/7319-erc-meeting (last visited Jan. 26, 2026); DEP, *The Environmental Regulation Commission Meeting*, https://floridadep.gov/water/water/content/42188-environmental-regulation-commission-meeting (last visited Jan. 26, 2026); and DEP, *Environmental Regulation Commission*, https://floridadep.gov/ogc/ogc/content/environmental-regulation-commission (last visited Jan. 26, 2026).
[10] DEP, *2024 Florida Forever Plan*, 1 (2024), *available at* https://floridadep.gov/lands/environmental-services/content/2024-florida-forever-plan; section 259.035(3), F.S.
[11] Section 259.035(1), F.S.
[12] Section 259.035(1)(a), F.S.
[13] *Id.*

ARC's recommendations must be approved by the Board of Trustees of the Internal Improvement Trust Fund.[14]

Florida Communities Trust

The Florida Communities Trust (Trust) is a state-funded land acquisition program that was created within DEP in 1989 to help local communities protect natural resources, provide recreational opportunities, preserve traditional working waterfronts, ensure beach access, protect historical and cultural resources, and provide clean air and drinking water.[15]

The Legislature created the Trust to help local governments bring local comprehensive plans into compliance and to implement comprehensive plan goals, objectives, and policies concerning conservation, recreation and open space, and coastal elements.[16] It also created the Trust to assist local governments in conserving natural resources and resolving land use conflicts by:

- Responding promptly and creatively to opportunities to correct undesirable development patterns, restore degraded natural areas, enhance resource values, restore and preserve urban and working waterfronts, reserve lands for later purchase, participate in and promote the use of innovative land acquisition methods, and provide public access to surface waters;
- Providing financial and technical assistance to local governments, state agencies, and nonprofit organizations to carry out projects and activities and to develop authorized programs; and
- Involving local governments and private interests in voluntarily resolving land use conflicts and issues.[17]

The Trust consists of the Secretary of DEP and four members of the public who are appointed by the Governor and are subject to Senate confirmation. Members must include a former elected official of a county government, a former elected official of a metropolitan[18] municipal government, a representative of a nonprofit organization,[19] and a representative of the development industry. The Governor must make appointments upon the expiration of any current terms or within 60 days after the effective date of a member's resignation.

Governor-appointed governing body members serve four-year terms.[20] Members receive no compensation for their services, but are entitled to necessary expenses, including per diem and travel expenses, incurred in the discharge of their duties.[21]

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[14] Section 259.035(6), F.S.
[15] DEP, *The Florida Communities Trust*, https://floridadep.gov/lands/land-and-recreation-grants/content/florida-communities-trust (last visited Jan. 22, 2026); Section 380.504(1), F.S. The Florida Communities Trust is a nonregulatory state agency.
[16] Section 380.502(3), F.S.
[17] *Id*.
[18] "Metropolitan" is defined as an area consisting of a central city with adjacent cities and smaller surrounding communities: a major urban area and its environs. Section 380.503(4), F.S.
[19] A "nonprofit organization" is defined as any private nonprofit organization, existing under the provisions of s. 501(c)(3) of the U.S. Internal Revenue Code, which has among its principal goals the conservation of natural resources or protection of the environment.
[20] Section 380.504(2), F.S.
[21] Section 380.504(3), F.S.

The Trust has the power to:

- Make and execute contracts and other instruments that are necessary or convenient to exercise its powers.
- Undertake, coordinate, or fund activities and projects including, but not limited to:
  - Redevelopment projects,
  - Resource enhancement projects,
  - Public access projects,
  - Urban waterfront restoration projects,
  - Site reservation,
  - Urban greenways and open space projects, and
  - Working waterfronts.
- Provide technical and financial assistance to local governments, state agencies, water management districts, regional planning councils, and nonprofit agencies.
- Acquire and dispose of real and personal property or any interest therein to protect the natural environment, provide public access or recreational facilities, preserve wildlife habitat, and provide access for managing acquired lands.
- Acquire interests in land through land exchanges and enter into all alternatives to the acquisition of fee interests in land.
- Award grants and make loans to local governments and nonprofit organizations.
- Provide grants or loans for approved projects.
- Undertake, or authorize a nonprofit organization to undertake, a project or activity that a local government is unable to undertake.
- Invest any funds held in reserves or sinking funds, or any funds not required for immediate disbursement.
- Contract for and accept gifts, grants, loans, or other aid, including gifts of real property or any interest in real property.
- Adopt rules.
- Contract with private consultants and nonprofit organizations for professional and technical assistance and advice.
- Make and execute agreements, contracts, and other instruments that are necessary or convenient in the exercise of the powers and functions of the Trust.
- Conduct promotional campaigns, including advertising, for the sale of communities trust license plates.[22]
- Administer the working waterfronts land acquisition program.[23]

Since its inception in 1989, the Trust has facilitated the acquisition of over 96,987 acres of lands for conservation and local recreation opportunities.[24]

Impaired Waters

Under section 303(d) of the federal Clean Water Act, states must establish water quality standards for waters within their borders and develop a list of impaired waters that do not meet

[22] Section 380.507, F.S.
[23] Section 380.5105(1), F.S.
[24] DEP, *The Florida Communities Trust*, https://floridadep.gov/lands/land-and-recreation-grants/content/florida-communities-trust (last visited Jan. 22, 2026).

the established water quality standards.[25] States must also develop a list of threatened waters that may not meet water quality standards in the following reporting cycle.[26]

DEP sorted those waters into 29 major watersheds, or basins, and further organized them into five basin groups for assessment purposes.[27] If DEP determines that any waters are impaired, the waterbody must be placed on the verified list of impaired waters and a total maximum daily load (TMDL) must be calculated.[28] A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards.[29] A waterbody may be removed from the verified list at any time during the TMDL process if it attains water quality standards.[30]

Basin Management Action Plans

Basin management action plans (BMAPs) are one of the primary mechanisms DEP uses to achieve TMDLs. BMAPs are plans that address the entire pollution load, including point and nonpoint discharges,[31] for a watershed.

DEP may establish a BMAP as part of the development and implementation of a TMDL for a specific waterbody.[32] First, the BMAP equitably allocates pollutant reductions to individual basins, to all basins as a whole or to each identified point source or category of nonpoint sources. Then, the BMAP establishes the schedule for implementing projects and activities to meet the pollution reduction allocations.[33]

Producers of nonpoint source pollution included in a BMAP must comply with the established pollutant reductions by implementing appropriate best management practices or conducting water quality monitoring.[34] A nonpoint source discharger in a BMAP area may be subject to enforcement action by DEP or a water management district for failure to implement these requirements.[35]

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[25] EPA, *Overview of Identifying and Restoring Impaired Waters under Section 303(d) of the CWA*, https://www.epa.gov/tmdl/overview-identifying-and-restoring-impaired-waters-under-section-303d-cwa (last visited Jan. 23, 2026); 40 C.F.R. 130.7.
[26] *Id.*
[27] DEP, *Assessment Lists*, https://floridadep.gov/dear/watershed-assessment-section/content/assessment-lists (last visited Jan. 23, 2026).
[28] *Id.*; DEP, *Watershed Evaluation and Total Maximum Daily Loads (TMDL) Section*, https://floridadep.gov/dear/water-quality-evaluation-tmdl/content/total-maximum-daily-loads-tmdl-program (last visited Jan. 23, 2026); DEP, *Verified List Waterbody Ids (WBIDs)*, https://geodata.dep.state.fl.us/datasets/FDEP::verified-list-waterbody-ids-wbids/about (last visited Jan. 23, 2026); section 403.067(4), F.S.
[29] Section 403.067(6)(a), F.S. *See also* The Clean Water Act, 33 U.S.C. § 1251, s. 303(d).
[30] Section 403.067(5), F.S.
[31] "Point source" is defined as any discernible, confined, and discrete conveyance, including any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. Nonpoint sources of pollution are sources of pollution that are not point sources. Fla. Admin. Code R. 62-620.200(37).
[32] Section 403.067(7)(b)2.h., F.S.
[33] *Id.*
[34] Section 403.067(7)(b)2.g., F.S. For example, BMPs for agriculture include activities such as managing irrigation water to minimize losses, limiting the use of fertilizers, and waste management.
[35] Section 403.067(7)(b)2.h., F.S.

BMAPs must include five-year milestones for implementation and water quality improvement and an associated water quality monitoring component to evaluate the progress of pollutant load reductions.[36] Every five years an assessment of progress toward these milestones must be conducted and the appropriate revisions may be made to the BMAP.[37]

Each BMAP must also include:

- The management strategies available through existing water quality protection programs to achieve TMDLs;
- A description of best management practices adopted by rule;
- For the applicable five-year implementation milestones, a list of projects that will achieve the pollutant load reductions needed to meet a TMDL or other established load allocations, including a planning-level cost estimate and an estimated date of completion;
- A list of regional nutrient reduction projects submitted by the Department of Agriculture and Consumer Services which will achieve pollutant load reductions established for agricultural nonpoint sources;[38]
- The source and amount of financial assistance that will be made available; and
- A planning-level estimate of each project's expected load reduction, if applicable.[39]

Indian River Lagoon Protection Program

The Indian River Lagoon is a critical water resource that provides many economic, natural habitat, and biodiversity functions, including fishing, boating, recreation, and habitat for endangered and threatened species and other plants and animals.[40]

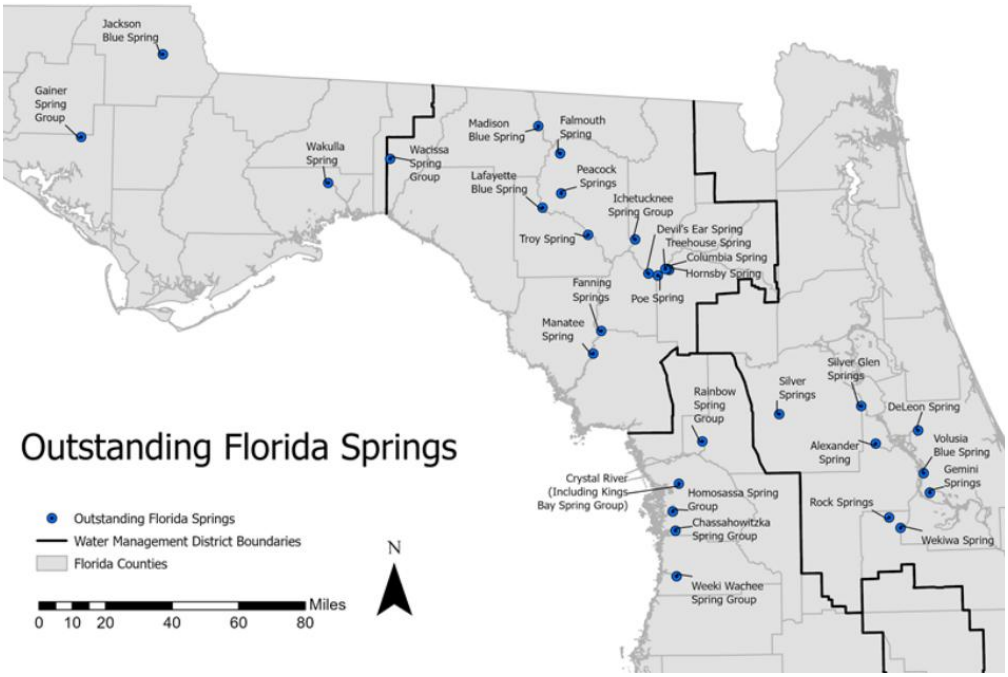
The Indian River Lagoon Protection Program was created in 2023 to provide additional requirements, projects, and water quality monitoring to further the efforts identified in the Banana River Lagoon BMAP, the Central Indian River Lagoon BMAP, the North Indian River Lagoon BMAP, and the Mosquito Lagoon Reasonable Assurance Plan, which are all components of the Indian River Lagoon Protection Program.[41]

Pursuant to the Indian River Lagoon Protection Program, the installation of new onsite sewage treatment and disposal system (septic systems) is prohibited within the program area where a publicly-owned or investor-owned sewerage system is available.[42] If central sewerage is unavailable, only enhanced nutrient-reducing septic systems or other wastewater treatment systems that achieve at least 65 percent nitrogen reduction are authorized for installation. By July 1, 2030, any commercial or residential property within the program area must be connected to an available central sewer or upgrade septic systems to the specified standards.[43]

[36] Section 403.067(7)(a)6., F.S.
[37] *Id.*
[38] This is required only where agricultural nonpoint sources contribute to at least 20 percent of nonpoint source nutrient discharges or DEP determines that additional measures are necessary to achieve a TMDL. Section 403.067(7)(e)1., F.S.
[39] Section 403.067(7)(a)4., F.S.
[40] *See* section 373.469, F.S.
[41] Section 373.469(3), F.S.; chapter 2023-196, Laws of Fla.
[42] Section 373.469(3)(d), F.S.
[43] *Id*.

Outstanding Florida Springs

In 2016, the Florida Legislature enacted the Florida Springs and Aquifer Protection Act and identified 30 Outstanding Florida Springs that require additional protections to ensure their conservation and restoration for future generations.[44] These springs are a unique part of the state's scenic beauty, provide critical habitat, and have immeasurable natural, recreational, and economic value.[45] Outstanding Florida Springs are defined by statute and include all historic first magnitude springs, including their associated spring runs, as determined by DEP using the most recent Florida Geological Survey springs bulletin, and several additional enumerated springs.[46] There are 30 Outstanding Florida Springs, including 24 historic first magnitude springs and six named additional springs.[47]



For areas within a BMAP in effect for an Outstanding Florida Spring, the following activities are prohibited:

- New domestic wastewater disposal facilities, including rapid infiltration basins, with permitted capacities of 100,000 gallons per day or more, except for those facilities that meet an advanced wastewater treatment standard of no more than 3 mg/l total nitrogen on an

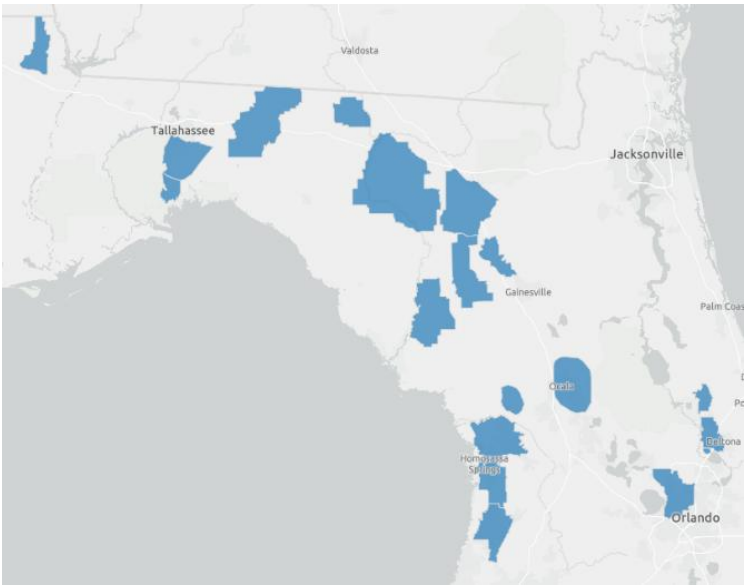
[44] DEP, *Springs*, https://floridadep.gov/springs/ (last visited Jan. 23, 2026).
[45] DEP, *Protect and Restore Springs*, https://floridadep.gov/springs/protect-restore (last visited Jan. 23, 2026); Ch. 2016-1, s. 22, Laws of Fla.
[46] Section 373.802(4), F.S.
[47] DEP, *Outstanding Florida Springs*, https://geodata.dep.state.fl.us/datasets/outstanding-florida-springs-ofs/about?layer=1 (last visited Jan. 23, 2026). The 30 Outstanding Florida Springs are Alexander Spring, Chassahowitzka Springs Group, Columbia Spring, Crystal River, DeLeon Spring, Devil's Ear Spring, Falmouth Spring, Fanning Springs, Gainer Spring Group, Gemini Springs, Homosassa Spring Group, Hornsby Spring, Ichetucknee Spring Group, Jackson Blue Spring, Lafayette Blue Spring, Madison Blue Spring, Manatee Spring, Peacock Springs, Poe Spring, Rainbow Spring Group, Rock Springs, Silver Glen Springs, Silver Springs, Treehouse Spring, Troy Spring, Volusia Blue Spring, Wacissa Spring Group, Wakulla Spring, Weeki Wachee Springs Group, and Wekiwa Spring. DEP, *62-41.400-403, F.A.C. Outstanding Florida Springs Rule Development Workshop*, 5 (2023), *available at* https://floridadep.gov/sites/default/files/OFS_Workshop_Aug-28-2023_0.pdf (showing map of Outstanding Florida Springs).

annual permitted basis, or a more stringent treatment standard if it is necessary to attain a TMDL for the Outstanding Florida Spring.

- New septic systems where connection to a publicly-owned or investor-owned sewerage system is available. On lots of one acre or less, if a sewerage system is not available, only the installation of enhanced nutrient-reducing septic systems or other wastewater treatment systems that achieve at least 65 percent nitrogen reduction are authorized.
- New hazardous waste disposal facilities.
- Land application of Class A or Class B domestic wastewater biosolids[48] not in accordance with a DEP-approved nutrient management plan establishing the rate at which all biosolids, soil amendments, and nutrient sources at the land application site can be applied to the land for crop production while minimizing the pollutants and nutrients being discharged.
- New agriculture operations that do not implement best management practices, measures necessary to achieve DEP-established pollution reduction levels, or groundwater monitoring plans approved by a water management district or DEP.

During the development of a BMAP for an Outstanding Florida Spring, if the DEP determines that septic systems are contributing at least 20 percent of nonpoint source nitrogen pollution, or if DEP determines remediation is necessary to achieve the TMDL, the BMAP must include a septic system remediation plan.[49]

DEP is required to collaborate with the water management districts to delineate priority focus areas for each Outstanding Florida Spring or group of springs that contains one or more Outstanding Florida Spring and is impaired.[50] In delineating these areas, DEP must consider groundwater travel time to the spring, hydrogeology, nutrient load, and any other factors that may lead to spring degradation.[51] The image to the right shows the location and boundaries of the current priority focus areas.[52]



[48] Biosolids are the solid, semisolid, or liquid residue generated during the treatment of domestic wastewater in a domestic wastewater treatment facility and include products and treated material from biosolids treatment facilities and septage management facilities. Section 373.4595(2)(b), F.S. DEP regulates three classes of biosolids for beneficial use: Class AA, Class A, and Class B biosolids. These classes are categorized based on treatment and quality, with Class AA biosolids receiving the highest level of treatment, and Class B receiving the lowest. Fla. Admin. Code R. 62-640.200; DEP, *Domestic wastewater biosolids*. https://floridadep.gov/water/domestic-wastewater/content/domestic-wastewater-biosolids (last visited Jan. 14, 2026).

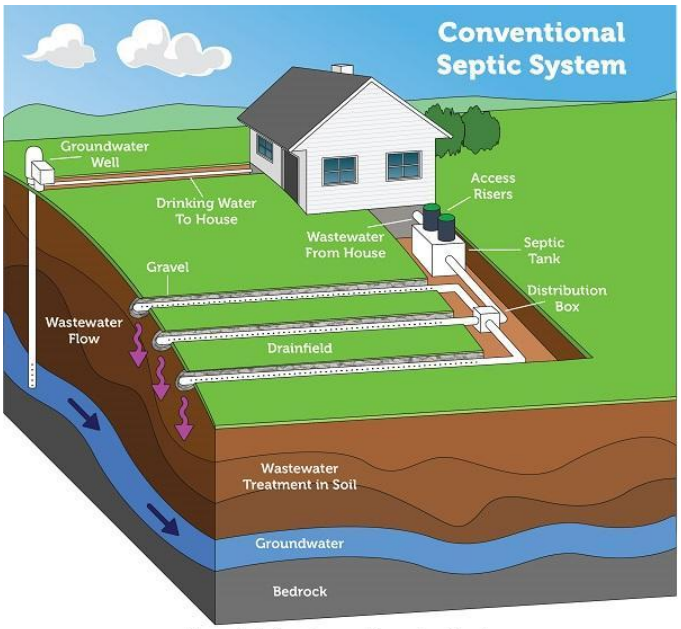
[49] Section 373.807(1)(a) and (3), F.S.

[50] Section 373.803, F.S.

[51] *Id*.

[52] DEP Geospatial Open Data, *Springs Priority Focus Areas*, https://geodata.dep.state.fl.us/datasets/FDEP::springs-priority-focus-areas/explore?location=29.509410%2C-82.973290%2C7.11 (last visited Jan. 23, 2026).

Onsite Sewage Treatment and Disposal Systems



Onsite sewage treatment and disposal systems (septic systems) generally consist of two basic parts: the septic tank and the drainfield.[53] Waste from toilets, sinks, washing machines, and showers flows through a pipe into the septic tank, where anaerobic bacteria break the solids into a liquid form. The liquid portion of the wastewater flows into the drainfield, which is generally a series of perforated pipes or panels surrounded by lightweight materials such as gravel or Styrofoam. The drainfield provides a secondary treatment where aerobic bacteria continue deactivating the germs. The drainfield also filters the wastewater as gravity draws the water down through the soil layers.[54] In Florida, the bottom of the drainfield must be at least 24 inches above the water table during the wettest season of the year.[55]

There are an estimated 2.6 million septic systems in Florida, providing wastewater disposal for 30 percent of the state's population.[56] The vast majority of these are conventional systems.[57]

Conventional septic systems do not reduce nitrogen from raw sewage. In Florida, approximately 30 to 40 percent of the nitrogen levels are reduced in the drainfield of a system that is installed 24 inches or more from groundwater.[58] This still leaves a significant amount of nitrogen to

[53] DEP, *Onsite Sewage Program*, https://floridadep.gov/water/onsite-sewage (last visited Jan. 12, 2026); U.S. Environmental Protection Agency (EPA), *How Septic Systems Work*, https://www.epa.gov/septic/how-septic-systems-work (last visited Jan. 12, 2026); EPA, *Types of Septic Systems*, https://www.epa.gov/septic/types-septic-systems (last visited Jan. 12, 2026) (showing the graphic provided on the following page).
[54] *Id.*
[55] Fla. Admin. Code R. 62-6.006(2). For system repairs and alterations to add sewage flow, where the existing elevation of the bottom surface of the drainfield is less than 24 inches above the wet season high water table, the bottom of the drainfield must be maintained at the existing separation or a minimum of 12 inches above the wet season high water table, whichever is greater. Where the bottom of the drainfield is less than 12 inches above the wet season high water table, the drainfield must be brought into full compliance with all new system standards. Fla. Admin. Code R. and 62-6.001(4)(e)2. and 3. *See also* Fla. Admin. Code R. 62-6.015(6)(a).
[56] DEP, *Onsite Sewage Program*, https://floridadep.gov/water/onsite-sewage#:~:text=Onsite%20sewage%20treatment%20and%20disposal%20systems%20%28OSTDS%29%2C%20commonly,represents%2012%25%20of%20the%20United%20States%E2%80%99%20septic%20systems (last visited Jan. 12, 2026).
[57] DEP, *Onsite Sewage Research Projects*, https://floridadep.gov/water/onsite-sewage/content/onsite-sewage-research-projects (last visited Jan. 12, 2026).
[58] Florida Department of Health, *Florida Onsite Sewage Nitrogen Reduction Strategies Study*, *Final Report 2008-2015*, 21 (Dec. 2015), *available at* https://wakullaspringsalliance.org/wp-content/uploads/2016/11/Fla-OSTDS-N-Reduction-Strategies.DOH2015.pdf; *See* Fla. Admin. Code R. 64E-6.006(2).

percolate into the groundwater, which makes nitrogen from septic systems a potential contaminant in groundwater.[59]

Aerobic treatment units are an alternative to conventional septic systems for smaller lots or areas where the soil condition is inadequate, the water table is high, or the septic system will be close to an environmentally sensitive water body.[60] Aerobic systems use processes that are similar to municipal sewage plants. The system injects oxygen into the treatment tank, which increases the activity of natural bacteria to provide additional treatment of the effluent.[61]

Different types of advanced septic systems can remove greater amounts of nitrogen than a typical septic system (often referred to as "advanced" or "nutrient-reducing" septic systems),[62] and may be required in certain areas. For example, enhanced nutrient-reducing septic systems[63] are required for new systems within the Indian River Lagoon[64] and on lots of one acre or less within a BMAP, reasonable assurance plan, or pollution reduction plan where a sewerage system is not available.[65] There are also special treatment requirements for the Florida Keys.[66] In addition, performance-based treatment systems[67] must meet specific treatment standards.[68]

Septic System Permits

State law requires a person to receive an approved[69] permit to construct, repair, modify, abandon, or operate a septic system.[70] Once received, a permit to construct a septic system is valid for 18

[59] University of Florida Institute of Food and Agricultural Sciences, *Onsite Sewage Treatment and Disposal Systems: Nitrogen*, 3 (2020), *available at* http://edis.ifas.ufl.edu/pdffiles/SS/SS55000.pdf.
[60] EPA, *Types of Septic Systems*, https://www.epa.gov/septic/types-septic-systems#aerobic (last visited Jan. 26, 2026).
[61] *Id*.
[62] DEP, *Nitrogen-Reducing Systems for Areas Affected by the Florida Springs and Aquifer Protection Act* (updated May 2021), *available at* https://floridadep.gov/sites/default/files/Nitrogen_Reducing_Systems_for%20_Springs_Protection_0.pdf.
[63] "Enhanced nutrient-reducing OSTDS" means a septic system approved by DEP as capable of meeting or exceeding a 50 percent total nitrogen reduction before disposal of wastewater in the drainfield, or at least 65 percent total nitrogen reduction combined from onsite sewage tank or tanks and drainfield. Section 373.469(2)(b), F.S.
[64] *See* section 373.469(3)(d), F.S.
[65] Sections 373.811(2) and 403.067(7)(a)10., F.S.
[66] Section 381.0065(4)(l), F.S.
[67] "Performance-based treatment system" means a specialized septic systems designed by a professional engineer with a background in wastewater engineering, licensed in the state of Florida, using appropriate application of sound engineering principles to achieve specified levels of CBOD5 (carbonaceous biochemical oxygen demand after five days), TSS (total suspended solids), TN (total nitrogen), TP (total phosphorus), or fecal coliform found in domestic or commercial sewage waste, to a specific and measurable established performance standard. Fla. Admin. Code R. 62-6.025(7). If a site restricts home construction because of setbacks or authorized sewage flow, a system can be designed by an engineer to meet strict levels of effluent pollutant reductions. The three levels of performance-based treatment systems are secondary treatment, advanced secondary treatment, and advanced wastewater treatment.
[68] *See* Fla. Admin. Code R. 62-6.025(11).
[69] The transfer of the Onsite Sewage Program from the Florida Department of Health to DEP was initiated in 2020 with the passage of SB 712. The first phase of the transition has been implemented, meaning that DEP is currently responsible for permitting septic tanks in Northwest Florida (including Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Okaloosa, Santa Rosa, Wakulla, Walton, and Washington counties) and Marion County. In the other counties, septic system permits are issued by the Environmental Public Health Program of the Florida Department of Health's local county health department. DEP, *Onsite Sewage FAQ – Permitting*, https://floridadep.gov/water/onsite-sewage/content/onsite-sewage-faq-permitting (last visited Jan. 27, 2026).
[70] Section 381.0065(4), F.S. DEP may issue septic system permits, except that the issuance of a permit to work seaward of the coastal construction control line is contingent upon receipt of any required coastal construction control line permit from DEP.

months after it is issued, although one 90-day extension is available. A permit to repair a septic system is valid for 90 days after it is issued.[71]

A property owner who personally performs construction, maintenance, or repairs to a septic system serving their own owner-occupied, single-family residence does not have to be registered as a septic tank contractor;[72] however, they will be subject to all permitting requirements.[73]

State law prohibits a municipality or political subdivision of the state from issuing a building or plumbing permit for any building that requires the use of a septic system, unless the owner or builder has received a construction permit for the septic system.[74]

An operating permit is required for the use of an aerobic treatment unit system or if the establishment generates commercial waste.[75] An operating permit for a commercial wastewater system is valid for one year and must be annually renewed. An operating permit for an aerobic treatment unit is valid for two years and must be renewed every two years.[76] An operating permit for a performance-based treatment system must also be renewed every two years.[77]

DEP must inspect a septic system before placing the system into service[78] and must approve the final installation before a building or structure may be occupied.[79] If certain alterations[80] are made, septic tanks must be pumped and visually inspected.[81] If an existing septic system was approved within the preceding five years, a new inspection is not required unless there is a record of system failure.[82] Septic system repairs must be inspected by DEP or a master septic tank contractor.[83] Buildings or establishments that use an aerobic treatment unit or generate commercial waste must be inspected by DEP at least annually.[84]

DEP is required to regulate and permit maintenance entities for performance-based systems and aerobic treatment unit systems.[85] DEP must establish minimum qualifying criteria for maintenance entities to ensure that these performance-based and aerobic treatment unit systems are maintained and operated according to the manufacturer's specifications.[86] The owner of an engineer-designed performance-based system or an aerobic treatment unit system must maintain a current maintenance service agreement with a maintenance entity, which must inspect each

[71] *Id*.
[72] *See* chapter 489, part III, F.S., relating to septic tank contracting.
[73] Section 381.0065(4), F.S.
[74] *Id*.
[75] *Id*.
[76] *Id*.
[77] Section 381.0065(4)(j)5., F.S.
[78] Fla. Admin. Code R. 62-6.003(2).
[79] Section 381.0065(4), F.S.
[80] This includes alterations that change the conditions under which the system was permitted, sewage characteristics, or increase sewage flow. DEP approval is required prior to such alterations. Fla. Admin. Code R. 62-6.001(4), F.S.
[81] Fla. Admin. Code R. 62-6.001(4)(b).
[82] Fla. Admin. Code R. 62-6.001(4)(c).
[83] Fla. Admin. Code R. 62-6.003(3).
[84] Section 381.0065(4), F.S.
[85] Section 381.0065(3)(n), F.S.
[86] *Id*.

system twice a year and submit a quarterly report to DEP regarding the number of systems inspected and serviced.[87]

Any permit issued for the installation, modification, or repair of a septic system will transfer with the title to the property in a real estate transaction.[88] For the transfer of a construction or repair permit, all information pertaining to the siting, location, and installation conditions or repair must remain the same and the transferee must file an amended application providing updated information and proof of property ownership.[89] The transferee must file the amended application within 60 days of the transfer of ownership.[90] There is no fee associated with processing this information.[91]

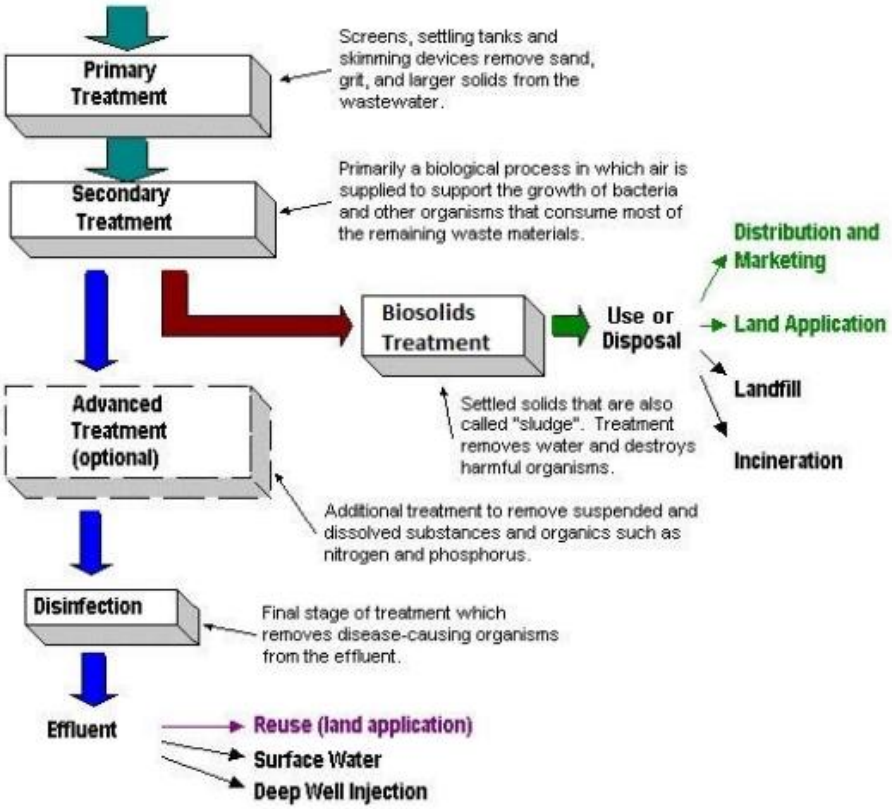
Domestic Wastewater Treatment Facilities

The majority of the state's wastewater is controlled and treated by centralized treatment facilities regulated by DEP.[92] Florida has approximately 2,000 permitted domestic wastewater treatment facilities.[93]

Wastewater treatment facilities are required to provide secondary treatment prior to reuse or disposal.[94] Such treatment requires that carbonaceous biochemical oxygen demand and total suspended solids not exceed specific levels based on the method of disposal (i.e., surface water disposal, reuse, land application, or groundwater discharge).[95]

[87] Section 381.0065(4)(j)3., F.S. (performance-based system requirement); section 381.0065(4)(t)1., F.S. (aerobic treatment unit system requirement).
[88] Section 381.0065(4)(v), F.S.
[89] Section 381.0065(4), F.S.
[90] *Id*.
[91] *Id*.
[92] DEP, *Domestic Wastewater Program*, https://floridadep.gov/water/domestic-wastewater (last visited Jan. 22, 2026).
[93] DEP, *General Facts and Statistics about Wastewater in Florida*, https://floridadep.gov/water/domestic-wastewater/content/general-facts-and-statistics-about-wastewater-florida (last visited Jan. 22, 2026).
[94] Sections 403.086(1)(a) and (2), F.S.; Fla. Admin. Code R. 62-600.420.
[95] Carbonaceous biochemical oxygen demand (or CBOD5) is the quantity of oxygen used in the carbonaceous biochemical oxidation of organic matter present in water or wastewater, reported as a five-day value determined using approved methods. Fla. Admin. Code R. 62-600.200(8).

For example, for land application or groundwater discharge, the annual average of carbonaceous biochemical oxygen demand and total suspended solids may not exceed 20.0 milligrams per liter (mg/L), and the maximum-permissible concentration in any single sample may not exceed 60.0 mg/L.[96]



Advanced waste treatment is required before discharging into certain impaired waterbodies.[97] DEP may also order advanced waste treatment if necessary.[98] Advanced waste treatment provides a reclaimed water product containing no more than the following concentrations of pollutants:

- 5 mg/L of Biochemical Oxygen Demand;
- 5 mg/L of Suspended Solids;
- 3 mg/L of total nitrogen; and
- 1 mg/L of total phosphorous.[99]

Facilities may be required to provide additional treatment to satisfy water quality standards for receiving surface and ground waters.[100] Systems within Monroe County are subject to different treatment requirements.[101]

Distributed Wastewater Treatment Systems

Distributed wastewater treatment systems consist of separate distributed wastewater treatment units that are in different geographical locations but are linked to a central system either

[96] Fla. Admin. Code R. 62-600.420(3).
[97] Section 403.086(1)(c), F.S.
[98] Section 403.086(1)(a), F.S.
[99] Section 403.086(4)(a), F.S. This statute defines the term "advanced waste treatment," rather than "advanced wastewater treatment." However, the term is used in the context of wastewater treatment and appears to refer to the treatment of wastewater.
[100] Fla. Admin. Code R. 62-600.430. DEP, *Domestic Wastewater Treatment Process*, *available at* https://floridadep.gov/water/domestic-wastewater/documents/domestic-wastewater-treatment-process (showing flowchart of wastewater treatment process).
[101] Section 403.086(11), F.S.

physically or by management.[102] The design of distributed wastewater treatment units varies based on manufacturer and setting (residential, commercial, or industrial).

Distributed wastewater treatment units are currently permitted and regulated as domestic wastewater treatment facilities under ch. 403, F.S., and chs. 62-600 and 62-620 of the Florida Administrative Code.[103]

Statewide Flooding and Sea Level Rise Resilience Plan

The Statewide Flooding and Sea Level Rise Resilience Plan is a three-year plan consisting of ranked projects that address risks of flooding and sea level rise to coastal and inland communities in the state.[104] Local governments, certain local districts, and water management districts may submit projects for funding.[105]

Each project included in the plan must have a minimum 50 percent cost share, unless the project assists a community eligible for a reduced cost share or is located within a community eligible for a reduced cost share.[106] The total amount of funding proposed for each year of the plan may not be less than $100 million.[107] The Legislature must review and, subject to appropriation, approve funding.[108]

Rural Communities

Florida law defines a rural community as:
- A county with a population of 75,000 or fewer;
- A county with a population of 125,000 or fewer that is contiguous to a county with a population of 75,000 or fewer;
- A municipality within a county described above; and
- An unincorporated federal enterprise community or an incorporated rural city with a population of 25,000 or fewer and an employment base focused on traditional agricultural or resource-based industries, located in a county not defined as rural that has at least three or more economic distress factors.[109]

A rural community is in economic distress if conditions exist that affect the community's fiscal and economic viability.[110] Factors that indicate economic distress include low per capita income, low per capita taxable values, high unemployment, high underemployment, low weekly earned wages compared to the state average, low housing values compared to the state average, high

[102] *See* EPA, Water Environment Foundation, and The Water Research Foundation, *Distributed Systems Overview*, 1 (2019), *available at* https://www.wef.org/globalassets/assets-wef/2-resources/topics/a-n/distributed-systems/technical-resources/wsec-2019-fs-012-wef_wrf_distributed_sytems_overview.pdf.
[103] *See* Email from DEP to Senate Committee on Environment and Natural Resources on Oct. 4, 2024 (on file with committee staff).
[104] Section 380.093(5)(a), F.S.
[105] Section 380.093(5)(a), F.S.
[106] Section 380.093(5)(e), F.S.
[107] Section 380.093(5)(h), F.S.
[108] *Id*.
[109] Section 288.0656(2)(e), F.S. These distress factors are verified by the Florida Department of Commerce.
[110] Section 288.0656(2)(c), F.S.

percentages of the population receiving public assistance, high poverty levels compared to the state average, and a lack of year-round stable employment opportunities.[111]

As of May 2025, the Florida Department of Commerce classified 31 counties as rural communities and 36 as non-rural communities.[112] It identified 31 municipalities that are rural communities.[113]

Air Pollution Regulation

The federal Clean Air Act requires the U.S. Environmental Protection Agency to establish national ambient air quality standards for common and widespread pollutants.[114] The Environmental Protection Agency has established air quality standards for six common criteria air pollutants, which are particulate matter, ozone, sulfur dioxide, nitrogen dioxide, carbon monoxide, and lead.[115] The Clean Air Act requires states to adopt enforceable plans to achieve and maintain air quality standards.[116]

Pursuant to the Clean Air Act, Florida law requires each major source of air pollution in the state to obtain an operation permit from DEP.[117] A major source of air pollution is defined as a stationary source or group of stationary sources located within a contiguous area and under common control that emits or can emit 10 tons per year or more of any hazardous air pollutant, or 25 tons per year or more of any combination of hazardous air pollutants.[118]

State law requires each major source of air pollution operating in Florida to pay an annual operation license fee.[119] This fee must be sufficient to cover all reasonable direct and indirect costs required to develop and administer the major stationary source air-operation permit program.[120] The fee is due between January 15 and April 1 of each year.[121] DEP must send a written warning of the consequences of failing to pay the fee if it has not received the payment by March 1 of each year. A fee must be postmarked by April 1 to avoid imposition of a late penalty.[122]

DEP may not require air pollution construction fees for changes or additions to a major source of air pollution, unless the activity triggers certain permitting requirements.[123] Costs to issue and administer such permits are considered direct and indirect costs of the major stationary source air-operation permit program.

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[111] *Id*.
[112] Florida Department of Commerce, *Rural Community Analysis*, 1 (May 6, 2025), *available at* https://floridajobs.org/docs/default-source/office-of-rural-initiatives/2025-rural-communities-analysis.pdf.
[113] *Id*. at 1-2.
[114] EPA, *Clean Air Act Requirements and History*, https://www.epa.gov/clean-air-act-overview/clean-air-act-requirements-and-history (last visited Jan. 28, 2026); *see* 42 U.S.C. ch. 85.
[115] EPA, *Clean Air Act Requirements and History*; *See* 40 C.F.R. sections 50.1-50.21.
[116] EPA, *Clean Air Act Requirements and History*; 42 U.S.C. §7407.
[117] Section 403.0872, F.S.
[118] 42 U.S.C. §7412(a)(1).
[119] Section 403.0872(11), F.S.
[120] Section 403.0872(11)(b), F.S.
[121] *Id*.
[122] Section 403.0872(11)(a)3., F.S.
[123] Section 403.0872(11)(a)5., F.S.

Local Land Development Regulations and Comprehensive Plans

The Community Planning Act (Act) directs the manner in which local governments create and adopt their local comprehensive plans.[124] The Act prescribes certain principles, guidelines, standards, and strategies to allow for an orderly and balanced future land development.[125] Section 163.3177, F.S., outlines the required and optional elements of a comprehensive plan and includes provisions which govern agricultural lands and practices.[126]

Solar Facility Approval Process

Section 163.3205, F.S., addresses how agricultural lands with solar electric generation facilities should be considered for purposes of local government comprehensive plans.[127] It defines a "solar facility," as a production facility for electric power, which uses photovoltaic modules to convert solar energy to electricity that may be stored on site, delivered to a transmission system, and consumed primarily offsite.[128]

The facility must principally consist of photovoltaic modules, a mounting or racking system, power inverters, transformers, collection systems, battery systems, fire suppression equipment, and associated components. The facility may include accessory administration or maintenance buildings, electric transmission lines, substations, energy storage equipment, and related accessory uses and structures. It further requires solar facilities to be a permitted use in all agricultural land use categories in a local government's comprehensive plan, all agricultural zoning districts within an unincorporated area. It also requires facilities to comply with setback and landscaped buffer area criteria for similar uses in the agricultural district and allows a county to adopt ordinances specifying buffer and landscaping requirements for facilities. Such requirements may not exceed those for similar uses involving construction of other facilities permitted in agricultural land use categories and zoning districts.[129]

Incentives for the Use of Graywater Technologies

Graywater is defined in statute as the part of domestic sewage that is not blackwater, including waste from the bath, lavatory, laundry, and sink, except sink waste. [130]

Florida law promotes the beneficial reuse of water by directing the state, counties, municipalities, and special districts to provide incentives for the use of graywater technologies.[131] Specifically, the state, local governments, and special districts are required to:

[124]Section 163.3167(2), F.S.
[125] *Id*.
[126] Section 163.3162, F.S.
[127] Section 163.3205, F.S.
[128] *Id*.
[129] *Id*.
[130] Section 381.0065(2)(g), F.S.
[131] Section 403.892(2), F.S.

- Authorize the use of residential graywater technologies in their respective jurisdictions that meet certain requirements[132] and for which a developer or homebuilder has received all applicable regulatory permits or authorizations.[133]
- Provide a 25 percent density or intensity bonus to a developer or homebuilder if at least 75 percent of a proposed or existing development will have a graywater system installed, or provide a 35 percent bonus if 100 percent of a proposed or existing development will have a graywater system installed.[134]

To qualify for the incentives, a developer or homebuilder must certify to the applicable governmental entity as part of its application for development approval or amendment of a development order that certain conditions are met.[135]

The provisions regarding graywater technologies incentives do not apply to multifamily projects more than five stories in height.[136]

III. Effect of Proposed Changes:

The Environmental Regulation Commission

Section 1 amends s. 20.255, F.S., to remove language that creates the Environmental Regulation Commission (ERC) as a part of the Florida Department of Environmental Protection (DEP).

The bill deletes the following provisions related to the ERC's membership and operation:
- The ERC is composed of seven Florida residents appointed by the Governor and subject to Senate confirmation;
- The Governor must provide reasonable representation from all sections of the state when making appointments to the ERC;
- Membership must be representative of agriculture, the development industry, local government, the environmental community, lay citizens, and members of the scientific and technical community with substantial expertise in water pollutants, toxicology, epidemiology, geology, biology, environmental sciences, or engineering;
- The Governor must appoint the chair and the members must appoint the vice chair;
- All appointments are four-year terms;
- The Governor may fill a vacancy at any time for the unexpired term;
- Members serve without compensation, but are paid travel and per diem while in performance of their official duties;
- DEP shall furnish administrative, personnel, and other necessary support services; and
- The ERC may employ independent counsel and contract for the services of outside technical consultants.

[132] These requirements include those in section 403.892, F.S., (the section amended by the bill), the Florida Building Code, and applicable requirements of the Florida Department of Health. Section 403.892(2)(a), F.S.
[133] Section 403.892(2)(a), F.S.
[134] Section 403.892(2)(b), F.S. The 25 or 35 percent bonus is in addition to any bonus provided by a local government or special district ordinance in effect on July 1, 2021. *Id*.
[135] Section 403.892(3), F.S.
[136] Section 403.892(6), F.S.

Section 19 amends s. 403.1838, F.S., regarding rule requirements under the Small Community Sewer Construction Assistance Act, to replace references to the ERC with DEP generally.

Section 20 repeals s. 403.804, F.S., which establishes the ERC and its powers and duties.

Section 22 amends s. 120.81, F.S., regarding a requirement that DEP prepare a risk impact statement for any proposed rule that establishes or changes certain standards or criteria and that is proposed for approval by the ERC. The bill deletes the criteria that the rule be proposed for approval by the ERC.

Section 23 amends s. 373.421, F.S., which requires the ERC to adopt a unified statewide methodology for the delineation of specified wetlands. The bill replaces the ERC with DEP.

Section 24 amends s. 403.031, F.S., to delete language providing that if the ERC designates waters within the boundaries of waters of the state as an Outstanding Florida Water, waters outside the boundaries are not included as part of such designation unless a noticed hearing is held and the boundaries of such lands are specifically considered and described for such designation.

Section 25 amends s. 403.061, F.S., to delete two provisions authorizing DEP to adopt standards that are more stringent than federal regulations only through the approval by the ERC.

Section 26 amends s. 403.704, F.S., to delete a provision authorizing DEP to adopt standards that are more stringent than the U.S. Environmental Protection Agency's regulations only through approval by the ERC.

The bill makes technical changes.

Section 27 amends s. 403.707, F.S., to delete language specifying that DEP is not required to submit rules relating to permits for solid waste management facility permits to the ERC for approval.

The bill also deletes a citation to the statute that sets out the organizational structure of DEP.

The bill makes technical changes

Section 28 amends s. 403.7222, F.S., to remove a reference to the ERC in language providing that the DEP is not prohibited from banning the disposal of hazardous waste in other types of waste management units in a manner consistent with federal requirements, except as provided in laws related to the ERC.

Section 29 amends s. 403.7234, F.S., which in part allows DEP to regulate the waste management practices of small quantity generators to ensure proper management of hazardous waste in a manner consistent with federal requirements, except through approval by the ERC. The bill removes the language referring to approval by the ERC.

The bill makes a technical change.

Section 30 amends s. 403.803, F.S., to remove the definition of "commission," which referred to the ERC. The bill makes technical changes.

Section 31 amends s. 403.805, F.S., regarding the powers and duties of the Secretary of DEP. The bill updates the list of chapters that the Secretary of DEP has the authority to implement by adding the following:

- Chapter 161, F.S., beach and shore preservation,
- Chapter 258, F.S., state parks and preserves,
- Chapter 369, F.S., conservation,
- Chapter 377, F.S., energy resources,
- Chapter 378, F.S., land reclamation, and
- Chapter 380, F.S., land and water management.

The bill also removes a provision requiring the Secretary of DEP to submit any proposed rule containing standards to the ERC, except for total maximum daily load calculations and allocations. The bill removes a second statutory citation to the ERC's legislative authority.

The bill makes technical changes.

Section 32 amends s. 403.8055, F.S., to remove a statutory citation to the ERC and to replace the ERC with DEP in a provision directing rulemaking objections to be filed with the ERC. The bill makes technical changes.

Section 33 amends s. 403.814, F.S., to remove a reference to the ERC's adoption of standards.

Section 39 reenacts s. 403.1835, F.S., to incorporate an amendment made by the bill to s. 403.1838, F.S.

The Acquisition and Restoration Council & the Florida Communities Trust

Section 3 amends s. 259.035, F.S., to add two members to the Acquisition and Restoration Council (ARC) for a total of 12 voting members and to authorize ARC to administer the Florida Communities Trust (Trust).

The bill amends membership requirements to incorporate the two new members. It adds two members to the current four who must be appointed by the Governor. It requires one of those six Governor-appointed members to be a former elected official of a county and one to be a former elected official of a metropolitan[137] municipality.

The bill provides that, effective July 1, 2026, ARC will administer the Trust. This includes reviewing, approving, and overseeing project applications, disbursements, and implementation measures consistent with the Trust. The bill requires ARC to coordinate with DEP for rulemaking and grant cycle administration to ensure alignment with the Florida Forever Act and the state's conservation priorities.

[137] "Metropolitan" must have the same meaning as in section 380.503, F.S., which describes the term as "a population area consisting of a central city with adjacent cities and smaller surrounding communities: a major urban area and its environs."

The bill makes conforming and technical changes.

Section 4 amends s. 259.105, F.S., to reflect the transfer of the Trust from DEP to ARC.[138] Current law requires certain Florida Forever projects and acquisitions to be measured by goals in rules developed by the Trust's Governing Board. The bill removes only the specification that the rule is developed by the governing board, so that the projects and acquisitions are measured by goals in rules developed by the Trust.

Section 9 amends s. 380.502, F.S., to provide that it is the intent of the Legislature to transfer the administration and oversight of the Trust from DEP to ARC to improve consistency and effectiveness in conservation land acquisition and resource stewardship.

The Legislature finds that the goals of land conservation and community development are best served through coordinated decision-making and streamlined oversight.

The provision described above replaces language describing the Legislative intent to establish a nonregulatory agency to assist local governments in bringing local comprehensive plans into compliance and implementing the goals, objectives, and policies of conservation, recreation and open space, and coastal elements in local comprehensive plans, or in conserving natural resources and resolving land use conflicts. This language is moved to Section 9 of the bill.

Current law includes a list describing how the nonregulatory agency will assist local governments. The bill transfers the list so it describes how the transfer of the administration and oversight of the Trust to the ARC will improve consistency and effectiveness in conservation land acquisition and resource stewardship. The bill deletes the last item in the list, which provides that the transfer will improve consistency and effectiveness in land acquisition and resource stewardship by involving local governments and private interests in voluntarily resolving land use conflicts and issues.

Section 10 amends s. 380.504, F.S., to transfer the administration of the Trust to ARC. The bill adds that the Trust's purpose is to assist local governments in bringing their comprehensive plans into compliance and implementing conservation, recreation and open space, and coastal elements of their comprehensive plans, or conserving natural resources and resolving land use conflicts. The Trust will do this by providing financial assistance to local governments and nonprofit environmental organizations to carry out authorized projects and activities.

The bill removes language that creates the Trust as a nonregulatory state agency and instrumentality, which shall be a public body corporate and politic, within DEP. Additionally, the bill removes the following provisions regarding the membership and operation of the Trust:

- The governing body of the Trust consists of the Secretary of DEP and four public members appointed by the Governor and subject to Senate confirmation;
- The Governor must appoint a former elected official of a county government and a metropolitan municipal government, a representative of a nonprofit organization, and a representative of the development industry;

[138] See sections 8 through 10 of the bill.

- The Secretary of DEP may appoint their deputy secretary, the director of the Division of State Lands, or the director of the Division of Recreation and Parks to serve in the Secretary's absence;
- The Secretary of DEP is the chair of the governing body of the Trust;
- The Governor must make their appointments upon the expiration of any current terms or within 60 days after the effective date of the resignation of any member;
- Of the initial governing body members, two of the Governor's appointees will serve a two-year term and the remaining one will serve a four-year term, and thereafter governing body members appointed by the Governor will serve four-year terms;
- The Governor may fill any vacancy for an unexpired term; and
- Governing body members will receive no compensation for their services, but are entitled to the necessary expenses, including travel and per diem expenses, incurred in the discharge of their duties.

Section 11 amends s. 380.507, F.S., which enumerates the power of the Trust.

The bill removes the Trust's power to make loans to local governments and nonprofit organizations for acquiring fee and less-than-fee title. It makes a conforming change to remove language providing that the Trust may loan up to the total cost of any approved project.
The bill removes the Trust's power to invest any funds held in reserves or sinking funds, or any funds not required for immediate disbursement in specified investments if the investments are made on behalf of the Trust by the State Board of Administration.

It revises the Trust's rulemaking authority to direct it to develop, in conjunction with ARC, rules, policies, and guidelines for the administration of the Trust that are consistent with provisions relating to the administration of the Trust, ARC, and the Florida Forever Trust Fund.

Related to the Trust's rulemaking power, the bill deletes the following provisions:
- The Trust must adopt rules governing the acquisition of lands with proceeds from the Florida Forever Trust Fund;
- Rules for land acquisition must include procedures for appraisals and confidentiality, a method of determining a maximum purchase price, and procedures to ensure that the land is acquired in a voluntarily negotiated transaction, surveyed, conveyed with marketable title, and examined for hazardous materials contamination; and
- Land acquisition procedures of a local land authority may be used for certain land acquisition programs.

The bill also removes the Trust's power to contract with private consultants and nonprofit organizations, as well as its power to conduct promotional campaigns, including advertising, for the sale of communities trust license plates.

The bill gives the Trust the power to review project recommendations and funding priorities and provide acquisition decisions. It also gives the Trust the power to submit project recommendations, funding priorities, and acquisition decisions to ARC, which has final approval authority over Trust expenditures and acquisitions.

The bill makes technical changes.

Section 12 repeals s. 380.512, F.S., which requires the Trust to submit a report to the Governor and the Legislature within three months of the end of the fiscal year that provides the Trust's:
- Operations and accomplishments;
- Receipts and expenditures during the fiscal year;
- Assets and liabilities and the status of reserve, special, or other funds;
- Evaluation of the effectiveness of projects;
- Identification of additional funding, legislation, or other resources required to carry out its objectives more effectively; and
- Account of any other Trust or DEP duties established in statutes relating to the Trust.

Section 13 repeals s. 380.513, F.S., which provides that the Trust and its corporate existence shall continue until terminated by law, at which time all its rights and properties in excess of its obligations shall pass to and be vested in the state.

Section 14 repeals s. 380.514, F.S., which provides that if the statutory provisions relating to the Trust are inconsistent with the provisions of any other general, special, or local law, the provisions relating to the Trust will be controlling.

Section 34 amends s. 376.302, F.S., to make a citation less specific.

Section 35 amends s. 380.5105, F.S., to make a conforming change to a citation.

Septic System and Wastewater Regulations

Section 5 amends s. 373.469, F.S., regarding requirements for onsite sewage treatment and disposal systems (septic systems) for properties located within the area covered by the Indian River Lagoon Protection Program.

Specifically, the bill limits the requirement that any residential property with an existing septic system must connect to central sewer or upgrade the septic system so that it only applies to residential properties of ten acres or less.

For all applications submitted before July 1, 2030 to repair, modify, or replace a conventional septic system on a commercial property or a residential property of ten acres or less, the bill requires the permitting agency to notify property owners that the existing septic system must be upgraded.

The bill makes technical changes.

Section 6 amends s. 373.807, F.S., regarding septic system remediation plans under a basin management action plan (BMAP). The bill provides that a septic system remediation plan may require existing conventional septic systems to upgrade to a nutrient-reducing septic system where central sewerage is unavailable for:
- Properties of 10 acres or less that are located outside an established priority focus area of an Outstanding Florida Spring, but within the boundary of a specific springs BMAP, and

- Properties of any size located within the boundary of an established priority focus area of an Outstanding Florida Spring.

Section 7 repeals s. 373.811, F.S., which prohibits the following activities within a BMAP for an Outstanding Florida Spring:

- New domestic wastewater disposal facilities, including rapid infiltration basins, with permitted capacities of 100,000 gallons per day or more, except for those facilities that meet an advanced wastewater treatment standard of no more than 3 mg/l total nitrogen on an annual permitted basis, or a more stringent treatment standard if it is necessary to attain a total maximum daily load for the Outstanding Florida Spring.
- New hazardous waste disposal facilities.
- New septic systems where connection to a publicly-owned or investor-owned sewerage system is available. On lots of 1 acre or less, if a sewerage system is not available, only the installation of enhanced nutrient-reducing septic systems or other wastewater treatment systems that achieve at least 65 percent nitrogen reduction are authorized.
- Land application of Class A or Class B domestic wastewater biosolids not in accordance with a DEP-approved nutrient management plan establishing the rate at which all biosolids, soil amendments, and nutrient sources at the land application site can be applied to the land for crop production while minimizing the pollutants and nutrients being discharged.
- New agriculture operations that do not implement best management practices, measures necessary to achieve DEP-established pollution reduction levels, or groundwater monitoring plans approved by a water management district or DEP.

The first two prohibited activities listed above are included in an amendment to s. 403.067, F.S., in section 15 of the bill, which expands the prohibitions. The third prohibition is currently expanded in statute.[139] The fourth prohibited activity is currently prohibited in DEP rule.[140] The final prohibition is partially captured by the requirement that agricultural operations within a BMAP adopt best management practices, suitable interim measures, or other measures necessary to achieve the TMDL.[141] However, the adoption of groundwater monitoring plans is not a specific requirement.[142]

Section 15 amends s. 381.0065, F.S., concerning septic systems. The bill allows DEP to annually review and audit up to 25 percent of all inspection and maintenance reports submitted by maintenance entities for performance-based treatment systems and aerobic treatment unit systems. DEP may adopt rules to establish procedures for these audits.

The bill directs DEP to concurrently process septic system operating and construction permits when a person jointly applies for an operating permit and a construction permit for the same septic system.

The bill adds that an operating permit must be obtained before the use of any engineer-designed performance-based system.

[139] Section 403.067(7)(a)10., F.S.
[140] *See* Fla. Admin. Code R. 62-640.700.
[141] Section 403.067(7)(c)2., F.S.
[142] Section 403.067(7), F.S.

The bill provides that the operating permit for a residential septic system is valid for the lifetime of the installation. The bill requires an operating permit modification for any subsequent change in ownership of the property or modification to the wastewater system.

When property with a septic system that requires an operating permit is sold or transferred, the subsequent owner with a controlling interest must provide written notice and proof of ownership to DEP to amend the operating permit information within 60 days of the sale or transfer.

The bill deletes language providing that the operating permit for an aerobic treatment unit is valid for two years and must be renewed every two years.

Current law provides that a fee is not associated with the processing of supplemental information in an amended operating permit. The bill limits this to cases where only ownership information is updated to reflect a permit transfer for a construction, repair, or operating permit.

Current law requires maintenance entities to perform twice-a-year inspections of engineer-designed performance-based septic systems and aerobic treatment unit septic systems and to submit four reports per year to DEP on the number of systems inspected and serviced. The bill matches the frequency of these inspections and reports so that both will be required twice a year.

The bill removes the requirement that a property owner obtain a biennial system operating permit from DEP for each septic system.

Current law provides that DEP may contract with or delegate its powers and duties concerning septic systems to a county. The bill removes the phrase "to a county."

The bill makes technical changes.

Section 16 amends s. 403.067, F.S., which concerns the establishment and implementation of total maximum daily loads (TMDLs). The bill removes language providing that TMDLs are not subject to approval by the Environmental Regulation Commission (ERC).

The bill provides a 60-day waiting period after a secretarial order is filed before a BMAP or an amendment to a BMAP is effective.

The bill provides that the following activities are prohibited within a BMAP, a reasonable assurance plan, or a pollution reduction plan:

- The construction or installation of new domestic wastewater disposal facilities, including rapid infiltration basins, with permitted capacities of 100,000 or more gallons per day, except facilities that meet an advanced wastewater treatment standard of no more than 3 mg/l total nitrogen and 1 mg/l total phosphorus on an annual permitted basis, or a more stringent treatment standard if DEP determines it is necessary to attain a TMDL.
- The construction or installation of new hazardous waste disposal facilities.

The activities listed above were previously prohibited only within a BMAP for an Outstanding Florida Spring. This language expands the prohibitions[143] to all BMAPs, reasonable assurance plans, and pollution reduction plans. Further, it narrows the exception for facilities that meet certain wastewater treatment standards by adding the requirement that they also meet the 1 mg/l total phosphorus standard. The current exception for wastewater disposal facilities in Outstanding Florida Springs' BMAPs only require the 3 mg/l total nitrogen standard.

Current law requires the installation of enhanced nutrient-reducing septic systems or other specified wastewater treatment systems on lots of one acre or less in a BMAP, reasonable assurance plan, or pollution reduction plan, if a publicly-owned or investor-owned sewerage system is unavailable. The bill also allows the installation of distributed wastewater treatment systems in this case.

Section 17 amends s. 403.0671, F.S., to delete a citation to s. 373.811, F.S., which the bill repeals.[144] This is a conforming change.

Section 36 reenacts s. 381.0066, F.S., to incorporate an amendment made by the bill to s. 381.0065, F.S.

Section 37 reenacts s. 373.4595, F.S., to incorporate an amendment made by the bill to s. 403.067, F.S.

Statewide Flooding and Sea Level Rise Resilience Plan

Section 8 amends s. 380.093, F.S., regarding the Statewide Flooding and Sea Level Rise Resilience Plan. The bill adds to the current definition of "community eligible for a reduced cost share," a municipality or county that is a rural community. These municipalities and counties will not need a minimum 50 percent cost share for projects in the Statewide Flooding and Sea Level Rise Resilience Plan.

The bill makes technical changes.

Solar Facility Approval Process

Section 2 amends s. 163.3205, F.S., to create best management practices for stormwater at solar facilities. Specifically, the bill requires that an applicant for a stormwater management system related to the construction of a solar facility must incorporate site specific and appropriate additional protections in the development and implementation of an erosion and sediment control plan. The bill provides that the plan must include, but is not limited to all of the following:

- Soil percolation testing on the premises of the proposed facility.
- Implementation of stormwater best management practices and related erosion controls for runoff during construction of the facility based on rainfall amounts up to the 100-year, 24-hour design storm for the project site.

[143] These prohibitions are found in s. 373.811, F.S., which the bill repeals in section 6. See page 24 of this bill analysis.
[144] See section 6 of the bill and page 24 of this bill analysis.

- Clearing and stabilization in phases as needed to reduce disturbed portions of the project site, which may be susceptible to erosion during construction.
- Inspections performed by a certified Florida Stormwater, Erosion, and Sedimentation Control Inspector during construction.
    - An operational phase stormwater management system permitted in accordance with s. 373.4145, F.S., serving a solar facility within the jurisdictional boundary of the Northwest Florida Water Management District shall be designed based on the 100-year, 24-hour design storm for the project site. This provision applies to applications for solar facilities filed after July 1, 2026.
    - An operator of a solar facility or a proposed solar facility shall implement all construction and operational permit requirements as developed and applicable to these site specific and appropriate additional protections.

The bill makes technical changes.

Air Pollution

Section 18 amends s. 403.0872, F.S., regarding operation permits for major sources of air pollution. The bill will require each major source of air pollution permitted to operate in Florida to pay the annual operation license fee by June 30 of each year, instead of between January 15 and April 1, which is the requirement in current law.

The bill removes language requiring DEP to send a written warning to a permittee if the annual operating license fee is not received by April 1. Current law provides that a fee is timely if it is postmarked by the deadline. The bill changes this provision to require that the fee be received to be paid on time.

The bill removes language providing that the costs to issue and administer permits shall be considered direct and indirect costs of the major stationary source air-operation permit program.

Section 38 reenacts s. 403.0873, F.S., to incorporate an amendment made by the bill to s. 403.0872, F.S.

Incentives for the Use of Graywater Technologies

Section 21 amends s. 403.892, F.S., to provide that incentives for the use of graywater technologies do not apply to multifamily projects with a building height greater than the maximum height allowed under the affordable housing statutes: s. 125.01055, F.S., and s. 166.04151, F.S.[145] Current law provides that the incentives do not apply to multifamily projects that are more than five stories in height.

[145] Sections 125.01055(d) and 166.04151(d), F.S., provide that municipalities or counties may not restrict the height of a proposed development below the highest currently allowed (or allowed on July 1, 2023) height for a commercial or residential building within one mile of the proposed development, or three stories, whichever is higher. Further, if the proposed development is adjacent to (on two or more sides) a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes, the local government may restrict the height of the proposed development to 150 percent of the tallest building on any property adjacent to the proposed development, the highest currently allowed (or allowed on July 1, 2023) height for the property provided in the local

Effective Date

Section 40 provides an effective date of July 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:

Art. III, s. 6, Fla. Const. requires all laws to address a single subject, and the subject must be briefly expressed in the title. The bill revises provisions concerning the Department of Environmental Protection; however, the bill includes an exception to incentives for the use of graywater technologies, which are not administered by the Department of Environmental Protection.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill may have an indeterminate positive fiscal impact on residential property owners of properties of ten acres or more in certain areas, who will not be required to upgrade to central sewer or upgrade a septic system.

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government's land development regulations, or three stories, whichever is higher; however, the development may not exceed 10 stories. Additionally, if the proposed development is on a parcel with a contributing structure or building within a historic district listed on the National Register of Historic Places, or is on a parcel with a structure or building individually listed on the National Register of Historic Places, the local government may restrict the height of the proposed development to the highest currently allowed (or allowed on July 1, 2023) height for a commercial or residential building within three-fourths of a mile from the proposed development, or three stories, whichever is higher.

The bill may cause an indeterminate positive fiscal impact on property owners by extending the lifespan of permits for certain residential septic systems.

C. Government Sector Impact:

The bill may have an indeterminate positive fiscal impact on local governments that are rural communities with projects in the Statewide Flooding and Sea Level Rise Resilience Plan.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 20.255, 120.81, 163.3205, 259.035, 259.105, 376.302, 373.421, 373.469, 373.807, 380.093, 380.502, 380.504, 380.507, 380.5105, 381.0065, 403.031, 403.061, 403.067, 403.0671, 403.0872, 403.1838, 403.704, 403.707, 403.7222, 403.7234, 403.803, 403.805, 403.8055, 403.814, and 403.892.

This bill repeals the following sections of the Florida Statutes: 373.811, 380.512, 380.513, 380.514, and 403.804.

This bill reenacts the following sections of the Florida Statutes: 373.4595, 381.0066, 403.0873, and 403.1835.

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 2, 2026:
The committee substitute provides that incentives for the use of graywater technologies do not apply to multifamily projects with a building height greater than the maximum height allowed under affordable housing statutes. Current law provides that the incentives do not apply to multifamily projects that are more than five stories in height.

CS by Appropriations Committee on Agriculture, Environment, and General Government on February 25, 2026:
The committee substitute:

- Removes provisions relating to transfers of properties that have onsite sewage treatment and disposal systems.
- Requires best management practices to stormwater of solar facilities.

CS by Environment and Natural Resources on January 3, 2026:
The committee substitute:

- Provides that an onsite sewage treatment and disposal system (septic system) remediation plan may require existing conventional septic systems to upgrade to nutrient-reducing septic systems where central sewerage is not available for:
  - Properties of 10 acres or less located outside of a priority focus area of an Outstanding Florida Spring, but within a springs basin management action plan, and
  - Properties of any size located within a priority focus area.
- Provides that the operating permit for a commercial wastewater system is valid for one year after the date of issuance and may be renewed annually.
- Narrows the types of septic system operating permits that are valid for the lifetime of the installation to only residential septic systems.
- Requires a septic system operating permit to be modified upon a change in occupancy of the property. The committee substitute requires modification for a change in *ownership*.
- Removes language in the underlying bill regarding fees for the submission of septic system inspection reports and inspection and supplemental fees paid by fertilizer distributors for Class AA biosolids-composed fertilizers.
- Removes language added in the underlying bill that requires a local government or special district's wastewater services needs analysis to include an analysis of domestic biosolids and septage generation, treatment, management, use, and disposal.
- Makes technical and conforming changes.

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	.	
03/03/2026	.	
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The Committee on Fiscal Policy (Massullo) recommended the following:

Senate Amendment (with title amendment)

Between lines 1707 and 1708
insert:

Section 21. Subsection (6) of section 403.892, Florida Statutes, is amended to read:

403.892 Incentives for the use of graywater technologies.—

(6) This section does not apply to multifamily projects with a building height greater than the maximum height allowed under s. 125.01055 or s. 166.04151 ~~more than five stories in~~

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~~height~~. Whether a dwelling is occupied by an owner is not an eligibility criterion for a developer or homebuilder to receive the incentives authorized under this section.

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

And the title is amended as follows:

Delete line 105

and insert:

Regulation Commission; amending s. 403.892, F.S.; revising applicability of provisions relating to development incentives for the use of graywater technologies; amending ss. 120.81, 373.421,

By the Appropriations Committee on Agriculture, Environment, and General Government; the Committee on Environment and Natural Resources; and Senator Massullo

601-03234-26 20261510c2

A bill to be entitled

An act relating to the Department of Environmental Protection; amending s. 20.255, F.S.; deleting provisions creating the Environmental Regulation Commission; amending s. 163.3205, F.S.; requiring an applicant for specified permits to incorporate certain additional protections in the development and implementation of an erosion and sediment control plan for the construction of a solar facility; specifying requirements for such plan; specifying requirements for an operational phase stormwater management system serving a solar facility in a specified jurisdiction; providing applicability; requiring an operator of a solar facility or a proposed solar facility to implement specified construction and operational permit requirements; amending s. 259.035, F.S.; expanding the membership of the Acquisition and Restoration Council; providing requirements for membership; defining the term "metropolitan"; requiring the council to administer the Florida Communities Trust; requiring the council to coordinate with the department for rulemaking and grant cycle administration of the trust; conforming provisions to changes made by the act; amending s. 259.105, F.S.; conforming a provision to changes made by the act; amending s. 373.469, F.S.; requiring that residential properties of a specified size located in a certain area connect to a central sewer system or upgrade to a specified type of nutrient-reducing wastewater

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

601-03234-26 20261510c2

treatment system; requiring a permitting agency to notify a property owner of such requirement if the agency, before a certain date, receives an application to repair, modify, or replace a conventional onsite sewage treatment and disposal system on certain property; amending s. 373.807, F.S.; authorizing remediation plans for certain properties to have certain requirements related to existing conventional onsite sewage treatment and disposal systems; repealing s. 373.811, F.S., relating to prohibited activities within a basin management action plan; amending s. 380.093, F.S.; revising the definition of the term "community eligible for a reduced cost share"; amending s. 380.502, F.S.; revising legislative findings and intent for the Florida Communities Trust; providing for the transfer of the administration and oversight of the trust from the department to the Acquisition and Restoration Council for a specified purpose; amending s. 380.504, F.S.; deleting provisions relating to the membership, appointments, and organizational structure of the governing body of the trust; providing the purpose of the trust; amending s. 380.507, F.S.; deleting provisions authorizing the trust to make certain loans; revising the powers of the trust; repealing ss. 380.512, 380.513, and 380.514, F.S., relating to an annual report, corporate existence, and inconsistent provisions of other laws superseded, respectively; reenacting and amending s. 381.0065, F.S.; authorizing

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

the department to annually review and audit certain inspection and maintenance reports for certain systems; authorizing the department to adopt rules to establish certain procedures; requiring the department to concurrently process operating permits and construction permits under certain circumstances; requiring that an operating permit be obtained before the use of an engineer-designed performance-based system; providing a timeframe for the validity of certain operating permits; requiring an operating permit modification upon certain changes or modifications; providing requirements for subsequent property owners when a property with an onsite sewage treatment and disposal system that requires an operating permit is sold or transferred; providing an exception to certain fees under certain circumstances; requiring an engineer-designed performance-based system maintenance entity to submit a report to the department on a specified basis; deleting a requirement for a property owner to obtain a certain permit from the department for certain onsite sewage treatment and disposal systems; revising the approval criteria for certain onsite sewage treatment and disposal systems; requiring an aerobic treatment unit maintenance entity to submit a report to the department on a specified basis; deleting a requirement that the department contract with or delegate its powers and duties to a county only; amending s. 403.067, F.S.; conforming a provision to

changes made by the act; providing a timeframe within which a basin management action plan or plan amendment becomes effective; prohibiting certain activities within a basin management action plan, a reasonable assurance plan, or a pollution reduction plan; making a technical change; amending s. 403.0671, F.S.; conforming a provision to changes made by the act; amending s. 403.0872, F.S.; revising the date by which major permitted sources of air pollution operating in this state must pay an annual operation license fee; authorizing the department to impose penalties if it does not receive such fee by the specified date; deleting provisions relating to costs for administering air pollution construction permits; amending s. 403.1838, F.S.; conforming provisions to changes made by the act; repealing s. 403.804, F.S., relating to the powers and duties of the Environmental Regulation Commission; amending ss. 120.81, 373.421, 403.031, 403.061, 403.704, 403.707, 403.7222, 403.7234, 403.803, 403.805, 403.8055, and 403.814, F.S.; conforming provisions to changes made by the act; amending ss. 376.302 and 380.5105, F.S.; conforming cross-references; reenacting s. 381.0066(2)(k), F.S., relating to onsite sewage treatment and disposal system fees, to incorporate the amendment made to s. 381.0065, F.S., in a reference thereto; reenacting s. 373.4595, F.S., relating to the Northern Everglades and Estuaries Protection Program, to incorporate the amendment made to s. 403.067, F.S.,

in a reference thereto; reenacting s. 403.0873, F.S., relating to the Florida Air-Operation License Fee Account, to incorporate the amendment made to s. 403.0872, F.S., in a reference thereto; reenacting s. 403.1835(3)(d), F.S., relating to water pollution control financial assistance, to incorporate the amendment made to s. 403.1838, F.S., in a reference thereto; providing an effective date.

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

Section 1. Subsection (6) of section 20.255, Florida Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

~~(6) There is created as a part of the Department of Environmental Protection an Environmental Regulation Commission. The commission shall be composed of seven residents of this state appointed by the Governor, subject to confirmation by the Senate. In making appointments, the Governor shall provide reasonable representation from all sections of the state. Membership shall be representative of agriculture, the development industry, local government, the environmental community, lay citizens, and members of the scientific and technical community who have substantial expertise in the areas of the fate and transport of water pollutants, toxicology, epidemiology, geology, biology, environmental sciences, or engineering. The Governor shall appoint the chair, and the vice chair shall be elected from among the membership. All~~

~~appointments shall be for 4-year terms. The Governor may at any time fill a vacancy for the unexpired term. The members of the commission shall serve without compensation, but shall be paid travel and per diem as provided in s. 112.061 while in the performance of their official duties. Administrative, personnel, and other support services necessary for the commission shall be furnished by the department. The commission may employ independent counsel and contract for the services of outside technical consultants.~~

Section 2. Section 163.3205, Florida Statutes, is amended to read:

163.3205 Solar facility approval process; best management practices for stormwater.—

(1) LEGISLATIVE INTENT.—It is the intent of the Legislature to encourage renewable solar electrical generation throughout this state. It is essential that solar facilities and associated electric infrastructure be constructed and maintained in various locations throughout this state in order to ensure the availability of renewable energy production, which is critical to this state's energy and economic future.

(2) DEFINITIONS.—As used in this section, the term "solar facility" means a production facility for electric power which:

(a) Uses photovoltaic modules to convert solar energy to electricity that may be stored on site, delivered to a transmission system, and consumed primarily offsite.

(b) Consists principally of photovoltaic modules, a mounting or racking system, power inverters, transformers, collection systems, battery systems, fire suppression equipment, and associated components.

(c) May include accessory administration or maintenance buildings, electric transmission lines, substations, energy storage equipment, and related accessory uses and structures.

(3) PERMITTED USE.—A solar facility is ~~shall be~~ a permitted use in all agricultural land use categories in a local government comprehensive plan and all agricultural zoning districts within an unincorporated area and must comply with the setback and landscaped buffer area criteria for other similar uses in the agricultural district.

(4) LANDSCAPE REQUIREMENTS.—A county may adopt an ordinance specifying buffer and landscaping requirements for solar facilities. Such requirements may not exceed the requirements for similar uses involving the construction of other facilities that are permitted uses in agricultural land use categories and zoning districts.

(5) BEST MANAGEMENT PRACTICES FOR STORMWATER.—

(a) An applicant for a permit under s. 373.413 for a stormwater management system related to the construction of a solar facility must incorporate site specific and appropriate additional protections in the development and implementation of an erosion and sediment control (E&SC) plan. Such E&SC plan must include, but not be limited to, all of the following:

1. Soil percolation testing on the premises of the proposed solar facility.

2. Implementation of stormwater best management practices and related erosion controls for runoff during the construction of the solar facility based on rainfall amounts up to the 100-year, 24-hour design storm for the project site.

3. Clearing and stabilization in phases as needed to reduce

disturbed portions of the project site, which may be susceptible to erosion during construction.

4. Inspections performed by a certified Florida Stormwater, Erosion, and Sedimentation Control Inspector during construction to ensure the E&SC plan is implemented in accordance with s. 373.413.

(b) An operational phase stormwater management system permitted in accordance with s. 373.4145 serving a solar facility within the jurisdictional boundary of the Northwest Florida Water Management District shall be designed based on the 100-year, 24-hour design storm for the project site. This provision applies to applications for solar facilities filed after July 1, 2026.

(c) An operator of a solar facility or a proposed solar facility shall implement all construction and operational permit requirements as developed and applicable pursuant to paragraph (a).

(6) APPLICABILITY.—This section does not apply to any site that was the subject of an application to construct a solar facility submitted to a local governmental entity before July 1, 2021.

Section 3. Paragraph (a) of subsection (1) and subsections (2), (3), and (5) of section 259.035, Florida Statutes, are amended to read:

259.035 Acquisition and Restoration Council.—

(1) There is created the Acquisition and Restoration Council.

(a) The council shall be composed of 12 ~~10~~ voting members, 6 ~~4~~ of whom shall be appointed by the Governor. Of these 6 ~~four~~

appointees, 3 must ~~three shall~~ be from scientific disciplines related to land, water, or environmental sciences, 1 must ~~and the fourth shall~~ have at least 5 years of experience in managing lands for both active and passive types of recreation, 1 must be a former elected official of a county, and 1 must be a former elected official of a metropolitan municipality. As used in this paragraph, the term "metropolitan" has the same meaning as in s. 380.503. They shall serve 4-year terms, except that, initially, to provide for staggered terms, 2 ~~two~~ of the appointees shall serve 2-year terms. All subsequent appointments shall be for 4-year terms. An appointee may not serve more than 6 years. The Governor may at any time fill a vacancy for the unexpired term of a member appointed under this paragraph.

(2) The 6 ~~four~~ members of the council appointed pursuant to paragraph (1)(a) ~~(a)~~ and the 2 ~~two~~ members of the council appointed pursuant to paragraph (1)(c) ~~(c)~~ shall receive reimbursement for expenses and per diem for travel, to attend council meetings, as allowed state officers and employees while in the performance of their duties, pursuant to s. 112.061.

(3) The council shall:

(a) Provide assistance to the board in reviewing the recommendations and plans for state-owned conservation lands required under s. 253.034 and this chapter. The council shall, in reviewing such plans, consider the optimization of multiple-use and conservation strategies to accomplish the provisions funded pursuant to former s. 259.101(3)(a), Florida Statutes 2014, and to s. 259.105(3)(b).

(b) Effective July 1, 2026, administer the Florida Communities Trust established in ss. 380.501-380.515, including

reviewing, approving, and overseeing project applications and disbursements, and implementation measures consistent with the trust's purposes. The council shall coordinate with the department for rulemaking and grant cycle administration for the trust, ensuring alignment with the Florida Forever Act and the state's conservation priorities.

(5) An affirmative vote of 6 ~~five~~ members of the council is required in order to change a project boundary or to place a proposed project on a list developed pursuant to subsection (4). Any member of the council, who by family or a business relationship has a connection with all or a portion of any proposed project, shall declare the interest before voting on its inclusion on a list.

Section 4. Paragraph (i) of subsection (4) of section 259.105, Florida Statutes, is amended to read:

259.105 The Florida Forever Act.—

(4) It is the intent of the Legislature that projects or acquisitions funded pursuant to paragraphs (3)(a) and (b) contribute to the achievement of the following goals, which shall be evaluated in accordance with specific criteria and numeric performance measures developed pursuant to s. 259.035(4):

(i) Mitigate the effects of natural disasters and floods in developed areas, as measured by:

1. The number of acres acquired within a 100-year floodplain or a coastal high hazard area;

2. The number of acres acquired or developed to serve dual functions as:

a. Flow ways or temporary water storage areas during

flooding or high water events, not including permanent reservoirs; and

b. Greenways or open spaces available to the public for recreation;

3. The number of acres that protect existing open spaces and natural buffer areas within a floodplain that also serve as natural flow ways or natural temporary water storage areas; and

4. The percentage of the land acquired within the project boundary that creates additional open spaces, natural buffer areas, and greenways within a floodplain, while precluding rebuilding in areas that repeatedly flood.

Florida Forever projects and acquisitions funded pursuant to paragraph (3)(c) shall be measured by goals developed by rule by the Florida Communities Trust ~~Governing Board created in s. 380.504~~.

Section 5. Paragraph (d) of subsection (3) of section 373.469, Florida Statutes, is amended to read:

373.469 Indian River Lagoon Protection Program.—

(3) THE INDIAN RIVER LAGOON PROTECTION PROGRAM.—The Indian River Lagoon Protection Program consists of the Banana River Lagoon Basin Management Action Plan, Central Indian River Lagoon Basin Management Action Plan, North Indian River Lagoon Basin Management Action Plan, and Mosquito Lagoon Reasonable Assurance Plan, and such plans are the components of the Indian River Lagoon Protection Program which achieve phosphorous and nitrogen load reductions for the Indian River Lagoon.

(d) *Onsite sewage treatment and disposal systems.*—

1. Beginning on January 1, 2024, unless previously

permitted, the installation of new onsite sewage treatment and disposal systems is prohibited within the Banana River Lagoon Basin Management Action Plan, Central Indian River Lagoon Basin Management Action Plan, North Indian River Lagoon Basin Management Action Plan, and Mosquito Lagoon Reasonable Assurance Plan areas where a publicly owned or investor-owned sewerage system is available as defined in s. 381.0065(2)(a). Where central sewerage is not available, only enhanced nutrient-reducing onsite sewage treatment and disposal systems or other wastewater treatment systems that achieve at least 65 percent nitrogen reduction are authorized.

2. By July 1, 2030, any commercial property or any residential property of 10 acres or less with an existing onsite sewage treatment and disposal system located within the Banana River Lagoon Basin Management Action Plan, Central Indian River Lagoon Basin Management Action Plan, North Indian River Lagoon Basin Management Action Plan, and Mosquito Lagoon Reasonable Assurance Plan areas must connect to central sewer if available or upgrade to an enhanced nutrient-reducing onsite sewage treatment and disposal system or other wastewater treatment system that achieves at least 65 percent nitrogen reduction. For all applications submitted before July 1, 2030, to a permitting agency to repair, modify, or replace a conventional onsite sewage treatment and disposal system on a commercial property or a residential property of 10 acres or less, the permitting agency shall notify the property owner of the requirement provided in this subparagraph.

Section 6. Paragraph (a) of subsection (1) of section 373.807, Florida Statutes, is amended to read:

373.807 Protection of water quality in Outstanding Florida Springs.—By July 1, 2016, the department shall initiate assessment, pursuant to s. 403.067(3), of Outstanding Florida Springs or spring systems for which an impairment determination has not been made under the numeric nutrient standards in effect for spring vents. Assessments must be completed by July 1, 2018.

(1)(a) Concurrent with the adoption of a nutrient total maximum daily load for an Outstanding Florida Spring, the department, or the department in conjunction with a water management district, shall initiate development of a basin management action plan, as specified in s. 403.067. For an Outstanding Florida Spring with a nutrient total maximum daily load adopted before July 1, 2016, the department, or the department in conjunction with a water management district, shall initiate development of a basin management action plan by July 1, 2016. During the development of a basin management action plan, if the department identifies onsite sewage treatment and disposal systems as contributors of at least 20 percent of nonpoint source nitrogen pollution or if the department determines remediation is necessary to achieve the total maximum daily load, the basin management action plan must ~~shall~~ include an onsite sewage treatment and disposal system remediation plan pursuant to subsection (3) for those systems identified as requiring remediation. For properties 10 acres or less located outside the boundary of an established priority focus area of an Outstanding Florida Spring but within the boundary of a specific springs basin management action plan, such remediation plans may require existing conventional onsite sewage treatment and disposal systems to upgrade to a nutrient-

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reducing onsite sewage treatment and disposal system where central sewerage is not available. Such remediation plan may also require properties of any size located within the boundary of an established priority focus area of an Outstanding Florida Spring to upgrade existing conventional onsite sewage treatment and disposal systems to a nutrient-reducing onsite sewage treatment and disposal system where central sewerage is not available.

Section 7. Section 373.811, Florida Statutes, is repealed.

Section 8. Paragraph (e) of subsection (5) of section 380.093, Florida Statutes, is amended to read:

380.093 Resilient Florida Grant Program; comprehensive statewide flood vulnerability and sea level rise data set and assessment; Statewide Flooding and Sea Level Rise Resilience Plan; regional resilience entities.—

(5) STATEWIDE FLOODING AND SEA LEVEL RISE RESILIENCE PLAN.—

(e) Each project included in the plan must have a minimum 50 percent cost share unless the project assists or is within a community eligible for a reduced cost share. For purposes of this section, the term "community eligible for a reduced cost share" means:

1. A municipality that has a population of less than 10,000 ~~or fewer~~, according to the most recent April 1 population estimates posted on the Office of Economic and Demographic Research's website, and a per capita annual income that is less than the state's per capita annual income as shown in the most recent release from the Bureau of the Census of the United States Department of Commerce that includes both measurements;

2. A county that has a population of less than 50,000 ~~or~~

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~~fewer~~, according to the most recent April 1 population estimates posted on the Office of Economic and Demographic Research's website, and a per capita annual income ~~that is~~ less than the state's per capita annual income as shown in the most recent release from the Bureau of the Census of the United States Department of Commerce that includes both measurements; ~~or~~

3. A municipality or county that has a per capita annual income ~~that is~~ equal to or less than 75 percent of the state's per capita annual income as shown in the most recent release from the Bureau of the Census of the United States Department of Commerce; or

4. A municipality or county that is a rural community as defined in s. 288.0656(2).

Section 9. Subsection (3) of section 380.502, Florida Statutes, is amended to read:

380.502 Legislative findings and intent.—

(3) The Legislature further finds that the goals of land conservation and community development are best served through coordinated decisionmaking and streamlined oversight. It is therefore the intent of the Legislature to transfer the administration and oversight of the Florida Communities Trust from the Department of Environmental Protection to the Acquisition and Restoration Council to improve consistency and effectiveness in conservation land acquisition and resource stewardship ~~It is the intent of the Legislature to establish a nonregulatory agency that will assist local governments in bringing local comprehensive plans into compliance and implementing the goals, objectives, and policies of the conservation, recreation and open space, and coastal elements of~~

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~~local comprehensive plans, or in conserving natural resources and resolving land use conflicts~~ by:

(a) Responding promptly and creatively to opportunities to correct undesirable development patterns, restore degraded natural areas, enhance resource values, restore deteriorated or deteriorating urban waterfronts, preserve working waterfronts, reserve lands for later purchase, participate in and promote the use of innovative land acquisition methods, and provide public access to surface waters.

(b) Providing financial and technical assistance to local governments, state agencies, and nonprofit organizations to carry out projects and activities and to develop programs authorized by this part.

~~(c) Involving local governments and private interests in voluntarily resolving land use conflicts and issues.~~

Section 10. Section 380.504, Florida Statutes, is amended to read:

380.504 Florida Communities Trust; creation~~; membership; expenses~~.—

(1) There is created ~~within the Department of Environmental Protection a nonregulatory state agency and instrumentality, which shall be a public body corporate and politic, known as~~ the "Florida Communities Trust~~.~~" administered by the Acquisition and Restoration Council ~~The governing body of the trust shall consist of:~~

~~(a) The Secretary of Environmental Protection; and~~

~~(b) Four public members whom the Governor shall appoint subject to Senate confirmation.~~

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~~The Governor shall appoint a former elected official of a county government, a former elected official of a metropolitan municipal government, a representative of a nonprofit organization as defined in this part, and a representative of the development industry. The Secretary of Environmental Protection may appoint his or her deputy secretary, the director of the Division of State Lands, or the director of the Division of Recreation and Parks to serve in his or her absence. The Secretary of Environmental Protection shall be the chair of the governing body of the trust. The Governor shall make his or her appointments upon the expiration of any current terms or within 60 days after the effective date of the resignation of any member~~.

(2) The purpose of the trust is to assist local governments in bringing into compliance and implementing the conservation, recreation and open space, and coastal elements of their comprehensive plans or in conserving natural resources and resolving land use conflicts by providing financial assistance to local governments and nonprofit environmental organizations to carry out projects and activities authorized by this part ~~Of the initial governing body members, two of the Governor's appointees shall serve for a term of 2 years and the remaining one shall serve for a term of 4 years from the date of appointment. Thereafter, governing body members whom the Governor appoints shall serve for terms of 4 years. The Governor may fill any vacancy for an unexpired term~~.

~~(3) Governing body members shall receive no compensation for their services, but shall be entitled to the necessary expenses, including per diem and travel expenses, incurred in~~

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~~the discharge of their duties pursuant to this part, as provided by law.~~

Section 11. Subsections (6), (7), (9) through (12), and (14) of section 380.507, Florida Statutes, are amended to read:

380.507 Powers of the trust.—The trust shall have all the powers necessary or convenient to carry out the purposes and provisions of this part, including:

(6) To award grants ~~and make loans~~ to local governments and nonprofit organizations for the purposes listed in subsection (2) and for acquiring fee title and less than fee title, such as conservation easements or other interests in land, for the purposes of this part.

(7) To provide by grant ~~or loan~~ up to the total cost of any project approved according to this part, including the local share of federally supported projects. The trust may require local funding participation in projects. The trust shall determine the funding it will provide by considering the total amount of funding available for the project, the fiscal resources of other project participants, the urgency of the project relative to other eligible projects, and other factors which the trust shall have prescribed by rule. The trust may fund up to 100 percent of any local government land acquisition costs, if part of an approved project.

(9) To review project recommendations and funding priorities and provide acquisition decisions ~~To invest any funds held in reserves or sinking funds, or any funds not required for immediate disbursement, in such investments as may be authorized for trust funds under s. 215.47, and in any other authorized investments, if such investments are made on behalf of the trust~~

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~~by the State Board of Administration~~.

(10) To contract for and to accept donations ~~gifts~~, grants, loans, or other aid from the United States Government or any person or corporation, including donations ~~gifts~~ of real property or any interest in real property.

(11) To submit project recommendations, funding priorities, and acquisition decisions to the Acquisition and Restoration Council, which shall have final approval authority over trust expenditures and acquisitions ~~to make rules necessary to carry out the purposes of this part and to exercise any power granted in this part, pursuant to chapter 120. The trust shall adopt rules governing the acquisition of lands with proceeds from the Florida Forever Trust Fund, consistent with the intent expressed in the Florida Forever Act. Such rules for land acquisition must include, but are not limited to, procedures for appraisals and confidentiality consistent with ss. 125.355(1)(a) and (b) and 166.045(1)(a) and (b), a method of determining a maximum purchase price, and procedures to assure that the land is acquired in a voluntarily negotiated transaction, surveyed, conveyed with marketable title, and examined for hazardous materials contamination. Land acquisition procedures of a local land authority created pursuant to s. 380.0663 may be used for the land acquisition programs described in former s. 259.101(3)(c), Florida Statutes 2014, and in s. 259.105 if within areas of critical state concern designated pursuant to s. 380.05, subject to approval of the trust~~.

(12) To develop, in conjunction with the council, rules, policies, and guidelines for the administration of the trust consistent with this part and ss. 259.035 and 259.105 ~~to~~

~~contract with private consultants and nonprofit organizations for professional and technical assistance and advice~~.

~~(14) To conduct promotional campaigns, including advertising, for the sale of communities trust license plates authorized in s. 320.08058.~~

Section 12. Section 380.512, Florida Statutes, is repealed.

Section 13. Section 380.513, Florida Statutes, is repealed.

Section 14. Section 380.514, Florida Statutes, is repealed.

Section 15. Paragraph (n) of subsection (3) and subsections (4) and (9) of section 381.0065, Florida Statutes, are amended, and subsection (7) of that section is reenacted, to read:

381.0065 Onsite sewage treatment and disposal systems; regulation.—

(3) DUTIES AND POWERS OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION.—The department shall:

(n) Regulate and permit maintenance entities for performance-based treatment systems and aerobic treatment unit systems. To ensure systems are maintained and operated according to manufacturer's specifications and designs, the department shall establish by rule minimum qualifying criteria for maintenance entities. The criteria shall include training, access to approved spare parts and components, access to manufacturer's maintenance and operation manuals, and service response time. The maintenance entity shall employ a contractor licensed under s. 489.105(3)(m), or part III of chapter 489, or a state-licensed wastewater plant operator, who is responsible for maintenance and repair of all systems under contract. The department may annually review and audit up to 25 percent of all inspection and maintenance reports submitted by such maintenance

entities for performance-based treatment systems and aerobic treatment unit systems. The department may adopt rules to establish procedures for such audits.

(4) PERMITS; INSTALLATION; CONDITIONS.—A person may not construct, repair, modify, abandon, or operate an onsite sewage treatment and disposal system without first obtaining a permit approved by the department. The department may issue permits to carry out this section, except that the issuance of a permit for work seaward of the coastal construction control line established under s. 161.053 shall be contingent upon receipt of any required coastal construction control line permit from the department. A construction permit is valid for 18 months after the date of issuance and may be extended by the department for one 90-day period under rules adopted by the department. A repair permit is valid for 90 days after the date of issuance. When a person jointly applies for a construction permit and an operating permit for the same onsite sewage treatment and disposal system, the department shall concurrently process the operating permit with the construction permit. An operating permit must be obtained before the use of any aerobic treatment unit or engineer-designed performance-based system, or if the establishment generates commercial waste. Buildings or establishments that ~~use an aerobic treatment unit or~~ generate commercial waste shall be inspected by the department at least annually to ensure ~~assure~~ compliance with the terms of the operating permit. The operating permit for a commercial wastewater system is valid for 1 year after the date of issuance and must be renewed annually. The operating permit, where required for a residential onsite sewage treatment and disposal

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system, is valid for the lifetime of the installation; however, any subsequent change in ownership of the property or any modification of the wastewater system requires an operating permit modification upon such change. When an onsite sewage treatment and disposal system that requires an operating permit is sold or transferred, the subsequent owner with a controlling interest shall provide written notice and proof of ownership to the department to amend the operating permit information within 60 days after such property sale or transfer ~~commercial wastewater system is valid for 1 year after the date of issuance and must be renewed annually. The operating permit for an aerobic treatment unit is valid for 2 years after the date of issuance and must be renewed every 2 years~~. If all information pertaining to the siting, location, and installation conditions or repair of an onsite sewage treatment and disposal system remains the same, a construction or repair permit for the onsite sewage treatment and disposal system may be transferred to another person, if the transferee files, within 60 days after the transfer of ownership, an amended application providing all corrected information and proof of ownership of the property. A fee is not associated with the processing of this supplemental information if only ownership information is updated to reflect a permit transfer for a construction, repair, or an operating permit. A person may not contract to construct, modify, alter, repair, service, abandon, or maintain any portion of an onsite sewage treatment and disposal system without being registered under part III of chapter 489. A property owner who personally performs construction, maintenance, or repairs to a system serving his or her own owner-occupied single-family residence is

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exempt from registration requirements for performing such construction, maintenance, or repairs on that residence, but is subject to all permitting requirements. A municipality or political subdivision of the state may not issue a building or plumbing permit for any building that requires the use of an onsite sewage treatment and disposal system unless the owner or builder has received a construction permit for such system from the department. A building or structure may not be occupied and a municipality, political subdivision, or any state or federal agency may not authorize occupancy until the department approves the final installation of the onsite sewage treatment and disposal system. A municipality or political subdivision of the state may not approve any change in occupancy or tenancy of a building that uses an onsite sewage treatment and disposal system until the department has reviewed the use of the system with the proposed change, approved the change, and amended the operating permit.

(a) Subdivisions and lots in which each lot has a minimum area of at least one-half acre and either a minimum dimension of 100 feet or a mean of at least 100 feet of the side bordering the street and the distance formed by a line parallel to the side bordering the street drawn between the two most distant points of the remainder of the lot may be developed with a water system regulated under s. 381.0062 and onsite sewage treatment and disposal systems, provided the projected daily sewage flow does not exceed an average of 1,500 gallons per acre per day, and provided satisfactory drinking water can be obtained and all distance and setback, soil condition, water table elevation, and other related requirements of this section and rules adopted

under this section can be met.

(b) Subdivisions and lots using a public water system as defined in s. 403.852 may use onsite sewage treatment and disposal systems, provided there are no more than four lots per acre, provided the projected daily sewage flow does not exceed an average of 2,500 gallons per acre per day, and provided that all distance and setback, soil condition, water table elevation, and other related requirements that are generally applicable to the use of onsite sewage treatment and disposal systems are met.

(c) Notwithstanding paragraphs (a) and (b), for subdivisions platted of record on or before October 1, 1991, when a developer or other appropriate entity has previously made or makes provisions, including financial assurances or other commitments, acceptable to the department, that a central water system will be installed by a regulated public utility based on a density formula, private potable wells may be used with onsite sewage treatment and disposal systems until the agreed-upon densities are reached. In a subdivision regulated by this paragraph, the average daily sewage flow may not exceed 2,500 gallons per acre per day. This section does not affect the validity of existing prior agreements. After October 1, 1991, the exception provided under this paragraph is not available to a developer or other appropriate entity.

(d) Paragraphs (a) and (b) do not apply to any proposed residential subdivision with more than 50 lots or to any proposed commercial subdivision with more than 5 lots where a publicly owned or investor-owned sewage treatment system is available. This paragraph does not allow development of additional proposed subdivisions in order to evade the

requirements of this paragraph.

(e) The department shall adopt rules relating to the location of onsite sewage treatment and disposal systems, including establishing setback distances, to prevent groundwater contamination and surface water contamination and to preserve the public health. The rules must consider conventional and enhanced nutrient-reducing onsite sewage treatment and disposal system designs, impaired or degraded water bodies, domestic wastewater and drinking water infrastructure, potable water sources, nonpotable wells, stormwater infrastructure, the onsite sewage treatment and disposal system remediation plans developed pursuant to s. 403.067(7)(a)9.b., nutrient pollution, and the recommendations of the onsite sewage treatment and disposal systems technical advisory committee established pursuant to former s. 381.00652. The rules must also allow a person to apply for and receive a variance from a rule requirement upon demonstration that the requirement would cause an undue hardship and granting the variance would not cause or contribute to the exceedance of a total maximum daily load.

(f) Onsite sewage treatment and disposal systems that are permitted before June 21, 2022, may not be placed closer than:

1. Seventy-five feet from a private potable well.

2. Two hundred feet from a public potable well serving a residential or nonresidential establishment having a total sewage flow of greater than 2,000 gallons per day.

3. One hundred feet from a public potable well serving a residential or nonresidential establishment having a total sewage flow of less than or equal to 2,000 gallons per day.

4. Fifty feet from any nonpotable well.

5. Ten feet from any storm sewer pipe, to the maximum extent possible, but in no instance shall the setback be less than 5 feet.

6. Seventy-five feet from the mean high-water line of a tidally influenced surface water body.

7. Seventy-five feet from the mean annual flood line of a permanent nontidal surface water body.

8. Fifteen feet from the design high-water line of retention areas, detention areas, or swales designed to contain standing or flowing water for less than 72 hours after a rainfall or the design high-water level of normally dry drainage ditches or normally dry individual lot stormwater retention areas.

(g) This section and rules adopted under this section relating to soil condition, water table elevation, distance, and other setback requirements must be equally applied to all lots, with the following exceptions:

1. Any residential lot that was platted and recorded on or after January 1, 1972, or that is part of a residential subdivision that was approved by the appropriate permitting agency on or after January 1, 1972, and that was eligible for an onsite sewage treatment and disposal system construction permit on the date of such platting and recording or approval shall be eligible for an onsite sewage treatment and disposal system construction permit, regardless of when the application for a permit is made. If rules in effect at the time the permit application is filed cannot be met, residential lots platted and recorded or approved on or after January 1, 1972, shall, to the maximum extent possible, comply with the rules in effect at the

time the permit application is filed. At a minimum, however, those residential lots platted and recorded or approved on or after January 1, 1972, but before January 1, 1983, shall comply with those rules in effect on January 1, 1983, and those residential lots platted and recorded or approved on or after January 1, 1983, shall comply with those rules in effect at the time of such platting and recording or approval. In determining the maximum extent of compliance with current rules that is possible, the department shall allow structures and appurtenances thereto which were authorized at the time such lots were platted and recorded or approved.

2. Lots platted before 1972 are subject to a 50-foot minimum surface water setback and are not subject to lot size requirements. The projected daily flow for onsite sewage treatment and disposal systems for lots platted before 1972 may not exceed:

a. Two thousand five hundred gallons per acre per day for lots served by public water systems as defined in s. 403.852.

b. One thousand five hundred gallons per acre per day for lots served by water systems regulated under s. 381.0062.

(h)1. The department may grant variances in hardship cases which may be less restrictive than the provisions specified in this section. If a variance is granted and the onsite sewage treatment and disposal system construction permit has been issued, the variance may be transferred with the system construction permit, if the transferee files, within 60 days after the transfer of ownership, an amended construction permit application providing all corrected information and proof of ownership of the property and if the same variance would have

been required for the new owner of the property as was originally granted to the original applicant for the variance. A fee is not associated with the processing of this supplemental information. A variance may not be granted under this section until the department is satisfied that:

a. The hardship was not caused intentionally by the action of the applicant;

b. A reasonable alternative, taking into consideration factors such as cost, does not exist for the treatment of the sewage; and

c. The discharge from the onsite sewage treatment and disposal system will not adversely affect the health of the applicant or the public or significantly degrade the groundwater or surface waters.

Where soil conditions, water table elevation, and setback provisions are determined by the department to be satisfactory, special consideration must be given to those lots platted before 1972.

2. The department shall appoint and staff a variance review and advisory committee, which shall meet monthly to recommend agency action on variance requests. The committee shall make its recommendations on variance requests at the meeting in which the application is scheduled for consideration, except for an extraordinary change in circumstances, the receipt of new information that raises new issues, or when the applicant requests an extension. The committee shall consider the criteria in subparagraph 1. in its recommended agency action on variance requests and shall also strive to allow property owners the full

use of their land where possible.

a. The committee is composed of the following:

(I) The Secretary of Environmental Protection or his or her designee.

(II) A representative from the county health departments.

(III) A representative from the home building industry recommended by the Florida Home Builders Association.

(IV) A representative from the septic tank industry recommended by the Florida Onsite Wastewater Association.

(V) A representative from the Department of Health.

(VI) A representative from the real estate industry who is also a developer in this state who develops lots using onsite sewage treatment and disposal systems, recommended by the Florida Association of Realtors.

(VII) A representative from the engineering profession recommended by the Florida Engineering Society.

b. Members shall be appointed for a term of 3 years, with such appointments being staggered so that the terms of no more than two members expire in any one year. Members shall serve without remuneration, but if requested, shall be reimbursed for per diem and travel expenses as provided in s. 112.061.

3. The variance review and advisory committee is not responsible for reviewing water well permitting. However, the committee shall consider all requirements of law related to onsite sewage treatment and disposal systems when making recommendations on variance requests for onsite sewage treatment and disposal system permits.

(i) A construction permit may not be issued for an onsite sewage treatment and disposal system in any area zoned or used

for industrial or manufacturing purposes, or its equivalent, where a publicly owned or investor-owned sewage treatment system is available, or where a likelihood exists that the system will receive toxic, hazardous, or industrial waste. An existing onsite sewage treatment and disposal system may be repaired if a publicly owned or investor-owned sewage treatment system is not available within 500 feet of the building sewer stub-out and if system construction and operation standards can be met. This paragraph does not require publicly owned or investor-owned sewage treatment systems to accept anything other than domestic wastewater.

1. A building located in an area zoned or used for industrial or manufacturing purposes, or its equivalent, when such building is served by an onsite sewage treatment and disposal system, must not be occupied until the owner or tenant has obtained written approval from the department. The department may not grant approval when the proposed use of the system is to dispose of toxic, hazardous, or industrial wastewater or toxic or hazardous chemicals.

2. Each person who owns or operates a business or facility in an area zoned or used for industrial or manufacturing purposes, or its equivalent, or who owns or operates a business that has the potential to generate toxic, hazardous, or industrial wastewater or toxic or hazardous chemicals, and uses an onsite sewage treatment and disposal system that is installed on or after July 5, 1989, must obtain an annual system operating permit from the department. A person who owns or operates a business that uses an onsite sewage treatment and disposal system that was installed and approved before July 5, 1989, does

not need to obtain a system operating permit. However, upon change of ownership or tenancy, the new owner or operator must notify the department of the change, and the new owner or operator must obtain an annual system operating permit, regardless of the date that the system was installed or approved.

3. The department shall periodically review and evaluate the continued use of onsite sewage treatment and disposal systems in areas zoned or used for industrial or manufacturing purposes, or its equivalent, and may require the collection and analyses of samples from within and around such systems. If the department finds that toxic or hazardous chemicals or toxic, hazardous, or industrial wastewater have been or are being disposed of through an onsite sewage treatment and disposal system, the department shall initiate enforcement actions against the owner or tenant to ensure adequate cleanup, treatment, and disposal.

(j) An onsite sewage treatment and disposal system designed by a professional engineer registered in the state and certified by such engineer as complying with performance criteria adopted by the department must be approved by the department subject to the following:

1. The performance criteria applicable to engineer-designed systems must be limited to those necessary to ensure that such systems do not adversely affect the public health or significantly degrade the groundwater or surface water. Such performance criteria shall include consideration of the quality of system effluent, the proposed total sewage flow per acre, wastewater treatment capabilities of the natural or replaced

soil, water quality classification of the potential surface-water-receiving body, and the structural and maintenance viability of the system for the treatment of domestic wastewater. However, performance criteria shall address only the performance of a system and not a system's design.

2. A person electing to use an engineer-designed system shall, upon completion of the system design, submit such design, certified by a registered professional engineer, to the county health department. The county health department may use an outside consultant to review the engineer-designed system, with the actual cost of such review to be borne by the applicant. Within 5 working days after receiving an engineer-designed system permit application, the county health department shall request additional information if the application is not complete. Within 15 working days after receiving a complete application for an engineer-designed system, the county health department shall issue the permit or, if it determines that the system does not comply with the performance criteria, shall notify the applicant of that determination and refer the application to the department for a determination as to whether the system should be approved, disapproved, or approved with modification. The department engineer's determination shall prevail over the action of the county health department. The applicant shall be notified in writing of the department's determination and of the applicant's rights to pursue a variance or seek review under the provisions of chapter 120.

3. The owner of an engineer-designed performance-based system must maintain a current maintenance service agreement with a maintenance entity permitted by the department. The

maintenance entity shall inspect each system at least twice each year and shall submit an inspection report to the department each time the system is inspected which states ~~report quarterly to the department on~~ the number of systems inspected and serviced. The reports may be submitted electronically.

4. The property owner of an owner-occupied, single-family residence may be approved and permitted by the department as a maintenance entity for his or her own performance-based treatment system upon written certification from the system manufacturer's approved representative that the property owner has received training on the proper installation and service of the system. The maintenance service agreement must conspicuously disclose that the property owner has the right to maintain his or her own system and is exempt from contractor registration requirements for performing construction, maintenance, or repairs on the system but is subject to all permitting requirements.

5. ~~The property owner shall obtain a biennial system operating permit from the department for each system.~~ The department may ~~shall~~ inspect the system at least annually, or on such periodic basis as the fee collected permits, and may collect system-effluent samples if appropriate to determine compliance with the performance criteria. The fee for the biennial operating permit must ~~shall~~ be collected beginning with the second year of system operation.

6. If an engineer-designed system fails to properly function or fails to meet performance standards, the system must ~~shall~~ be re-engineered, if necessary, to bring the system into compliance with the provisions of this section.

(k) An innovative system may be approved in conjunction with an engineer-designed site-specific system that is certified by the engineer to meet the performance-based criteria adopted by the department.

(l) For the Florida Keys, the department shall adopt a special rule for the construction, installation, modification, operation, repair, maintenance, and performance of onsite sewage treatment and disposal systems which considers the unique soil conditions and water table elevations, densities, and setback requirements. On lots where a setback distance of 75 feet from surface waters, saltmarsh, and buttonwood association habitat areas cannot be met, an injection well, approved and permitted by the department, may be used for disposal of effluent from onsite sewage treatment and disposal systems. The following additional requirements apply to onsite sewage treatment and disposal systems in Monroe County:

1. The county, each municipality, and those special districts established for the purpose of the collection, transmission, treatment, or disposal of sewage shall ensure, in accordance with the specific schedules adopted by the Administration Commission under s. 380.0552, the completion of onsite sewage treatment and disposal system upgrades to meet the requirements of this paragraph.

2. Onsite sewage treatment and disposal systems must cease discharge by December 31, 2015, or must comply with department rules and provide the level of treatment which, on a permitted annual average basis, produces an effluent that contains no more than the following concentrations:

a. Biochemical Oxygen Demand (CBOD5) of 10 mg/l.

b. Suspended Solids of 10 mg/l.

c. Total Nitrogen, expressed as N, of 10 mg/l or a reduction in nitrogen of at least 70 percent. A system that has been tested and certified to reduce nitrogen concentrations by at least 70 percent shall be deemed to be in compliance with this standard.

d. Total Phosphorus, expressed as P, of 1 mg/l.

In addition, onsite sewage treatment and disposal systems discharging to an injection well must provide basic disinfection as defined by department rule.

3. In areas not scheduled to be served by a central sewerage system, onsite sewage treatment and disposal systems must, by December 31, 2015, comply with department rules and provide the level of treatment described in subparagraph 2.

4. In areas scheduled to be served by a central sewerage system by December 31, 2015, if the property owner has paid a connection fee or assessment for connection to the central sewerage system, the property owner may install a holding tank with a high water alarm or an onsite sewage treatment and disposal system that meets the following minimum standards:

a. The existing tanks must be pumped and inspected and certified as being watertight and free of defects in accordance with department rule; and

b. A sand-lined drainfield or injection well in accordance with department rule must be installed.

5. Onsite sewage treatment and disposal systems must be monitored for total nitrogen and total phosphorus concentrations as required by department rule.

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6. The department shall enforce proper installation, operation, and maintenance of onsite sewage treatment and disposal systems pursuant to this chapter, including ensuring that the appropriate level of treatment described in subparagraph 2. is met.

7. The authority of a local government, including a special district, to mandate connection of an onsite sewage treatment and disposal system is governed by s. 4, chapter 99-395, Laws of Florida.

8. Notwithstanding any other law, an onsite sewage treatment and disposal system installed after July 1, 2010, in unincorporated Monroe County, excluding special wastewater districts, that complies with the standards in subparagraph 2. is not required to connect to a central sewerage system until December 31, 2020.

(m) A product sold in the state for use in onsite sewage treatment and disposal systems may not contain any substance in concentrations or amounts that would interfere with or prevent the successful operation of such system, or that would cause discharges from such systems to violate applicable water quality standards. The department shall publish criteria for products known or expected to meet the conditions of this paragraph. If a product does not meet such criteria, such product may be sold if the manufacturer satisfactorily demonstrates to the department that the conditions of this paragraph are met.

(n) Evaluations for determining the seasonal high-water table elevations or the suitability of soils for the use of a new onsite sewage treatment and disposal system shall be performed by department personnel, professional engineers

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registered in the state, or such other persons with expertise, as defined by rule, in making such evaluations. Evaluations for determining mean annual flood lines shall be performed by those persons identified in paragraph (2)(l). The department shall accept evaluations submitted by professional engineers and such other persons as meet the expertise established by this section or by rule unless the department has a reasonable scientific basis for questioning the accuracy or completeness of the evaluation.

(o) An application for an onsite sewage treatment and disposal system permit shall be completed in full, signed by the owner or the owner's authorized representative, or by a contractor licensed under chapter 489, and shall be accompanied by all required exhibits and fees. Specific documentation of property ownership is not required as a prerequisite to the review of an application or the issuance of a permit. The issuance of a permit does not constitute determination by the department of property ownership.

(p) The department may not require any form of subdivision analysis of property by an owner, developer, or subdivider before submission of an application for an onsite sewage treatment and disposal system.

(q) This section does not limit the power of a municipality or county to enforce other laws for the protection of the public health and safety.

(r) In the siting of onsite sewage treatment and disposal systems, including drainfields, shoulders, and slopes, guttering may not be required on single-family residential dwelling units for systems located greater than 5 feet from the roof drip line

of the house. If guttering is used on residential dwelling units, the downspouts shall be directed away from the drainfield.

(s) Notwithstanding subparagraph (g)1., onsite sewage treatment and disposal systems located in floodways of the Suwannee and Aucilla Rivers must adhere to the following requirements:

1. The absorption surface of the drainfield may not be subject to flooding based on 10-year flood elevations. Provided, however, for lots or parcels created by the subdivision of land in accordance with applicable local government regulations before January 17, 1990, if an applicant cannot construct a drainfield system with the absorption surface of the drainfield at an elevation equal to or above 10-year flood elevation, the department shall issue a permit for an onsite sewage treatment and disposal system within the 10-year floodplain of rivers, streams, and other bodies of flowing water if all of the following criteria are met:

a. The lot is at least one-half acre in size;

b. The bottom of the drainfield is at least 36 inches above the 2-year flood elevation; and

c. The applicant installs a waterless, incinerating, or organic waste composting toilet and a graywater system and drainfield in accordance with department rules; an aerobic treatment unit and drainfield in accordance with department rules; a system that is capable of reducing effluent nitrate by at least 50 percent in accordance with department rules; or a system other than a system using alternative drainfield materials in accordance with department rules. The United States

Department of Agriculture Soil Conservation Service soil maps, State of Florida Water Management District data, and Federal Emergency Management Agency Flood Insurance maps are resources that shall be used to identify flood-prone areas.

2. The use of fill or mounding to elevate a drainfield system out of the 10-year floodplain of rivers, streams, or other bodies of flowing water may not be permitted if such a system lies within a regulatory floodway of the Suwannee and Aucilla Rivers. In cases where the 10-year flood elevation does not coincide with the boundaries of the regulatory floodway, the regulatory floodway will be considered for the purposes of this subsection to extend at a minimum to the 10-year flood elevation.

(t)1. The owner of an aerobic treatment unit system shall maintain a current maintenance service agreement with an aerobic treatment unit maintenance entity permitted by the department. The maintenance entity shall inspect each aerobic treatment unit system at least twice each year and shall submit an inspection report to the department each time the system is inspected stating ~~report quarterly to the department on~~ the number of aerobic treatment unit systems inspected and serviced. The reports may be submitted electronically.

2. The property owner of an owner-occupied, single-family residence may be approved and permitted by the department as a maintenance entity for his or her own aerobic treatment unit system upon written certification from the system manufacturer's approved representative that the property owner has received training on the proper installation and service of the system. The maintenance entity service agreement must conspicuously

disclose that the property owner has the right to maintain his or her own system and is exempt from contractor registration requirements for performing construction, maintenance, or repairs on the system but is subject to all permitting requirements.

3. A septic tank contractor licensed under part III of chapter 489, if approved by the manufacturer, may not be denied access by the manufacturer to aerobic treatment unit system training or spare parts for maintenance entities. After the original warranty period, component parts for an aerobic treatment unit system may be replaced with parts that meet manufacturer's specifications but are manufactured by others. The maintenance entity shall maintain documentation of the substitute part's equivalency for 2 years and shall provide such documentation to the department upon request.

4. The owner of an aerobic treatment unit system shall obtain a system operating permit from the department and allow the department to inspect during reasonable hours each aerobic treatment unit system at least annually, and such inspection may include collection and analysis of system-effluent samples for performance criteria established by rule of the department.

(u) The department may require the submission of detailed system construction plans that are prepared by a professional engineer registered in this state. The department shall establish by rule criteria for determining when such a submission is required.

(v) Any permit issued and approved by the department for the installation, modification, or repair of an onsite sewage treatment and disposal system shall transfer with the title to

the property in a real estate transaction. A title may not be encumbered at the time of transfer by new permit requirements by a governmental entity for an onsite sewage treatment and disposal system which differ from the permitting requirements in effect at the time the system was permitted, modified, or repaired. An inspection of a system may not be mandated by a governmental entity at the point of sale in a real estate transaction. This paragraph does not affect a septic tank phase-out deferral program implemented by a consolidated government as defined in s. 9, Art. VIII of the State Constitution of 1885.

(w) A governmental entity, including a municipality, county, or statutorily created commission, may not require an engineer-designed performance-based treatment system, excluding a passive engineer-designed performance-based treatment system, before the completion of the Florida Onsite Sewage Nitrogen Reduction Strategies Project. This paragraph does not apply to a governmental entity, including a municipality, county, or statutorily created commission, which adopted a local law, ordinance, or regulation on or before January 31, 2012. Notwithstanding this paragraph, an engineer-designed performance-based treatment system may be used to meet the requirements of the variance review and advisory committee recommendations.

(x)1. An onsite sewage treatment and disposal system is not considered abandoned if the system is disconnected from a structure that was made unusable or destroyed following a disaster and if the system was properly functioning at the time of disconnection and was not adversely affected by the disaster. The onsite sewage treatment and disposal system may be

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reconnected to a rebuilt structure if:

a. The reconnection of the system is to the same type of structure which contains the same number of bedrooms or fewer, if the square footage of the structure is less than or equal to 110 percent of the original square footage of the structure that existed before the disaster;

b. The system is not a sanitary nuisance; and

c. The system has not been altered without prior authorization.

2. An onsite sewage treatment and disposal system that serves a property that is foreclosed upon is not considered abandoned.

(y) If an onsite sewage treatment and disposal system permittee receives, relies upon, and undertakes construction of a system based upon a validly issued construction permit under rules applicable at the time of construction but a change to a rule occurs within 5 years after the approval of the system for construction but before the final approval of the system, the rules applicable and in effect at the time of construction approval apply at the time of final approval if fundamental site conditions have not changed between the time of construction approval and final approval.

(z) An existing-system inspection or evaluation and assessment, or a modification, replacement, or upgrade of an onsite sewage treatment and disposal system is not required for a remodeling addition or modification to a single-family home if a bedroom is not added. However, a remodeling addition or modification to a single-family home may not cover any part of the existing system or encroach upon a required setback or the

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unobstructed area. To determine if a setback or the unobstructed area is impacted, the local health department shall review and verify a floor plan and site plan of the proposed remodeling addition or modification to the home submitted by a remodeler which shows the location of the system, including the distance of the remodeling addition or modification to the home from the onsite sewage treatment and disposal system. The local health department may visit the site or otherwise determine the best means of verifying the information submitted. A verification of the location of a system is not an inspection or evaluation and assessment of the system. The review and verification must be completed within 7 business days after receipt by the local health department of a floor plan and site plan. If the review and verification is not completed within such time, the remodeling addition or modification to the single-family home, for the purposes of this paragraph, is approved.

(7) USE OF ENHANCED NUTRIENT-REDUCING ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS.—To meet the requirements of a total maximum daily load, the department shall implement a fast-track approval process of no longer than 6 months for the determination of the use of American National Standards Institute 245 systems approved by NSF International before July 1, 2020. The department shall also establish an enhanced nutrient-reducing onsite sewage treatment and disposal system approval program that will expeditiously evaluate and approve such systems for use in this state to comply with ss. 403.067(7)(a)10. and 373.469(3)(d).

(9) CONTRACT OR DELEGATION AUTHORITY.—The department may contract with or delegate its powers and duties under this

section ~~to a county~~ as provided in s. 403.061 or s. 403.182.

Section 16. Paragraph (c) of subsection (6) and paragraph (a) of subsection (7) of section 403.067, Florida Statutes, are amended to read:

403.067 Establishment and implementation of total maximum daily loads.—

(6) CALCULATION AND ALLOCATION.—

(c) Adoption of rules. The total maximum daily load calculations and allocations established under this subsection for each water body or water body segment shall be adopted by rule by the secretary pursuant to ss. 120.536(1), 120.54, and 403.805. Where additional data collection and analysis are needed to increase the scientific precision and accuracy of the total maximum daily load, the department is authorized to adopt phased total maximum daily loads that are subject to change as additional data becomes available. Where phased total maximum daily loads are proposed, the department shall, in the detailed statement of facts and circumstances justifying the rule, explain why the data are inadequate so as to justify a phased total maximum daily load. The rules adopted pursuant to this paragraph are not ~~subject to approval by the Environmental Regulation Commission and are not~~ subject to ~~the provisions of~~ s. 120.541(3). As part of the rule development process, the department shall hold at least one public workshop in the vicinity of the water body or water body segment for which the total maximum daily load is being developed. Notice of the public workshop shall be published not less than 5 days nor more than 15 days before the public workshop in a newspaper of general circulation in the county or counties containing the

water bodies or water body segments for which the total maximum daily load calculation and allocation are being developed.

(7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

(a) *Basin management action plans.*—

1. In developing and implementing the total maximum daily load for a waterbody, the department, or the department in conjunction with a water management district, may develop a basin management action plan that addresses some or all of the watersheds and basins tributary to the waterbody. Such plan must integrate the appropriate management strategies available to the state through existing water quality protection programs to achieve the total maximum daily loads and may provide for phased implementation of these management strategies to promote timely, cost-effective actions as provided for in s. 403.151. The plan must establish a schedule implementing the management strategies, establish a basis for evaluating the plan's effectiveness, and identify feasible funding strategies for implementing the plan's management strategies. The management strategies may include regional treatment systems or other public works, when appropriate, and voluntary trading of water quality credits to achieve the needed pollutant load reductions.

2. A basin management action plan must equitably allocate, pursuant to paragraph (6)(b), pollutant reductions to individual basins, as a whole to all basins, or to each identified point source or category of nonpoint sources, as appropriate. For nonpoint sources for which best management practices have been adopted, the initial requirement specified by the plan must be those practices developed pursuant to paragraph (c). When

appropriate, the plan may take into account the benefits of pollutant load reduction achieved by point or nonpoint sources that have implemented management strategies to reduce pollutant loads, including best management practices, before the development of the basin management action plan. The plan must also identify the mechanisms that will address potential future increases in pollutant loading.

3. The basin management action planning process is intended to involve the broadest possible range of interested parties, with the objective of encouraging the greatest amount of cooperation and consensus possible. In developing a basin management action plan, the department shall assure that key stakeholders, including, but not limited to, applicable local governments, water management districts, the Department of Agriculture and Consumer Services, other appropriate state agencies, local soil and water conservation districts, environmental groups, regulated interests, and affected pollution sources, are invited to participate in the process. The department shall hold at least one public meeting in the vicinity of the watershed or basin to discuss and receive comments during the planning process and shall otherwise encourage public participation to the greatest practicable extent. Notice of the public meeting must be published in a newspaper of general circulation in each county in which the watershed or basin lies at least 5 days, but not more than 15 days, before the public meeting. A basin management action plan does not supplant or otherwise alter any assessment made under subsection (3) or subsection (4) or any calculation or initial allocation.

4. Each new or revised basin management action plan must include all of the following:

a. The appropriate management strategies available through existing water quality protection programs to achieve total maximum daily loads, which may provide for phased implementation to promote timely, cost-effective actions as provided for in s. 403.151.

b. A description of best management practices adopted by rule.

c. For the applicable 5-year implementation milestone, a list of projects that will achieve the pollutant load reductions needed to meet the total maximum daily load or the load allocations established pursuant to subsection (6). Each project must include a planning-level cost estimate and an estimated date of completion.

d. A list of projects developed pursuant to paragraph (e), if applicable.

e. The source and amount of financial assistance to be made available by the department, a water management district, or other entity for each listed project, if applicable.

f. A planning-level estimate of each listed project's expected load reduction, if applicable.

5. The department shall adopt all or any part of a basin management action plan and any amendment to such plan by secretarial order pursuant to chapter 120 to implement this section. A basin management action plan and any amendment to such plan shall become effective 60 days after the date the secretarial order is filed.

6. The basin management action plan must include 5-year

milestones for implementation and water quality improvement, and an associated water quality monitoring component sufficient to evaluate whether reasonable progress in pollutant load reductions is being achieved over time. An assessment of progress toward these milestones shall be conducted every 5 years, and revisions to the plan shall be made as appropriate. Any entity with a specific pollutant load reduction requirement established in a basin management action plan shall identify the projects or strategies that such entity will undertake to meet current 5-year pollution reduction milestones, beginning with the first 5-year milestone for new basin management action plans, and submit such projects to the department for inclusion in the appropriate basin management action plan. Each project identified must include an estimated amount of nutrient reduction that is reasonably expected to be achieved based on the best scientific information available. Revisions to the basin management action plan shall be made by the department in cooperation with basin stakeholders. Revisions to the management strategies required for nonpoint sources must follow the procedures in subparagraph (c)4. Revised basin management action plans must be adopted pursuant to subparagraph 5.

7. In accordance with procedures adopted by rule under paragraph (9)(c), basin management action plans, and other pollution control programs under local, state, or federal authority as provided in subsection (4), may allow point or nonpoint sources that will achieve greater pollutant reductions than required by an adopted total maximum daily load or wasteload allocation to generate, register, and trade water quality credits for the excess reductions to enable other

sources to achieve their allocation; however, the generation of water quality credits does not remove the obligation of a source or activity to meet applicable technology requirements or adopted best management practices. Such plans must allow trading between NPDES permittees, and trading that may or may not involve NPDES permittees, where the generation or use of the credits involve an entity or activity not subject to department water discharge permits whose owner voluntarily elects to obtain department authorization for the generation and sale of credits.

8. The department's rule relating to the equitable abatement of pollutants into surface waters do not apply to water bodies or waterbody segments for which a basin management plan that takes into account future new or expanded activities or discharges has been adopted under this section.

9. In order to promote resilient wastewater utilities, if the department identifies domestic wastewater treatment facilities or onsite sewage treatment and disposal systems as contributors of at least 20 percent of point source or nonpoint source nutrient pollution or if the department determines remediation is necessary to achieve the total maximum daily load, a basin management action plan for a nutrient total maximum daily load must include the following:

a. A domestic wastewater treatment plan developed by each local government, in cooperation with the department, the water management district, and the public and private domestic wastewater treatment facilities providing services or located within the jurisdiction of the local government, which addresses domestic wastewater. Private domestic wastewater facilities and special districts providing domestic wastewater services must

provide the required wastewater facility information to the applicable local governments. The domestic wastewater treatment plan must:

(I) Provide for construction, expansion, or upgrades necessary to achieve the total maximum daily load requirements applicable to the domestic wastewater treatment facility.

(II) Include the permitted capacity in average annual gallons per day for the domestic wastewater treatment facility; the average nutrient concentration and the estimated average nutrient load of the domestic wastewater; a projected timeline of the dates by which the construction of any facility improvements will begin and be completed and the date by which operations of the improved facility will begin; the estimated cost of the improvements; and the identity of responsible parties.

The domestic wastewater treatment plan must be adopted as part of the basin management action plan no later than July 1, 2025. A local government that does not have a domestic wastewater treatment facility in its jurisdiction is not required to develop a domestic wastewater treatment plan unless there is a demonstrated need to establish a domestic wastewater treatment facility within its jurisdiction to improve water quality necessary to achieve a total maximum daily load. A local government is not responsible for a private domestic wastewater facility's compliance with a basin management action plan unless such facility is operated through a public-private partnership to which the local government is a party.

b. An onsite sewage treatment and disposal system

remediation plan developed by each local government in cooperation with the department, the Department of Health, water management districts, and public and private domestic wastewater treatment facilities.

(I) The onsite sewage treatment and disposal system remediation plan must identify cost-effective and financially feasible projects necessary to achieve the nutrient load reductions required for onsite sewage treatment and disposal systems. To identify cost-effective and financially feasible projects for remediation of onsite sewage treatment and disposal systems, the local government shall:

(A) Include an inventory of onsite sewage treatment and disposal systems based on the best information available;

(B) Identify onsite sewage treatment and disposal systems that would be eliminated through connection to existing or future central domestic wastewater infrastructure in the jurisdiction or domestic wastewater service area of the local government, that would be replaced with or upgraded to enhanced nutrient-reducing onsite sewage treatment and disposal systems, or that would remain on conventional onsite sewage treatment and disposal systems;

(C) Estimate the costs of potential onsite sewage treatment and disposal system connections, upgrades, or replacements; and

(D) Identify deadlines and interim milestones for the planning, design, and construction of projects.

(II) The department shall adopt the onsite sewage treatment and disposal system remediation plan as part of the basin management action plan no later than July 1, 2025, or as required for Outstanding Florida Springs under s. 373.807.

10. The following activities are prohibited within a basin management action plan adopted under this section, a reasonable assurance plan, or a pollution reduction plan:

a. The installation of new onsite sewage treatment and disposal systems ~~constructed within a basin management action plan area adopted under this section, a reasonable assurance plan, or a pollution reduction plan is prohibited~~ where connection to a publicly owned or investor-owned sewerage system is available as defined in s. 381.0065(2)(a). On lots of 1 acre or less ~~within a basin management action plan adopted under this section, a reasonable assurance plan, or a pollution reduction plan~~ where a publicly owned or investor-owned sewerage system is not available, the installation of enhanced nutrient-reducing onsite sewage treatment and disposal systems, distributed wastewater treatment systems as defined in s. 403.814(13), or other wastewater treatment systems that achieve at least 65 percent nitrogen reduction is required.

b. The construction or installation of new domestic wastewater disposal facilities, including rapid infiltration basins, with permitted capacities of 100,000 or more gallons per day, except for those facilities that meet an advanced wastewater treatment standard of no more than 3 mg/l total nitrogen and 1 mg/l total phosphorus on an annual permitted basis, or a more stringent treatment standard if the department determines the more stringent standard is necessary to attain a total maximum daily load.

c. The construction or installation of new facilities for the disposal of hazardous waste.

11. When identifying wastewater projects in a basin

management action plan, the department may not require the higher cost option if it achieves the same nutrient load reduction as a lower cost option. A regulated entity may choose a different cost option if it complies with the pollutant reduction requirements of an adopted total maximum daily load and meets or exceeds the pollution reduction requirement of the original project.

12. Annually, local governments subject to a basin management action plan or located within the basin of a waterbody not attaining nutrient or nutrient-related standards must provide to the department an update on the status of construction of sanitary sewers to serve such areas, in a manner prescribed by the department.

Section 17. Paragraph (e) of subsection (1) of section 403.0671, Florida Statutes, is amended to read:

403.0671 Basin management action plan wastewater reports.—

(1) By July 1, 2021, the department, in coordination with the county health departments, wastewater treatment facilities, and other governmental entities, shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives evaluating the costs of wastewater projects identified in the basin management action plans developed pursuant to ss. 373.807 and 403.067(7) and the onsite sewage treatment and disposal system remediation plans and other restoration plans developed to meet the total maximum daily loads required under s. 403.067. The report must include all of the following:

(e) The projected costs of installing enhanced nutrient-reducing onsite sewage treatment and disposal systems on

buildable lots in priority focus areas ~~to comply with s. 373.811~~.

Section 18. Subsection (11) of section 403.0872, Florida Statutes, is amended to read:

403.0872 Operation permits for major sources of air pollution; annual operation license fee.—Provided that program approval pursuant to 42 U.S.C. s. 7661a has been received from the United States Environmental Protection Agency, beginning January 2, 1995, each major source of air pollution, including electrical power plants certified under s. 403.511, must obtain from the department an operation permit for a major source of air pollution under this section. This operation permit is the only department operation permit for a major source of air pollution required for such source; provided, at the applicant's request, the department shall issue a separate acid rain permit for a major source of air pollution that is an affected source within the meaning of 42 U.S.C. s. 7651a(1). Operation permits for major sources of air pollution, except general permits issued pursuant to s. 403.814, must be issued in accordance with the procedures contained in this section and in accordance with chapter 120; however, to the extent that chapter 120 is inconsistent with this section, the procedures contained in this section prevail.

(11) Each major source of air pollution permitted to operate in this state must pay by June 30 ~~between January 15 and April 1~~ of each year, upon written notice from the department, an annual operation license fee in an amount determined by department rule. The annual operation license fee shall be terminated immediately in the event the United States

Environmental Protection Agency imposes annual fees solely to implement and administer the major source air-operation permit program in Florida under 40 C.F.R. s. 70.10(d).

(a) The annual fee must be assessed based upon the source's previous year's emissions and must be calculated by multiplying the applicable annual operation license fee factor times the tons of each regulated air pollutant actually emitted, as calculated in accordance with the department's emissions computation and reporting rules. The annual fee shall only apply to those regulated pollutants, except carbon monoxide and greenhouse gases, for which an allowable numeric emission limiting standard is specified in the source's most recent construction or operation permit; provided, however, that:

1. The license fee factor is $25 or another amount determined by department rule which ensures that the revenue provided by each year's operation license fees is sufficient to cover all reasonable direct and indirect costs of the major stationary source air-operation permit program established by this section. The license fee factor may be increased beyond $25 only if the secretary of the department affirmatively finds that a shortage of revenue for support of the major stationary source air-operation permit program will occur in the absence of a fee factor adjustment. The annual license fee factor may never exceed $35.

2. The amount of each regulated air pollutant in excess of 4,000 tons per year emitted by any source, or group of sources belonging to the same Major Group as described in the Standard Industrial Classification Manual, 1987, may not be included in the calculation of the fee. Any source, or group of sources,

which does not emit any regulated air pollutant in excess of 4,000 tons per year, is allowed a one-time credit not to exceed 25 percent of the first annual licensing fee for the prorated portion of existing air-operation permit application fees remaining upon commencement of the annual licensing fees.

3. If the department has not received the fee ~~by March 1 of the calendar year, the permittee must be sent a written warning of the consequences for failing to pay the fee by April 1. If the fee is not postmarked~~ by June 30 ~~April 1~~ of the calendar year, the department shall impose, in addition to the fee, a penalty of 50 percent of the amount of the fee, plus interest on such amount computed in accordance with s. 220.807. The department may not impose such penalty or interest on any amount underpaid, provided that the permittee has timely remitted payment of at least 90 percent of the amount determined to be due and remits full payment within 60 days after receipt of notice of the amount underpaid. The department may waive the collection of underpayment and may not be required to refund overpayment of the fee, if the amount due is less than 1 percent of the fee, up to $50. The department may revoke any major air pollution source operation permit if it finds that the permitholder has failed to timely pay any required annual operation license fee, penalty, or interest.

4. Notwithstanding the computational provisions of this subsection, the annual operation license fee for any source subject to this section may not be less than $250, except that the annual operation license fee for sources permitted solely through general permits issued under s. 403.814 may not exceed $50 per year.

5. Notwithstanding s. 403.087(7)(a)5.a., which authorizes air pollution construction permit fees, the department may not require such fees for changes or additions to a major source of air pollution permitted pursuant to this section, unless the activity triggers permitting requirements under Title I, Part C or Part D, of the federal Clean Air Act, 42 U.S.C. ss. 7470-7514a. ~~Costs to issue and administer such permits shall be considered direct and indirect costs of the major stationary source air-operation permit program under s. 403.0873.~~ The department shall, however, require fees pursuant to s. 403.087(7)(a)5.a. for the construction of a new major source of air pollution that will be subject to the permitting requirements of this section once constructed and for activities triggering permitting requirements under Title I, Part C or Part D, of the federal Clean Air Act, 42 U.S.C. ss. 7470-7514a.

(b) Annual operation license fees collected by the department must be sufficient to cover all reasonable direct and indirect costs required to develop and administer the major stationary source air-operation permit program, which shall consist of the following elements to the extent that they are reasonably related to the regulation of major stationary air pollution sources, in accordance with United States Environmental Protection Agency regulations and guidelines:

1. Reviewing and acting upon any application for such a permit.

2. Implementing and enforcing the terms and conditions of any such permit, excluding court costs or other costs associated with any enforcement action.

3. Emissions and ambient monitoring.

4. Preparing generally applicable regulations or guidance.

5. Modeling, analyses, and demonstrations.

6. Preparing inventories and tracking emissions.

7. Implementing the Small Business Stationary Source Technical and Environmental Compliance Assistance Program.

8. Any audits conducted under paragraph (c).

(c) An audit of the major stationary source air-operation permit program must be conducted 2 years after the United States Environmental Protection Agency has given full approval of the program to ascertain whether the annual operation license fees collected by the department are used solely to support any reasonable direct and indirect costs as listed in paragraph (b). A program audit must be performed biennially after the first audit.

Section 19. Paragraphs (a) and (b) of subsection (3) of section 403.1838, Florida Statutes, are amended to read:

403.1838 Small Community Sewer Construction Assistance Act.—

(3)(a) In accordance with rules adopted by the department ~~Environmental Regulation Commission under this section~~, the department may provide grants, from funds specifically appropriated for this purpose, to financially disadvantaged small communities for up to 100 percent of the costs of planning, designing, constructing, upgrading, or replacing wastewater collection, transmission, treatment, disposal, and reuse facilities, including necessary legal and administrative expenses.

(b) The rules of the department ~~Environmental Regulation Commission~~ must:

1. Require that projects to plan, design, construct, upgrade, or replace wastewater collection, transmission, treatment, disposal, and reuse facilities be cost-effective, environmentally sound, permittable, and implementable.

2. Require appropriate user charges, connection fees, and other charges sufficient to ensure the long-term operation, maintenance, and replacement of the facilities constructed under each grant.

3. Require grant applications to be submitted on appropriate forms with appropriate supporting documentation, and require records to be maintained.

4. Establish a system to determine eligibility of grant applications.

5. Establish a system to determine the relative priority of grant applications. The system must consider public health protection and water pollution prevention or abatement and must prioritize projects that plan for the installation of wastewater transmission facilities to be constructed concurrently with other construction projects occurring within or along a transportation facility right-of-way.

6. Establish requirements for competitive procurement of engineering and construction services, materials, and equipment.

7. Provide for termination of grants when program requirements are not met.

Section 20. Section 403.804, Florida Statutes, is repealed.

Section 21. Subsection (6) of section 120.81, Florida Statutes, is amended to read:

120.81 Exceptions and special requirements; general areas.—

(6) RISK IMPACT STATEMENT.—The Department of Environmental

Protection shall prepare a risk impact statement for any rule that is proposed for adoption which ~~approval by the Environmental Regulation Commission and that~~ establishes or changes standards or criteria based on impacts to or effects upon human health. The Department of Agriculture and Consumer Services shall prepare a risk impact statement for any rule that is proposed for adoption that establishes standards or criteria based on impacts to or effects upon human health.

(a) This subsection does not apply to rules adopted pursuant to federally delegated or mandated programs where such rules are identical or substantially identical to the federal regulations or laws being adopted or implemented by the Department of Environmental Protection or Department of Agriculture and Consumer Services, as applicable. However, the Department of Environmental Protection and the Department of Agriculture and Consumer Services shall identify any risk analysis information available to them from the Federal Government that has formed the basis of such a rule.

(b) This subsection does not apply to emergency rules adopted pursuant to this chapter.

(c) The Department of Environmental Protection and the Department of Agriculture and Consumer Services shall prepare and publish notice of the availability of a clear and concise risk impact statement for all applicable rules. The risk impact statement must explain the risk to the public health addressed by the rule and shall identify and summarize the source of the scientific information used in evaluating that risk.

(d) Nothing in this subsection shall be construed to create a new cause of action or basis for challenging a rule nor

diminish any existing cause of action or basis for challenging a rule.

Section 22. Subsection (1) of section 373.421, Florida Statutes, is amended, and paragraph (b) of subsection (7) of that section is reenacted, to read:

373.421 Delineation methods; formal determinations.—

(1) The department's ~~Environmental Regulation Commission shall adopt a~~ unified statewide methodology for the delineation of the extent of wetlands as defined in s. 373.019(27)~~.This methodology~~ shall consider regional differences in the types of soils and vegetation that may serve as indicators of the extent of wetlands. This methodology shall also include provisions for determining the extent of surface waters other than wetlands for the purposes of regulation under s. 373.414. This methodology shall not become effective until ratified by the Legislature. Subsequent to legislative ratification, the wetland definition in s. 373.019(27) and the adopted wetland methodology shall be binding on the department, the water management districts, local governments, and any other governmental entities. Upon ratification of such wetland methodology, the Legislature preempts the authority of any water management district, state or regional agency, or local government to define wetlands or develop a delineation methodology to implement the definition and determines that the exclusive definition and delineation methodology for wetlands shall be that established pursuant to s. 373.019(27) and this section. Upon such legislative ratification, any existing wetlands definition or wetland delineation methodology shall be superseded by the wetland definition and delineation methodology established pursuant to

this chapter. Subsequent to legislative ratification, a delineation of the extent of a surface water or wetland by the department or a water management district, pursuant to a formal determination under subsection (2), or pursuant to a permit issued under this part in which the delineation was field-verified by the permitting agency and specifically approved in the permit, shall be binding on all other governmental entities for the duration of the formal determination or permit. All existing rules and methodologies of the department, the water management districts, and local governments, regarding surface water or wetland definition and delineation shall remain in full force and effect until the common methodology rule becomes effective. However, this shall not be construed to limit any power of the department, the water management districts, and local governments to amend or adopt a surface water or wetland definition or delineation methodology until the common methodology rule becomes effective.

(7)

(b) Wetlands contiguous to surface waters of the state as defined in s. 403.031(13), Florida Statutes (1991), shall be delineated pursuant to the department's rules as such rules existed prior to January 24, 1984, while wetlands not contiguous to surface waters of the state as defined in s. 403.031(13), Florida Statutes (1991), shall be delineated pursuant to the applicable methodology ratified by s. 373.4211 for any development which obtains an individual permit from the United States Army Corps of Engineers under 33 U.S.C. s. 1344:

1. Where a jurisdictional determination validated by the department pursuant to rule 17-301.400(8), Florida

Administrative Code, as it existed in rule 17-4.022, Florida Administrative Code, on April 1, 1985, is revalidated pursuant to s. 373.414(13) and the affected lands are part of a project for which a vested rights determination has been issued pursuant to s. 380.06, or

2. Where the lands affected were grandfathered pursuant to s. 403.913(6), Florida Statutes (1991), and proof of prior notification pursuant to s. 403.913(6), Florida Statutes (1991), is submitted to the department within 180 days of the publication of a notice by the department of the existence of this provision. Failure to timely submit the proof of prior notification to the department serves as a waiver of the benefits conferred by this subsection.

3. This subsection shall not be applicable to lands:

a. Within the geographical area to which an individual or general permit issued prior to June 1, 1994, under rules adopted pursuant to this part applies; or

b. Within the geographical area to which a conceptual permit issued prior to June 1, 1994, under rules adopted pursuant to this part applies if wetland delineations were identified and approved by the conceptual permit as set forth in s. 373.414(12)(b)1. or 2.; or

c. Where no development activity as defined in s. 380.01(1) or (2)(a)-(d) and (f) has occurred within the project boundaries since October 1, 1986; or

d. Of a project which is not in compliance with this part or the rules adopted pursuant to ss. 403.91-403.929, 1984 Supplement to the Florida Statutes 1983, as amended.

4. The wetland delineation methodology required in this

subsection shall only apply within the geographical area of an individual permit issued by the United States Army Corps of Engineers under 33 U.S.C. s. 1344. The requirement to obtain such individual permit to secure the benefit of this subsection shall not apply to any activities exempt or not subject to regulation under 33 U.S.C. s. 1344.

5. Notwithstanding subsection (1), the wetland delineation methodology required in this subsection and any wetland delineation pursuant thereto, shall only apply to agency action under this part and shall not be binding on local governments except in their implementation of this part.

Section 23. Paragraph (b) of subsection (23) of section 403.031, Florida Statutes, is amended to read:

403.031 Definitions.—In construing this chapter, or rules and regulations adopted pursuant hereto, the following words, phrases, or terms, unless the context otherwise indicates, have the following meanings:

(23) "Waters" include, but are not limited to, rivers, lakes, streams, springs, impoundments, wetlands, and all other waters or bodies of water, including fresh, brackish, saline, tidal, surface, or underground waters. Waters owned entirely by one person other than the state are included only in regard to possible discharge on other property or water. Underground waters include, but are not limited to, all underground waters passing through pores of rock or soils or flowing through in channels, whether manmade or natural. Solely for purposes of s. 403.0885, waters of the state also include navigable waters or waters of the contiguous zone as used in s. 502 of the Clean Water Act, as amended, 33 U.S.C. ss. 1251 et seq., as in

existence on January 1, 1993, except for those navigable waters seaward of the boundaries of the state set forth in s. 1, Art. II of the State Constitution. Solely for purposes of this chapter, waters of the state also include the area bounded by the following:

(b) The area bounded by the line described in paragraph (a) generally includes those waters to be known as waters of the state. The landward extent of these waters shall be determined by the delineation methodology ratified in s. 373.4211. Any waters which are outside the general boundary line described in paragraph (a) but which are contiguous thereto by virtue of the presence of a wetland, watercourse, or other surface water, as determined by the delineation methodology ratified in s. 373.4211, shall be a part of this waterbody. Any areas within the line described in paragraph (a) which are neither a wetland nor surface water, as determined by the delineation methodology ratified in s. 373.4211, shall be excluded therefrom. ~~If the Florida Environmental Regulation Commission designates the waters within the boundaries an Outstanding Florida Water, waters outside the boundaries may not be included as part of such designation unless a hearing is held pursuant to notice in each appropriate county and the boundaries of such lands are specifically considered and described for such designation.~~

Section 24. Subsections (7) and (32) of section 403.061, Florida Statutes, are amended to read:

403.061 Department; powers and duties.—The department shall have the power and the duty to control and prohibit pollution of air and water in accordance with the law and rules adopted and promulgated by it and, for this purpose, to:

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(7) Adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this act. Any rule adopted pursuant to this act must be consistent with the provisions of federal law, if any, relating to control of emissions from motor vehicles, effluent limitations, pretreatment requirements, or standards of performance. A county, municipality, or political subdivision may not adopt or enforce any local ordinance, special law, or local regulation requiring the installation of Stage II vapor recovery systems, as currently defined by department rule, unless such county, municipality, or political subdivision is or has been in the past designated by federal regulation as a moderate, serious, or severe ozone nonattainment area. Rules adopted pursuant to this act may not require dischargers of waste into waters of the state to improve natural background conditions. The department shall adopt rules to reasonably limit, reduce, and eliminate domestic wastewater collection and transmission system pipe leakages and inflow and infiltration. Discharges from steam electric generating plants existing or licensed under this chapter on July 1, 1984, may not be required to be treated to a greater extent than may be necessary to assure that the quality of nonthermal components of discharges from nonrecirculated cooling water systems is as high as the quality of the makeup waters; that the quality of nonthermal components of discharges from recirculated cooling water systems is no lower than is allowed for blowdown from such systems; or that the quality of noncooling system discharges which receive makeup water from a receiving body of water which does not meet applicable department water quality standards is as high as the quality of the receiving body of water. ~~The department may not~~

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~~adopt standards more stringent than federal regulations, except as provided in s. 403.804.~~

(32) Adopt rules necessary to obtain approval from the United States Environmental Protection Agency to administer the Federal National Pollution Discharge Elimination System (NPDES) permitting program in Florida under ss. 318, 402, and 405 of the federal Clean Water Act, Pub. L. No. 92-500, as amended. This authority shall be implemented consistent with the provisions of part II, which shall be applicable to facilities certified thereunder. The department shall establish all rules, standards, and requirements that regulate the discharge of pollutants into waters of the United States as defined by and in a manner consistent with federal regulations; provided, however, that the department may adopt a standard that is stricter or more stringent than one set by the United States Environmental Protection Agency ~~if approved by the Governor and Cabinet in accordance with the procedures of s. 403.804(2)~~.

The department shall implement such programs in conjunction with its other powers and duties and shall place special emphasis on reducing and eliminating contamination that presents a threat to humans, animals or plants, or to the environment.

Section 25. Subsection (9) of section 403.704, Florida Statutes, is amended to read:

403.704 Powers and duties of the department.—The department shall have responsibility for the implementation and enforcement of this act. In addition to other powers and duties, the department shall:

(9) Adopt rules pursuant to ss. 120.536(1) and 120.54 to

implement and enforce this act, including requirements for the classification, construction, operation, maintenance, and closure of solid waste management facilities and requirements for, and conditions on, solid waste disposal in this state, whether such solid waste is generated within this state or outside this state as long as such requirements and conditions are not based on the out-of-state origin of the waste and are consistent with applicable law. When classifying solid waste management facilities, the department shall consider the hydrogeology of the site for the facility, the types of wastes to be handled by the facility, and methods used to control the types of waste to be handled by the facility and shall seek to minimize the adverse effects of solid waste management on the environment. ~~Whenever the department adopts any rule stricter or more stringent than one that has been set by the United States Environmental Protection Agency, the procedures set forth in s. 403.804(2) shall be followed.~~ The department may ~~shall~~ not~~,~~ ~~however,~~ adopt hazardous waste rules for solid waste for which special studies were required before ~~prior to~~ October 1, 1988, under s. 8002 of the Resource Conservation and Recovery Act, 42 U.S.C. s. 6982, as amended, until the studies are completed by the United States Environmental Protection Agency and the information is available to the department for consideration in adopting its own rule.

Section 26. Paragraph (d) of subsection (3) and paragraph (h) of subsection (9) of section 403.707, Florida Statutes, are amended to read:

403.707 Permits.—

(3)

(d) The department may adopt rules to administer this subsection. ~~However, the department is not required to submit such rules to the Environmental Regulation Commission for approval.~~ Notwithstanding the limitations of s. 403.087(7)(a), permit fee caps for solid waste management facilities must ~~shall~~ be prorated to reflect the extended permit term authorized by this subsection.

(9) The department shall establish a separate category for solid waste management facilities that accept only construction and demolition debris for disposal or recycling. The department shall establish a reasonable schedule for existing facilities to comply with this section to avoid undue hardship to such facilities. However, a permitted solid waste disposal unit that receives a significant amount of waste prior to the compliance deadline established in this schedule shall not be required to be retrofitted with liners or leachate control systems.

(h) The department shall ensure that the requirements of this section are applied and interpreted consistently throughout this ~~the~~ state. ~~In accordance with s. 20.255,~~ The Division of Waste Management shall direct the district offices and bureaus on matters relating to the interpretation and applicability of this section.

Section 27. Subsection (3) of section 403.7222, Florida Statutes, is amended to read:

403.7222 Prohibition of hazardous waste landfills.—

(3) This section does not prohibit the department from banning the disposal of hazardous waste in other types of waste management units in a manner consistent with federal requirements~~, except as provided under s. 403.804(2)~~.

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Section 28. Subsection (4) of section 403.7234, Florida Statutes, is amended to read:

403.7234 Small quantity generator notification and verification program.—

(4) Within 30 days of receipt of a notification, which includes a survey form, a small quantity generator shall disclose its management practices and the types and quantities of waste to the county government. Annually, each county shall verify the management practices of at least 20 percent of its small quantity generators. The procedure for verification used by the county must ~~shall~~ be developed as part of the guidance established by the department under s. 403.7226. The department may also regulate the waste management practices of small quantity generators in order to ensure proper management of hazardous waste in a manner consistent with federal requirements~~, except as provided under s. 403.804(2)~~.

Section 29. Section 403.803, Florida Statutes, is amended to read:

403.803 Definitions.—When used in this part ~~act~~, the term, phrase, or word:

(1) "Branch office" means a geographical area, the boundaries of which may be established as a part of a district.

(2) "Canal" is a manmade trench, the bottom of which is normally covered by water with the upper edges of its sides normally above water.

(3) "Channel" is a trench, the bottom of which is normally covered entirely by water, with the upper edges of its sides normally below water.

(4) ~~"Commission" means the Environmental Regulation~~

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~~Commission.~~

~~(5)~~ "Department" means the Department of Environmental Protection.

(5)~~(6)~~ "District" or "environmental district" means one of the geographical areas, the boundaries of which are established pursuant to this act.

(6)~~(7)~~ "Drainage ditch" or "irrigation ditch" is a manmade trench dug for the purpose of draining water from the land or for transporting water for use on the land and is not built for navigational purposes.

(7)~~(8)~~ "Environmental district center" means the facilities and personnel which are centralized in each district for the purposes of carrying out the provisions of this act.

(8)~~(9)~~ "Headquarters" means the physical location of the offices of the secretary and the division directors of the department.

(9)~~(10)~~ "Insect control impoundment dikes" means artificial structures, including earthen berms, constructed and used to impound waters for the purpose of insect control.

(10)~~(11)~~ "Manager" means the head of an environmental district or branch office who shall supervise all environmental functions of the department within such environmental district or branch office.

(11)~~(12)~~ "Secretary" means the Secretary of Environmental Protection.

(12)~~(13)~~ "Standard" means any rule of the Department of Environmental Protection relating to air and water quality, noise, solid-waste management, and electric and magnetic fields associated with electrical transmission and distribution lines

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and substation facilities. The term "standard" does not include rules of the department which relate exclusively to the internal management of the department, the procedural processing of applications, the administration of rulemaking or adjudicatory proceedings, the publication of notices, the conduct of hearings, or other procedural matters.

(13)~~(14)~~ "Swale" means a manmade trench which:

(a) Has a top width-to-depth ratio of the cross-section equal to or greater than 6:1, or side slopes equal to or greater than 3 feet horizontal to 1 foot vertical;

(b) Contains contiguous areas of standing or flowing water only following a rainfall event;

(c) Is planted with or has stabilized vegetation suitable for soil stabilization, stormwater treatment, and nutrient uptake; and

(d) Is designed to take into account the soil erodibility, soil percolation, slope, slope length, and drainage area so as to prevent erosion and reduce pollutant concentration of any discharge.

Section 30. Subsections (1) and (3) of section 403.805, Florida Statutes, are amended to read:

403.805 Secretary; powers and duties; review of specified rules.—

(1) The secretary shall have the powers and duties of heads of departments set forth in chapter 20, including the authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this chapter and ~~the provisions of~~ chapters 161, 253, 258, 260, 369, 373, 376, 377, 378, and 380 ~~253, 373, and 376 and this chapter~~. ~~The secretary shall have rulemaking responsibility~~

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~~under chapter 120, but shall submit any proposed rule containing standards to the Environmental Regulation Commission for approval, modification, or disapproval pursuant to s. 403.804, except for total maximum daily load calculations and allocations developed pursuant to s. 403.067(6).~~ The secretary shall have responsibility for final agency action regarding total maximum daily load calculations and allocations developed pursuant to s. 403.067(6). The secretary shall employ legal counsel to represent the department in matters affecting the department. Except for appeals on permits specifically assigned by this act to the Governor and Cabinet, and unless otherwise prohibited by law, the secretary may delegate the authority assigned to the department by this act to the assistant secretary, division directors, and district and branch office managers and to the water management districts.

(3) After adoption of proposed rule 62-302.531(9), Florida Administrative Code, a nonseverability and effective date provision approved by the commission on December 8, 2011, ~~in accordance with the commission's legislative authority under s. 403.804,~~ notice of which was published by the department on December 22, 2011, in the Florida Administrative Register, Vol. 37, No. 51, page 4446, any subsequent rule or amendment altering the effect of such rule must ~~shall~~ be submitted to the President of the Senate and the Speaker of the House of Representatives no later than 30 days before the next regular legislative session, and such amendment may not take effect until it is ratified by the Legislature.

Section 31. Section 403.8055, Florida Statutes, is amended to read:

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403.8055 Department adoption of federal standards.—Notwithstanding s. 120.54 ~~ss. 120.54 and 403.804~~, the secretary is empowered to adopt rules substantively identical to regulations adopted in the Federal Register by the United States Environmental Protection Agency pursuant to federal law, in accordance with the following procedures:

(1) The secretary shall publish notice of intent to adopt a rule pursuant to this section in the Florida Administrative Register at least 21 days before ~~prior to~~ filing the rule with the Department of State. The secretary shall mail a copy of the notice of intent to adopt a rule to the Administrative Procedures Committee at least 21 days before ~~prior to~~ the date of filing with the Department of State. Before ~~Prior to~~ filing the rule with the Department of State, the secretary shall consider any written comments received within 21 days after the date of publication of the notice of intent to adopt a rule. The rule must ~~shall~~ be adopted upon filing with the Department of State. Substantive changes from the rules as noticed ~~shall~~ require republishing of notice as required in this section.

(2) Any rule adopted pursuant to this section becomes ~~shall become~~ effective upon the date designated in the rule by the secretary; however, ~~no~~ such a rule may not ~~shall~~ become effective earlier than the effective date of the substantively identical United States Environmental Protection Agency regulation.

(3) The secretary shall stay any terms or conditions of a permit implementing department rules adopted pursuant to this section if the substantively identical provisions of a United States Environmental Protection Agency regulation have been

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stayed under federal judicial review. A stay issued pursuant to this subsection shall terminate upon completion of federal judicial review.

(4) Any domestic for-profit or nonprofit corporation or association formed, in whole or in part:

(a) To promote conservation or natural beauty;

(b) To protect the environment, personal health, or other biological values;

(c) To preserve historical sites;

(d) To promote consumer interests;

(e) To represent labor, commercial, or industrial groups; or

(f) To promote orderly development;

and any other substantially affected person may, within 14 days after the date of publication of the notice of intent to adopt a rule, file an objection to rulemaking with the department ~~Environmental Regulation Commission~~. The objection shall specify the portions of the proposed rule to which the person objects and the reasons for the objection. The secretary shall not have the authority under this section to adopt those portions of a proposed rule specified in such objection. Objections which are frivolous shall not be considered sufficient to prohibit the secretary from adopting rules under this section.

(5) Whenever all or part of any rule proposed for adoption by the department is substantively identical to a regulation adopted in the Federal Register by the United States Environmental Protection Agency pursuant to federal law, such rule shall be written in a manner so that the rule specifically

references such regulation whenever possible.

Section 32. Subsection (1) of section 403.814, Florida Statutes, is amended to read:

403.814 General permits; delegation.—

(1) The secretary is authorized to adopt rules establishing and providing for a program of general permits under this chapter and chapter 253 ~~and this chapter~~ for projects, or categories of projects, which have, either singly or cumulatively, a minimal adverse environmental effect. Such rules must ~~shall~~ specify design or performance criteria that ~~which~~, if applied, would result in compliance with appropriate standards ~~adopted by the commission~~. Except as provided for in subsection (3), any person complying with the requirements of a general permit may use the permit 30 days after giving notice to the department without any agency action by the department.

Section 33. Paragraph (a) of subsection (1) of section 376.302, Florida Statutes, is amended to read:

376.302 Prohibited acts; penalties.—

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

(a) To discharge pollutants or hazardous substances into or upon the surface or ground waters of the state or lands, which discharge violates any departmental "standard" as defined in s. 403.803 ~~s. 403.803(13)~~.

Section 34. Paragraph (b) of subsection (1) of section 380.5105, Florida Statutes, is amended to read:

380.5105 The Stan Mayfield Working Waterfronts; Florida Forever program.—

(1) Notwithstanding any other provision of this chapter, it

is the intent of the Legislature that the trust shall administer the working waterfronts land acquisition program as set forth in this section.

(b) For projects that will require more than the grant amount awarded for completion, the applicant must identify in their project application funding sources that will provide the difference between the grant award and the estimated project completion cost. Such rules may be incorporated into those developed pursuant to s. 380.507(12) ~~s. 380.507(11)~~.

Section 35. For the purpose of incorporating the amendment made by this act to section 381.0065, Florida Statutes, in a reference thereto, paragraph (k) of subsection (2) of section 381.0066, Florida Statutes, is reenacted to read:

381.0066 Onsite sewage treatment and disposal systems; fees.—

(2) The minimum fees in the following fee schedule apply until changed by rule by the department within the following limits:

(k) Research: An additional $5 fee shall be added to each new system construction permit issued to be used to fund onsite sewage treatment and disposal system research, demonstration, and training projects. Five dollars from any repair permit fee collected under this section shall be used for funding the hands-on training centers described in s. 381.0065(3)(j).

The funds collected pursuant to this subsection for the implementation of onsite sewage treatment and disposal system regulation and for the purposes of ss. 381.00655 and 381.0067, subsequent to any phased transfer of implementation from the

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Department of Health to the department within any county pursuant to s. 381.0065, must be deposited in the Florida Permit Fee Trust Fund under s. 403.0871, to be administered by the department.

Section 36. For the purpose of incorporating the amendment made by this act to section 403.067, Florida Statutes, in a reference thereto, section 373.4595, Florida Statutes, is reenacted to read:

373.4595 Northern Everglades and Estuaries Protection Program.—

(1) FINDINGS AND INTENT.—

(a) The Legislature finds that the Lake Okeechobee watershed, the Caloosahatchee River watershed, and the St. Lucie River watershed are critical water resources of the state, providing many economic, natural habitat, and biodiversity functions benefiting the public interest, including agricultural, public, and environmental water supply; flood control; fishing; navigation and recreation; and habitat to endangered and threatened species and other flora and fauna.

(b) The Legislature finds that changes in land uses, the construction of the Central and Southern Florida Project, and the loss of surface water storage have resulted in adverse changes to the hydrology and water quality of Lake Okeechobee and the Caloosahatchee and St. Lucie Rivers and their estuaries.

(c) The Legislature finds that improvement to the hydrology, water quality, and associated aquatic habitats within the Lake Okeechobee watershed, the Caloosahatchee River watershed, and the St. Lucie River watershed, is essential to the protection of the greater Everglades ecosystem.

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(d) The Legislature also finds that it is imperative for the state, local governments, and agricultural and environmental communities to commit to restoring and protecting the surface water resources of the Lake Okeechobee watershed, the Caloosahatchee River watershed, and the St. Lucie River watershed, and that a watershed-based approach to address these issues must be developed and implemented immediately.

(e) The Legislature finds that phosphorus loads from the Lake Okeechobee watershed have contributed to excessive phosphorus levels throughout the Lake Okeechobee watershed and downstream receiving waters and that a reduction in levels of phosphorus will benefit the ecology of these systems. The excessive levels of phosphorus have also resulted in an accumulation of phosphorus in the sediments of Lake Okeechobee. If not removed, internal phosphorus loads from the sediments are expected to delay responses of the lake to external phosphorus reductions.

(f) The Legislature finds that the Lake Okeechobee phosphorus loads set forth in the total maximum daily loads established in accordance with s. 403.067 represent an appropriate basis for restoration of the Lake Okeechobee watershed.

(g) The Legislature finds that, in addition to phosphorus, other pollutants are contributing to water quality problems in the Lake Okeechobee watershed, the Caloosahatchee River watershed, and the St. Lucie River watershed, and that the total maximum daily load requirements of s. 403.067 provide a means of identifying and addressing these problems.

(h) The Legislature finds that the expeditious

implementation of the Lake Okeechobee Watershed Protection Program, the Caloosahatchee River Watershed Protection Program, and the St. Lucie River Watershed Protection Program is needed to improve the quality, quantity, timing, and distribution of water in the northern Everglades ecosystem and that this section, in conjunction with s. 403.067, including the implementation of the plans developed and approved pursuant to subsections (3) and (4), and any related basin management action plan developed and implemented pursuant to s. 403.067(7)(a), provide a reasonable means of achieving the total maximum daily load requirements and achieving and maintaining compliance with state water quality standards.

(i) The Legislature finds that the implementation of the programs contained in this section is for the benefit of the public health, safety, and welfare and is in the public interest.

(j) The Legislature finds that sufficient research has been conducted and sufficient plans developed to immediately expand and accelerate programs to address the hydrology and water quality in the Lake Okeechobee watershed, the Caloosahatchee River watershed, and the St. Lucie River watershed.

(k) The Legislature finds that a continuing source of funding is needed to effectively implement the programs developed and approved under this section which are needed to address the hydrology and water quality problems within the Lake Okeechobee watershed, the Caloosahatchee River watershed, and the St. Lucie River watershed.

(l) It is the intent of the Legislature to protect and restore surface water resources and achieve and maintain

compliance with water quality standards in the Lake Okeechobee watershed, the Caloosahatchee River watershed, and the St. Lucie River watershed, and downstream receiving waters, through the phased, comprehensive, and innovative protection program set forth in this section which includes long-term solutions based upon the total maximum daily loads established in accordance with s. 403.067. This program shall be watershed-based, shall provide for consideration of all water quality issues needed to meet the total maximum daily load, and shall include research and monitoring, development and implementation of best management practices, refinement of existing regulations, and structural and nonstructural projects, including public works.

(m) It is the intent of the Legislature that this section be implemented in coordination with the Comprehensive Everglades Restoration Plan project components and other federal programs in order to maximize opportunities for the most efficient and timely expenditures of public funds.

(n) It is the intent of the Legislature that the coordinating agencies encourage and support the development of creative public-private partnerships and programs, including opportunities for water storage and quality improvement on private lands and water quality credit trading, to facilitate or further the restoration of the surface water resources of the Lake Okeechobee watershed, the Caloosahatchee River watershed, and the St. Lucie River watershed, consistent with s. 403.067.

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

(a) "Best management practice" means a practice or combination of practices determined by the coordinating agencies, based on research, field-testing, and expert review,

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to be the most effective and practicable on-location means, including economic and technological considerations, for improving water quality in agricultural and urban discharges. Best management practices for agricultural discharges shall reflect a balance between water quality improvements and agricultural productivity.

(b) "Biosolids" means the solid, semisolid, or liquid residue generated during the treatment of domestic wastewater in a domestic wastewater treatment facility, formerly known as "domestic wastewater residuals" or "residuals," and includes products and treated material from biosolids treatment facilities and septage management facilities regulated by the department. The term does not include the treated effluent or reclaimed water from a domestic wastewater treatment facility, solids removed from pump stations and lift stations, screenings and grit removed from the preliminary treatment components of domestic wastewater treatment facilities, or ash generated during the incineration of biosolids.

(c) "Caloosahatchee River watershed" means the Caloosahatchee River, its tributaries, its estuary, and the area within Charlotte, Glades, Hendry, and Lee Counties from which surface water flow is directed or drains, naturally or by constructed works, to the river, its tributaries, or its estuary.

(d) "Coordinating agencies" means the Department of Agriculture and Consumer Services, the Department of Environmental Protection, and the South Florida Water Management District.

(e) "Corps of Engineers" means the United States Army Corps

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of Engineers.

(f) "Department" means the Department of Environmental Protection.

(g) "District" means the South Florida Water Management District.

(h) "Lake Okeechobee Watershed Construction Project" means the construction project developed pursuant to this section.

(i) "Lake Okeechobee Watershed Protection Plan" means the Lake Okeechobee Watershed Construction Project and the Lake Okeechobee Watershed Research and Water Quality Monitoring Program.

(j) "Lake Okeechobee watershed" means Lake Okeechobee, its tributaries, and the area within which surface water flow is directed or drains, naturally or by constructed works, to the lake or its tributaries.

(k) "Northern Everglades" means the Lake Okeechobee watershed, the Caloosahatchee River watershed, and the St. Lucie River watershed.

(l) "Project component" means any structural or operational change, resulting from the Restudy, to the Central and Southern Florida Project as it existed and was operated as of January 1, 1999.

(m) "Restudy" means the Comprehensive Review Study of the Central and Southern Florida Project, for which federal participation was authorized by the Federal Water Resources Development Acts of 1992 and 1996 together with related congressional resolutions and for which participation by the South Florida Water Management District is authorized by s. 373.1501. The term includes all actions undertaken pursuant to

the aforementioned authorizations which will result in recommendations for modifications or additions to the Central and Southern Florida Project.

(n) "River Watershed Protection Plans" means the Caloosahatchee River Watershed Protection Plan and the St. Lucie River Watershed Protection Plan developed pursuant to this section.

(o) "Soil amendment" means any substance or mixture of substances sold or offered for sale for soil enriching or corrective purposes, intended or claimed to be effective in promoting or stimulating plant growth, increasing soil or plant productivity, improving the quality of crops, or producing any chemical or physical change in the soil, except amendments, conditioners, additives, and related products that are derived solely from inorganic sources and that contain no recognized plant nutrients.

(p) "St. Lucie River watershed" means the St. Lucie River, its tributaries, its estuary, and the area within Martin, Okeechobee, and St. Lucie Counties from which surface water flow is directed or drains, naturally or by constructed works, to the river, its tributaries, or its estuary.

(q) "Total maximum daily load" means the sum of the individual wasteload allocations for point sources and the load allocations for nonpoint sources and natural background adopted pursuant to s. 403.067. Before determining individual wasteload allocations and load allocations, the maximum amount of a pollutant that a water body or water segment can assimilate from all sources without exceeding water quality standards must first be calculated.

(3) LAKE OKEECHOBEE WATERSHED PROTECTION PROGRAM.—The Lake Okeechobee Watershed Protection Program shall consist of the Lake Okeechobee Watershed Protection Plan, the Lake Okeechobee Basin Management Action Plan adopted pursuant to s. 403.067, the Lake Okeechobee Exotic Species Control Program, and the Lake Okeechobee Internal Phosphorus Management Program. The Lake Okeechobee Basin Management Action Plan adopted pursuant to s. 403.067 shall be the component of the Lake Okeechobee Watershed Protection Program that achieves phosphorus load reductions for Lake Okeechobee. The Lake Okeechobee Watershed Protection Program shall address the reduction of phosphorus loading to the lake from both internal and external sources. Phosphorus load reductions shall be achieved through a phased program of implementation. In the development and administration of the Lake Okeechobee Watershed Protection Program, the coordinating agencies shall maximize opportunities provided by federal cost-sharing programs and opportunities for partnerships with the private sector.

(a) *Lake Okeechobee Watershed Protection Plan.*—To protect and restore surface water resources, the district, in cooperation with the other coordinating agencies, shall complete a Lake Okeechobee Watershed Protection Plan in accordance with this section and ss. 373.451-373.459. Beginning March 1, 2020, and every 5 years thereafter, the district shall update the Lake Okeechobee Watershed Protection Plan to ensure that it is consistent with the Lake Okeechobee Basin Management Action Plan adopted pursuant to s. 403.067. The Lake Okeechobee Watershed Protection Plan shall identify the geographic extent of the watershed, be coordinated with the plans developed pursuant to

paragraphs (4)(a) and (c), and include the Lake Okeechobee Watershed Construction Project and the Lake Okeechobee Watershed Research and Water Quality Monitoring Program. The plan shall consider and build upon a review and analysis of the performance of projects constructed during Phase I and Phase II of the Lake Okeechobee Watershed Construction Project, pursuant to subparagraph 1.; relevant information resulting from the Lake Okeechobee Basin Management Action Plan, pursuant to paragraph (b); relevant information resulting from the Lake Okeechobee Watershed Research and Water Quality Monitoring Program, pursuant to subparagraph 2.; relevant information resulting from the Lake Okeechobee Exotic Species Control Program, pursuant to paragraph (c); and relevant information resulting from the Lake Okeechobee Internal Phosphorus Management Program, pursuant to paragraph (d).

1. Lake Okeechobee Watershed Construction Project.—To improve the hydrology and water quality of Lake Okeechobee and downstream receiving waters, including the Caloosahatchee and St. Lucie Rivers and their estuaries, the district, in cooperation with the other coordinating agencies, shall design and construct the Lake Okeechobee Watershed Construction Project. The project shall include:

a. Phase I.—Phase I of the Lake Okeechobee Watershed Construction Project shall consist of a series of project features consistent with the recommendations of the South Florida Ecosystem Restoration Working Group's Lake Okeechobee Action Plan. Priority basins for such projects include S-191, S-154, and Pools D and E in the Lower Kissimmee River. To obtain phosphorus load reductions to Lake Okeechobee as soon as

possible, the following actions shall be implemented:

(I) The district shall serve as a full partner with the Corps of Engineers in the design and construction of the Grassy Island Ranch and New Palm Dairy stormwater treatment facilities as components of the Lake Okeechobee Water Retention/Phosphorus Removal Critical Project. The Corps of Engineers shall have the lead in design and construction of these facilities. Should delays be encountered in the implementation of either of these facilities, the district shall notify the department and recommend corrective actions.

(II) The district shall obtain permits and complete construction of two of the isolated wetland restoration projects that are part of the Lake Okeechobee Water Retention/Phosphorus Removal Critical Project. The additional isolated wetland projects included in this critical project shall further reduce phosphorus loading to Lake Okeechobee.

(III) The district shall work with the Corps of Engineers to expedite initiation of the design process for the Taylor Creek/Nubbins Slough Reservoir Assisted Stormwater Treatment Area, a project component of the Comprehensive Everglades Restoration Plan. The district shall propose to the Corps of Engineers that the district take the lead in the design and construction of the Reservoir Assisted Stormwater Treatment Area and receive credit towards the local share of the total cost of the Comprehensive Everglades Restoration Plan.

b. Phase II technical plan and construction.—The district, in cooperation with the other coordinating agencies, shall develop a detailed technical plan for Phase II of the Lake Okeechobee Watershed Construction Project which provides the

basis for the Lake Okeechobee Basin Management Action Plan adopted by the department pursuant to s. 403.067. The detailed technical plan shall include measures for the improvement of the quality, quantity, timing, and distribution of water in the northern Everglades ecosystem, including the Lake Okeechobee watershed and the estuaries, and for facilitating the achievement of water quality standards. Use of cost-effective biologically based, hybrid wetland/chemical and other innovative nutrient control technologies shall be incorporated in the plan where appropriate. The detailed technical plan shall also include a Process Development and Engineering component to finalize the detail and design of Phase II projects and identify additional measures needed to increase the certainty that the overall objectives for improving water quality and quantity can be met. Based on information and recommendations from the Process Development and Engineering component, the Phase II detailed technical plan shall be periodically updated. Phase II shall include construction of additional facilities in the priority basins identified in sub-subparagraph a., as well as facilities for other basins in the Lake Okeechobee watershed. The technical plan shall:

(I) Identify Lake Okeechobee Watershed Construction Project facilities designed to contribute to achieving all applicable total maximum daily loads established pursuant to s. 403.067 within the Lake Okeechobee watershed.

(II) Identify the size and location of all such Lake Okeechobee Watershed Construction Project facilities.

(III) Provide a construction schedule for all such Lake Okeechobee Watershed Construction Project facilities, including

the sequencing and specific timeframe for construction of each Lake Okeechobee Watershed Construction Project facility.

(IV) Provide a schedule for the acquisition of lands or sufficient interests necessary to achieve the construction schedule.

(V) Provide a detailed schedule of costs associated with the construction schedule.

(VI) Identify, to the maximum extent practicable, impacts on wetlands and state-listed species expected to be associated with construction of such facilities, including potential alternatives to minimize and mitigate such impacts, as appropriate.

(VII) Provide for additional measures, including voluntary water storage and quality improvements on private land, to increase water storage and reduce excess water levels in Lake Okeechobee and to reduce excess discharges to the estuaries.

(VIII) Develop the appropriate water quantity storage goal to achieve the desired Lake Okeechobee range of lake levels and inflow volumes to the Caloosahatchee and St. Lucie estuaries while meeting the other water-related needs of the region, including water supply and flood protection.

(IX) Provide for additional source controls needed to enhance performance of the Lake Okeechobee Watershed Construction Project facilities. Such additional source controls shall be incorporated into the Lake Okeechobee Basin Management Action Plan pursuant to paragraph (b).

c. Evaluation.—Within 5 years after the adoption of the Lake Okeechobee Basin Management Action Plan pursuant to s. 403.067 and every 5 years thereafter, the department, in

cooperation with the other coordinating agencies, shall conduct an evaluation of the Lake Okeechobee Watershed Construction Project and identify any further load reductions necessary to achieve compliance with the Lake Okeechobee total maximum daily loads established pursuant to s. 403.067. The district shall identify modifications to facilities of the Lake Okeechobee Watershed Construction Project as appropriate to meet the total maximum daily loads. Modifications to the Lake Okeechobee Watershed Construction Project resulting from this evaluation shall be incorporated into the Lake Okeechobee Basin Management Action Plan and included in the applicable annual progress report submitted pursuant to subsection (6).

d. Coordination and review.—To ensure the timely implementation of the Lake Okeechobee Watershed Construction Project, the design of project facilities shall be coordinated with the department and other interested parties, including affected local governments, to the maximum extent practicable. Lake Okeechobee Watershed Construction Project facilities shall be reviewed and commented upon by the department before the execution of a construction contract by the district for that facility.

2. Lake Okeechobee Watershed Research and Water Quality Monitoring Program.—The coordinating agencies shall implement a Lake Okeechobee Watershed Research and Water Quality Monitoring Program. Results from the program shall be used by the department, in cooperation with the other coordinating agencies, to make modifications to the Lake Okeechobee Basin Management Action Plan adopted pursuant to s. 403.067, as appropriate. The program shall:

a. Evaluate all available existing water quality data concerning total phosphorus in the Lake Okeechobee watershed, develop a water quality baseline to represent existing conditions for total phosphorus, monitor long-term ecological changes, including water quality for total phosphorus, and measure compliance with water quality standards for total phosphorus, including any applicable total maximum daily load for the Lake Okeechobee watershed as established pursuant to s. 403.067. Beginning March 1, 2020, and every 5 years thereafter, the department shall reevaluate water quality and quantity data to ensure that the appropriate projects are being designated and incorporated into the Lake Okeechobee Basin Management Action Plan adopted pursuant to s. 403.067. The district shall implement a total phosphorus monitoring program at appropriate structures owned or operated by the district and within the Lake Okeechobee watershed.

b. Develop a Lake Okeechobee water quality model that reasonably represents the phosphorus dynamics of Lake Okeechobee and incorporates an uncertainty analysis associated with model predictions.

c. Determine the relative contribution of phosphorus from all identifiable sources and all primary and secondary land uses.

d. Conduct an assessment of the sources of phosphorus from the Upper Kissimmee Chain of Lakes and Lake Istokpoga and their relative contribution to the water quality of Lake Okeechobee. The results of this assessment shall be used by the coordinating agencies as part of the Lake Okeechobee Basin Management Action Plan adopted pursuant to s. 403.067 to develop interim measures,

best management practices, or regulations, as applicable.

e. Assess current water management practices within the Lake Okeechobee watershed and develop recommendations for structural and operational improvements. Such recommendations shall balance water supply, flood control, estuarine salinity, maintenance of a healthy lake littoral zone, and water quality considerations.

f. Evaluate the feasibility of alternative nutrient reduction technologies, including sediment traps, canal and ditch maintenance, fish production or other aquaculture, bioenergy conversion processes, and algal or other biological treatment technologies and include any alternative nutrient reduction technologies determined to be feasible in the Lake Okeechobee Basin Management Action Plan adopted pursuant to s. 403.067.

g. Conduct an assessment of the water volumes and timing from the Lake Okeechobee watershed and their relative contribution to the water level changes in Lake Okeechobee and to the timing and volume of water delivered to the estuaries.

(b) *Lake Okeechobee Basin Management Action Plan.*—The Lake Okeechobee Basin Management Action Plan adopted pursuant to s. 403.067 shall be the watershed phosphorus control component for Lake Okeechobee. The Lake Okeechobee Basin Management Action Plan shall be a multifaceted approach designed to achieve the total maximum daily load by improving the management of phosphorus sources within the Lake Okeechobee watershed through implementation of regulations and best management practices, continued development and continued implementation of improved best management practices, improvement and restoration of the

hydrologic function of natural and managed systems, and use of alternative technologies for nutrient reduction. As provided in s. 403.067(7)(a)6., the Lake Okeechobee Basin Management Action Plan must include milestones for implementation and water quality improvement, and an associated water quality monitoring component sufficient to evaluate whether reasonable progress in pollutant load reductions is being achieved over time. An assessment of progress toward these milestones shall be conducted every 5 years and shall be provided to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Revisions to the plan shall be made, as appropriate, as a result of each 5-year review. Revisions to the basin management action plan shall be made by the department in cooperation with the basin stakeholders. Revisions to best management practices or other measures must follow the procedures set forth in s. 403.067(7)(c)4. Revised basin management action plans must be adopted pursuant to s. 403.067(7)(a)5. The department shall develop an implementation schedule establishing 5-year, 10-year, and 15-year measurable milestones and targets to achieve the total maximum daily load no more than 20 years after adoption of the plan. The initial implementation schedule shall be used to provide guidance for planning and funding purposes and is exempt from chapter 120. Upon the first 5-year review, the implementation schedule shall be adopted as part of the plan. If achieving the total maximum daily load within 20 years is not practicable, the implementation schedule must contain an explanation of the constraints that prevent achievement of the total maximum daily load within 20 years, an estimate of the time needed to achieve

the total maximum daily load, and additional 5-year measurable milestones, as necessary. The coordinating agencies shall develop an interagency agreement pursuant to ss. 373.046 and 373.406(5) which is consistent with the department taking the lead on water quality protection measures through the Lake Okeechobee Basin Management Action Plan adopted pursuant to s. 403.067; the district taking the lead on hydrologic improvements pursuant to paragraph (a); and the Department of Agriculture and Consumer Services taking the lead on agricultural interim measures, best management practices, and other measures adopted pursuant to s. 403.067. The interagency agreement must specify how best management practices for nonagricultural nonpoint sources are developed and how all best management practices are implemented and verified consistent with s. 403.067 and this section and must address measures to be taken by the coordinating agencies during any best management practice reevaluation performed pursuant to subparagraphs 5. and 10. The department shall use best professional judgment in making the initial determination of best management practice effectiveness. The coordinating agencies may develop an intergovernmental agreement with local governments to implement nonagricultural nonpoint source best management practices within their respective geographic boundaries. The coordinating agencies shall facilitate the application of federal programs that offer opportunities for water quality treatment, including preservation, restoration, or creation of wetlands on agricultural lands.

1. Agricultural nonpoint source best management practices, developed in accordance with s. 403.067 and designed to achieve

the objectives of the Lake Okeechobee Watershed Protection Program as part of a phased approach of management strategies within the Lake Okeechobee Basin Management Action Plan, shall be implemented on an expedited basis.

2. As provided in s. 403.067, the Department of Agriculture and Consumer Services, in consultation with the department, the district, and affected parties, shall initiate rule development for interim measures, best management practices, conservation plans, nutrient management plans, or other measures necessary for Lake Okeechobee watershed total maximum daily load reduction. The rule shall include thresholds for requiring conservation and nutrient management plans and criteria for the contents of such plans. Development of agricultural nonpoint source best management practices shall initially focus on those priority basins listed in sub-subparagraph (a)1.a. The Department of Agriculture and Consumer Services, in consultation with the department, the district, and affected parties, shall conduct an ongoing program for improvement of existing and development of new agricultural nonpoint source interim measures and best management practices. The Department of Agriculture and Consumer Services shall adopt such practices by rule. The Department of Agriculture and Consumer Services shall work with the University of Florida Institute of Food and Agriculture Sciences to review and, where appropriate, develop revised nutrient application rates for all agricultural soil amendments in the watershed.

3. As provided in s. 403.067, where agricultural nonpoint source best management practices or interim measures have been adopted by rule of the Department of Agriculture and Consumer

Services, the owner or operator of an agricultural nonpoint source addressed by such rule shall either implement interim measures or best management practices or demonstrate compliance with state water quality standards addressed by the Lake Okeechobee Basin Management Action Plan adopted pursuant to s. 403.067 by conducting monitoring prescribed by the department or the district. Owners or operators of agricultural nonpoint sources who implement interim measures or best management practices adopted by rule of the Department of Agriculture and Consumer Services shall be subject to s. 403.067.

4. The district or department shall conduct monitoring at representative sites to verify the effectiveness of agricultural nonpoint source best management practices.

5. Where water quality problems are detected for agricultural nonpoint sources despite the appropriate implementation of adopted best management practices, a reevaluation of the best management practices shall be conducted pursuant to s. 403.067(7)(c)4. If the reevaluation determines that the best management practices or other measures require modification, the rule shall be revised to require implementation of the modified practice within a reasonable period as specified in the rule.

6. As provided in s. 403.067, nonagricultural nonpoint source best management practices, developed in accordance with s. 403.067 and designed to achieve the objectives of the Lake Okeechobee Watershed Protection Program as part of a phased approach of management strategies within the Lake Okeechobee Basin Management Action Plan, shall be implemented on an expedited basis.

7. The department and the district are directed to work with the University of Florida Institute of Food and Agricultural Sciences to develop appropriate nutrient application rates for all nonagricultural soil amendments in the watershed. As provided in s. 403.067, the department, in consultation with the district and affected parties, shall develop nonagricultural nonpoint source interim measures, best management practices, or other measures necessary for Lake Okeechobee watershed total maximum daily load reduction. Development of nonagricultural nonpoint source best management practices shall initially focus on those priority basins listed in sub-subparagraph (a)1.a. The department, the district, and affected parties shall conduct an ongoing program for improvement of existing and development of new interim measures and best management practices. The department or the district shall adopt such practices by rule.

8. Where nonagricultural nonpoint source best management practices or interim measures have been developed by the department and adopted by the district, the owner or operator of a nonagricultural nonpoint source shall implement interim measures or best management practices and be subject to s. 403.067.

9. As provided in s. 403.067, the district or the department shall conduct monitoring at representative sites to verify the effectiveness of nonagricultural nonpoint source best management practices.

10. Where water quality problems are detected for nonagricultural nonpoint sources despite the appropriate implementation of adopted best management practices, a

reevaluation of the best management practices shall be conducted pursuant to s. 403.067(7)(c)4. If the reevaluation determines that the best management practices or other measures require modification, the rule shall be revised to require implementation of the modified practice within a reasonable time period as specified in the rule.

11. Subparagraphs 2. and 7. do not preclude the department or the district from requiring compliance with water quality standards or with current best management practices requirements set forth in any applicable regulatory program authorized by law for the purpose of protecting water quality. Subparagraphs 2. and 7. are applicable only to the extent that they do not conflict with any rules adopted by the department that are necessary to maintain a federally delegated or approved program.

12. The program of agricultural best management practices set forth in the Everglades Program of the district meets the requirements of this paragraph and s. 403.067(7) for the Lake Okeechobee watershed. An entity in compliance with the best management practices set forth in the Everglades Program of the district may elect to use that permit in lieu of the requirements of this paragraph. The provisions of subparagraph 5. apply to this subparagraph. This subparagraph does not alter any requirement of s. 373.4592.

13. The Department of Agriculture and Consumer Services, in cooperation with the department and the district, shall provide technical and financial assistance for implementation of agricultural best management practices, subject to the availability of funds. The department and district shall provide technical and financial assistance for implementation of

nonagricultural nonpoint source best management practices, subject to the availability of funds.

14. Projects that reduce the phosphorus load originating from domestic wastewater systems within the Lake Okeechobee watershed shall be given funding priority in the department's revolving loan program under s. 403.1835. The department shall coordinate and provide assistance to those local governments seeking financial assistance for such priority projects.

15. Projects that make use of private lands, or lands held in trust for Indian tribes, to reduce nutrient loadings or concentrations within a basin by one or more of the following methods: restoring the natural hydrology of the basin, restoring wildlife habitat or impacted wetlands, reducing peak flows after storm events, increasing aquifer recharge, or protecting range and timberland from conversion to development, are eligible for grants available under this section from the coordinating agencies. For projects of otherwise equal priority, special funding priority will be given to those projects that make best use of the methods outlined above that involve public-private partnerships or that obtain federal match money. Preference ranking above the special funding priority will be given to projects located in a rural area of opportunity designated by the Governor. Grant applications may be submitted by any person or tribal entity, and eligible projects may include, but are not limited to, the purchase of conservation and flowage easements, hydrologic restoration of wetlands, creating treatment wetlands, development of a management plan for natural resources, and financial support to implement a management plan.

16. The department shall require all entities disposing of

domestic wastewater biosolids within the Lake Okeechobee watershed and the remaining areas of Okeechobee, Glades, and Hendry Counties to develop and submit to the department an agricultural use plan that limits applications based upon phosphorus loading consistent with the Lake Okeechobee Basin Management Action Plan adopted pursuant to s. 403.067. The department may not authorize the disposal of domestic wastewater biosolids within the Lake Okeechobee watershed unless the applicant can affirmatively demonstrate that the phosphorus in the biosolids will not add to phosphorus loadings in Lake Okeechobee or its tributaries. This demonstration shall be based on achieving a net balance between phosphorus imports relative to exports on the permitted application site. Exports shall include only phosphorus removed from the Lake Okeechobee watershed through products generated on the permitted application site. This prohibition does not apply to Class AA biosolids that are marketed and distributed as fertilizer products in accordance with department rule.

17. Private and government-owned utilities within Monroe, Miami-Dade, Broward, Palm Beach, Martin, St. Lucie, Indian River, Okeechobee, Highlands, Hendry, and Glades Counties that dispose of wastewater biosolids sludge from utility operations and septic removal by land spreading in the Lake Okeechobee watershed may use a line item on local sewer rates to cover wastewater biosolids treatment and disposal if such disposal and treatment is done by approved alternative treatment methodology at a facility located within the areas designated by the Governor as rural areas of opportunity pursuant to s. 288.0656. This additional line item is an environmental protection

disposal fee above the present sewer rate and may not be considered a part of the present sewer rate to customers, notwithstanding provisions to the contrary in chapter 367. The fee shall be established by the county commission or its designated assignee in the county in which the alternative method treatment facility is located. The fee shall be calculated to be no higher than that necessary to recover the facility's prudent cost of providing the service. Upon request by an affected county commission, the Florida Public Service Commission will provide assistance in establishing the fee. Further, for utilities and utility authorities that use the additional line item environmental protection disposal fee, such fee may not be considered a rate increase under the rules of the Public Service Commission and shall be exempt from such rules. Utilities using this section may immediately include in their sewer invoicing the new environmental protection disposal fee. Proceeds from this environmental protection disposal fee shall be used for treatment and disposal of wastewater biosolids, including any treatment technology that helps reduce the volume of biosolids that require final disposal, but such proceeds may not be used for transportation or shipment costs for disposal or any costs relating to the land application of biosolids in the Lake Okeechobee watershed.

18. No less frequently than once every 3 years, the Florida Public Service Commission or the county commission through the services of an independent auditor shall perform a financial audit of all facilities receiving compensation from an environmental protection disposal fee. The Florida Public Service Commission or the county commission through the services

of an independent auditor shall also perform an audit of the methodology used in establishing the environmental protection disposal fee. The Florida Public Service Commission or the county commission shall, within 120 days after completion of an audit, file the audit report with the President of the Senate and the Speaker of the House of Representatives and shall provide copies to the county commissions of the counties set forth in subparagraph 17. The books and records of any facilities receiving compensation from an environmental protection disposal fee shall be open to the Florida Public Service Commission and the Auditor General for review upon request.

19. The Department of Health shall require all entities disposing of septage within the Lake Okeechobee watershed to develop and submit to that agency an agricultural use plan that limits applications based upon phosphorus loading consistent with the Lake Okeechobee Basin Management Action Plan adopted pursuant to s. 403.067.

20. The Department of Agriculture and Consumer Services shall initiate rulemaking requiring entities within the Lake Okeechobee watershed which land-apply animal manure to develop resource management system level conservation plans, according to United States Department of Agriculture criteria, which limit such application. Such rules must include criteria and thresholds for the requirement to develop a conservation or nutrient management plan, requirements for plan approval, site inspection requirements, and recordkeeping requirements.

21. The district shall revise chapter 40E-61, Florida Administrative Code, to be consistent with this section and s.

403.067; provide for a monitoring program for nonpoint source dischargers required to monitor water quality by s. 403.067; and provide for the results of such monitoring to be reported to the coordinating agencies.

(c) *Lake Okeechobee Exotic Species Control Program.*—The coordinating agencies shall identify the exotic species that threaten the native flora and fauna within the Lake Okeechobee watershed and develop and implement measures to protect the native flora and fauna.

(d) *Lake Okeechobee Internal Phosphorus Management Program.*—The district, in cooperation with the other coordinating agencies and interested parties, shall evaluate the feasibility of Lake Okeechobee internal phosphorus load removal projects. The evaluation shall be based on technical feasibility, as well as economic considerations, and shall consider all reasonable methods of phosphorus removal. If projects are found to be feasible, the district shall immediately pursue the design, funding, and permitting for implementing such projects.

(e) *Lake Okeechobee Watershed Protection Program implementation.*—The coordinating agencies shall be jointly responsible for implementing the Lake Okeechobee Watershed Protection Program, consistent with the statutory authority and responsibility of each agency. Annual funding priorities shall be jointly established, and the highest priority shall be assigned to programs and projects that address sources that have the highest relative contribution to loading and the greatest potential for reductions needed to meet the total maximum daily loads. In determining funding priorities, the coordinating

agencies shall also consider the need for regulatory compliance, the extent to which the program or project is ready to proceed, and the availability of federal matching funds or other nonstate funding, including public-private partnerships. Federal and other nonstate funding shall be maximized to the greatest extent practicable.

(f) *Priorities and implementation schedules.*—The coordinating agencies are authorized and directed to establish priorities and implementation schedules for the achievement of total maximum daily loads, compliance with the requirements of s. 403.067, and compliance with applicable water quality standards within the waters and watersheds subject to this section.

(4) CALOOSAHATCHEE RIVER WATERSHED PROTECTION PROGRAM AND ST. LUCIE RIVER WATERSHED PROTECTION PROGRAM.—A protection program shall be developed and implemented as specified in this subsection. To protect and restore surface water resources, the program shall address the reduction of pollutant loadings, restoration of natural hydrology, and compliance with applicable state water quality standards. The program shall be achieved through a phased program of implementation. In addition, pollutant load reductions based upon adopted total maximum daily loads established in accordance with s. 403.067 shall serve as a program objective. In the development and administration of the program, the coordinating agencies shall maximize opportunities provided by federal and local government cost-sharing programs and opportunities for partnerships with the private sector and local government. The program shall include a goal for salinity envelopes and freshwater inflow targets for the estuaries based

upon existing research and documentation. The goal may be revised as new information is available. This goal shall seek to reduce the frequency and duration of undesirable salinity ranges while meeting the other water-related needs of the region, including water supply and flood protection, while recognizing the extent to which water inflows are within the control and jurisdiction of the district.

(a) *Caloosahatchee River Watershed Protection Plan.*—The district, in cooperation with the other coordinating agencies, Lee County, and affected counties and municipalities, shall complete a River Watershed Protection Plan in accordance with this subsection. The Caloosahatchee River Watershed Protection Plan shall identify the geographic extent of the watershed, be coordinated as needed with the plans developed pursuant to paragraph (3)(a) and paragraph (c) of this subsection, and include the Caloosahatchee River Watershed Construction Project and the Caloosahatchee River Watershed Research and Water Quality Monitoring Program.

1. Caloosahatchee River Watershed Construction Project.—To improve the hydrology, water quality, and aquatic habitats within the watershed, the district shall, no later than January 1, 2012, plan, design, and construct the initial phase of the Watershed Construction Project. In doing so, the district shall:

a. Develop and designate the facilities to be constructed to achieve stated goals and objectives of the Caloosahatchee River Watershed Protection Plan.

b. Conduct scientific studies that are necessary to support the design of the Caloosahatchee River Watershed Construction Project facilities.

c. Identify the size and location of all such facilities.

d. Provide a construction schedule for all such facilities, including the sequencing and specific timeframe for construction of each facility.

e. Provide a schedule for the acquisition of lands or sufficient interests necessary to achieve the construction schedule.

f. Provide a schedule of costs and benefits associated with each construction project and identify funding sources.

g. To ensure timely implementation, coordinate the design, scheduling, and sequencing of project facilities with the coordinating agencies, Lee County, other affected counties and municipalities, and other affected parties.

2. Caloosahatchee River Watershed Research and Water Quality Monitoring Program.—The district, in cooperation with the other coordinating agencies and local governments, shall implement a Caloosahatchee River Watershed Research and Water Quality Monitoring Program that builds upon the district's existing research program and that is sufficient to carry out, comply with, or assess the plans, programs, and other responsibilities created by this subsection. The program shall also conduct an assessment of the water volumes and timing from Lake Okeechobee and the Caloosahatchee River watershed and their relative contributions to the timing and volume of water delivered to the estuary.

(b) *Caloosahatchee River Watershed Basin Management Action Plans.*—The basin management action plans adopted pursuant to s. 403.067 for the Caloosahatchee River watershed shall be the Caloosahatchee River Watershed Pollutant Control Program. The

plans shall be designed to be a multifaceted approach to reducing pollutant loads by improving the management of pollutant sources within the Caloosahatchee River watershed through implementation of regulations and best management practices, development and implementation of improved best management practices, improvement and restoration of the hydrologic function of natural and managed systems, and utilization of alternative technologies for pollutant reduction, such as cost-effective biologically based, hybrid wetland/chemical and other innovative nutrient control technologies. As provided in s. 403.067(7)(a)6., the Caloosahatchee River Watershed Basin Management Action Plans must include milestones for implementation and water quality improvement, and an associated water quality monitoring component sufficient to evaluate whether reasonable progress in pollutant load reductions is being achieved over time. An assessment of progress toward these milestones shall be conducted every 5 years and shall be provided to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Revisions to the plans shall be made, as appropriate, as a result of each 5-year review. Revisions to the basin management action plans shall be made by the department in cooperation with the basin stakeholders. Revisions to best management practices or other measures must follow the procedures set forth in s. 403.067(7)(c)4. Revised basin management action plans must be adopted pursuant to s. 403.067(7)(a)5. The department shall develop an implementation schedule establishing 5-year, 10-year, and 15-year measurable milestones and targets to achieve the total maximum daily load

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no more than 20 years after adoption of the plan. The initial implementation schedule shall be used to provide guidance for planning and funding purposes and is exempt from chapter 120. Upon the first 5-year review, the implementation schedule shall be adopted as part of the plans. If achieving the total maximum daily load within 20 years is not practicable, the implementation schedule must contain an explanation of the constraints that prevent achievement of the total maximum daily load within 20 years, an estimate of the time needed to achieve the total maximum daily load, and additional 5-year measurable milestones, as necessary. The coordinating agencies shall facilitate the use of federal programs that offer opportunities for water quality treatment, including preservation, restoration, or creation of wetlands on agricultural lands.

1. Nonpoint source best management practices consistent with s. 403.067, designed to achieve the objectives of the Caloosahatchee River Watershed Protection Program, shall be implemented on an expedited basis. The coordinating agencies may develop an intergovernmental agreement with local governments to implement the nonagricultural, nonpoint source best management practices within their respective geographic boundaries.

2. This subsection does not preclude the department or the district from requiring compliance with water quality standards, adopted total maximum daily loads, or current best management practices requirements set forth in any applicable regulatory program authorized by law for the purpose of protecting water quality. This subsection applies only to the extent that it does not conflict with any rules adopted by the department or district which are necessary to maintain a federally delegated

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or approved program.

3. Projects that make use of private lands, or lands held in trust for Indian tribes, to reduce pollutant loadings or concentrations within a basin, or that reduce the volume of harmful discharges by one or more of the following methods: restoring the natural hydrology of the basin, restoring wildlife habitat or impacted wetlands, reducing peak flows after storm events, or increasing aquifer recharge, are eligible for grants available under this section from the coordinating agencies.

4. The Caloosahatchee River Watershed Basin Management Action Plans shall require assessment of current water management practices within the watershed and shall require development of recommendations for structural, nonstructural, and operational improvements. Such recommendations shall consider and balance water supply, flood control, estuarine salinity, aquatic habitat, and water quality considerations.

5. The department may not authorize the disposal of domestic wastewater biosolids within the Caloosahatchee River watershed unless the applicant can affirmatively demonstrate that the nutrients in the biosolids will not add to nutrient loadings in the watershed. This demonstration shall be based on achieving a net balance between nutrient imports relative to exports on the permitted application site. Exports shall include only nutrients removed from the watershed through products generated on the permitted application site. This prohibition does not apply to Class AA biosolids that are marketed and distributed as fertilizer products in accordance with department rule.

6. The Department of Health shall require all entities

disposing of septage within the Caloosahatchee River watershed to develop and submit to that agency an agricultural use plan that limits applications based upon nutrient loading consistent with any basin management action plan adopted pursuant to s. 403.067.

7. The Department of Agriculture and Consumer Services shall require entities within the Caloosahatchee River watershed which land-apply animal manure to develop a resource management system level conservation plan, according to United States Department of Agriculture criteria, which limit such application. Such rules shall include criteria and thresholds for the requirement to develop a conservation or nutrient management plan, requirements for plan approval, site inspection requirements, and recordkeeping requirements.

8. The district shall initiate rulemaking to provide for a monitoring program for nonpoint source dischargers required to monitor water quality pursuant to s. 403.067(7)(b)2.g. or (c)3. The results of such monitoring must be reported to the coordinating agencies.

(c) *St. Lucie River Watershed Protection Plan.*—The district, in cooperation with the other coordinating agencies, Martin County, and affected counties and municipalities shall complete a plan in accordance with this subsection. The St. Lucie River Watershed Protection Plan shall identify the geographic extent of the watershed, be coordinated as needed with the plans developed pursuant to paragraph (3)(a) and paragraph (a) of this subsection, and include the St. Lucie River Watershed Construction Project and St. Lucie River Watershed Research and Water Quality Monitoring Program.

1. St. Lucie River Watershed Construction Project.—To improve the hydrology, water quality, and aquatic habitats within the watershed, the district shall, no later than January 1, 2012, plan, design, and construct the initial phase of the Watershed Construction Project. In doing so, the district shall:

a. Develop and designate the facilities to be constructed to achieve stated goals and objectives of the St. Lucie River Watershed Protection Plan.

b. Identify the size and location of all such facilities.

c. Provide a construction schedule for all such facilities, including the sequencing and specific timeframe for construction of each facility.

d. Provide a schedule for the acquisition of lands or sufficient interests necessary to achieve the construction schedule.

e. Provide a schedule of costs and benefits associated with each construction project and identify funding sources.

f. To ensure timely implementation, coordinate the design, scheduling, and sequencing of project facilities with the coordinating agencies, Martin County, St. Lucie County, other interested parties, and other affected local governments.

2. St. Lucie River Watershed Research and Water Quality Monitoring Program.—The district, in cooperation with the other coordinating agencies and local governments, shall establish a St. Lucie River Watershed Research and Water Quality Monitoring Program that builds upon the district's existing research program and that is sufficient to carry out, comply with, or assess the plans, programs, and other responsibilities created by this subsection. The district shall also conduct an

assessment of the water volumes and timing from Lake Okeechobee and the St. Lucie River watershed and their relative contributions to the timing and volume of water delivered to the estuary.

(d) *St. Lucie River Watershed Basin Management Action Plan*.—The basin management action plan for the St. Lucie River watershed adopted pursuant to s. 403.067 shall be the St. Lucie River Watershed Pollutant Control Program and shall be designed to be a multifaceted approach to reducing pollutant loads by improving the management of pollutant sources within the St. Lucie River watershed through implementation of regulations and best management practices, development and implementation of improved best management practices, improvement and restoration of the hydrologic function of natural and managed systems, and use of alternative technologies for pollutant reduction, such as cost-effective biologically based, hybrid wetland/chemical and other innovative nutrient control technologies. As provided in s. 403.067(7)(a)6., the St. Lucie River Watershed Basin Management Action Plan must include milestones for implementation and water quality improvement, and an associated water quality monitoring component sufficient to evaluate whether reasonable progress in pollutant load reductions is being achieved over time. An assessment of progress toward these milestones shall be conducted every 5 years and shall be provided to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Revisions to the plan shall be made, as appropriate, as a result of each 5-year review. Revisions to the basin management action plan shall be made by the department in cooperation with the basin

stakeholders. Revisions to best management practices or other measures must follow the procedures set forth in s. 403.067(7)(c)4. Revised basin management action plans must be adopted pursuant to s. 403.067(7)(a)5. The department shall develop an implementation schedule establishing 5-year, 10-year, and 15-year measurable milestones and targets to achieve the total maximum daily load no more than 20 years after adoption of the plan. The initial implementation schedule shall be used to provide guidance for planning and funding purposes and is exempt from chapter 120. Upon the first 5-year review, the implementation schedule shall be adopted as part of the plan. If achieving the total maximum daily load within 20 years is not practicable, the implementation schedule must contain an explanation of the constraints that prevent achievement of the total maximum daily load within 20 years, an estimate of the time needed to achieve the total maximum daily load, and additional 5-year measurable milestones, as necessary. The coordinating agencies shall facilitate the use of federal programs that offer opportunities for water quality treatment, including preservation, restoration, or creation of wetlands on agricultural lands.

1. Nonpoint source best management practices consistent with s. 403.067, designed to achieve the objectives of the St. Lucie River Watershed Protection Program, shall be implemented on an expedited basis. The coordinating agencies may develop an intergovernmental agreement with local governments to implement the nonagricultural nonpoint source best management practices within their respective geographic boundaries.

2. This subsection does not preclude the department or the

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district from requiring compliance with water quality standards, adopted total maximum daily loads, or current best management practices requirements set forth in any applicable regulatory program authorized by law for the purpose of protecting water quality. This subsection applies only to the extent that it does not conflict with any rules adopted by the department or district which are necessary to maintain a federally delegated or approved program.

3. Projects that make use of private lands, or lands held in trust for Indian tribes, to reduce pollutant loadings or concentrations within a basin, or that reduce the volume of harmful discharges by one or more of the following methods: restoring the natural hydrology of the basin, restoring wildlife habitat or impacted wetlands, reducing peak flows after storm events, or increasing aquifer recharge, are eligible for grants available under this section from the coordinating agencies.

4. The St. Lucie River Watershed Basin Management Action Plan shall require assessment of current water management practices within the watershed and shall require development of recommendations for structural, nonstructural, and operational improvements. Such recommendations shall consider and balance water supply, flood control, estuarine salinity, aquatic habitat, and water quality considerations.

5. The department may not authorize the disposal of domestic wastewater biosolids within the St. Lucie River watershed unless the applicant can affirmatively demonstrate that the nutrients in the biosolids will not add to nutrient loadings in the watershed. This demonstration shall be based on achieving a net balance between nutrient imports relative to

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exports on the permitted application site. Exports shall include only nutrients removed from the St. Lucie River watershed through products generated on the permitted application site. This prohibition does not apply to Class AA biosolids that are marketed and distributed as fertilizer products in accordance with department rule.

6. The Department of Health shall require all entities disposing of septage within the St. Lucie River watershed to develop and submit to that agency an agricultural use plan that limits applications based upon nutrient loading consistent with any basin management action plan adopted pursuant to s. 403.067.

7. The Department of Agriculture and Consumer Services shall initiate rulemaking requiring entities within the St. Lucie River watershed which land-apply animal manure to develop a resource management system level conservation plan, according to United States Department of Agriculture criteria, which limit such application. Such rules shall include criteria and thresholds for the requirement to develop a conservation or nutrient management plan, requirements for plan approval, site inspection requirements, and recordkeeping requirements.

8. The district shall initiate rulemaking to provide for a monitoring program for nonpoint source dischargers required to monitor water quality pursuant to s. 403.067(7)(b)2.g. or (c)3. The results of such monitoring must be reported to the coordinating agencies.

(e) *River Watershed Protection Plan implementation.*—The coordinating agencies shall be jointly responsible for implementing the River Watershed Protection Plans, consistent with the statutory authority and responsibility of each agency.

Annual funding priorities shall be jointly established, and the highest priority shall be assigned to programs and projects that have the greatest potential for achieving the goals and objectives of the plans. In determining funding priorities, the coordinating agencies shall also consider the need for regulatory compliance, the extent to which the program or project is ready to proceed, and the availability of federal or local government matching funds. Federal and other nonstate funding shall be maximized to the greatest extent practicable.

(f) *Evaluation.*—Beginning March 1, 2020, and every 5 years thereafter, concurrent with the updates of the basin management action plans adopted pursuant to s. 403.067, the department, in cooperation with the other coordinating agencies, shall conduct an evaluation of any pollutant load reduction goals, as well as any other specific objectives and goals, as stated in the River Watershed Protection Programs. The district shall identify modifications to facilities of the River Watershed Construction Projects, as appropriate, or any other elements of the River Watershed Protection Programs. The evaluation shall be included in the annual progress report submitted pursuant to this section.

(g) *Priorities and implementation schedules.*—The coordinating agencies are authorized and directed to establish priorities and implementation schedules for the achievement of total maximum daily loads, the requirements of s. 403.067, and compliance with applicable water quality standards within the waters and watersheds subject to this section.

(5) ADOPTION AND IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS AND DEVELOPMENT OF BASIN MANAGEMENT ACTION PLANS.—The

department is directed to expedite development and adoption of total maximum daily loads for the Caloosahatchee River and estuary. The department is further directed to propose for final agency action total maximum daily loads for nutrients in the tidal portions of the Caloosahatchee River and estuary. The department shall initiate development of basin management action plans for Lake Okeechobee, the Caloosahatchee River watershed and estuary, and the St. Lucie River watershed and estuary as provided in s. 403.067 as follows:

(a) Basin management action plans shall be developed as soon as practicable as determined necessary by the department to achieve the total maximum daily loads established for the Lake Okeechobee watershed and the estuaries.

(b) The Phase II technical plan development pursuant to paragraph (3)(a), and the River Watershed Protection Plans developed pursuant to paragraphs (4)(a) and (c), shall provide the basis for basin management action plans developed by the department.

(c) As determined necessary by the department to achieve the total maximum daily loads, additional or modified projects or programs that complement those in the legislatively ratified plans may be included during the development of the basin management action plan.

(d) As provided in s. 403.067, management strategies and pollution reduction requirements set forth in a basin management action plan subject to permitting by the department under subsection (7) must be completed pursuant to the schedule set forth in the basin management action plan, as amended. The implementation schedule may extend beyond the 5-year permit

term.

(e) As provided in s. 403.067, management strategies and pollution reduction requirements set forth in a basin management action plan for a specific pollutant of concern are not subject to challenge under chapter 120 at the time they are incorporated, in an identical form, into a department or district issued permit or a permit modification issued in accordance with subsection (7).

(6) ANNUAL PROGRESS REPORT.—Each March 1, the district, in cooperation with the other coordinating agencies, shall report on implementation of this section as part of the consolidated annual report required in s. 373.036(7). The annual report shall include a summary of the conditions of the hydrology, water quality, and aquatic habitat in the northern Everglades based on the results of the Research and Water Quality Monitoring Programs, the status of the Lake Okeechobee Watershed Construction Project, the status of the Caloosahatchee River Watershed Construction Project, and the status of the St. Lucie River Watershed Construction Project. In addition, the report shall contain an annual accounting of the expenditure of funds from the Save Our Everglades Trust Fund. At a minimum, the annual report shall provide detail by program and plan, including specific information concerning the amount and use of funds from federal, state, or local government sources. In detailing the use of these funds, the district shall indicate those designated to meet requirements for matching funds. The district shall prepare the report in cooperation with the other coordinating agencies and affected local governments. The department shall report on the status of the Lake Okeechobee

Basin Management Action Plan, the Caloosahatchee River Watershed Basin Management Action Plan, and the St. Lucie River Watershed Basin Management Action Plan. The Department of Agriculture and Consumer Services shall report on the status of the implementation of the agricultural nonpoint source best management practices, including an implementation assurance report summarizing survey responses and response rates, site inspections, and other methods used to verify implementation of and compliance with best management practices in the Lake Okeechobee, Caloosahatchee River, and St. Lucie River watersheds.

(7) LAKE OKEECHOBEE PROTECTION PERMITS.—

(a) The Legislature finds that the Lake Okeechobee Watershed Protection Program will benefit Lake Okeechobee and downstream receiving waters and is in the public interest. The Lake Okeechobee Watershed Construction Project and structures discharging into or from Lake Okeechobee shall be constructed, operated, and maintained in accordance with this section.

(b) Permits obtained pursuant to this section are in lieu of all other permits under this chapter or chapter 403, except those issued under s. 403.0885, if applicable. Additional permits are not required for the Lake Okeechobee Watershed Construction Project, or structures discharging into or from Lake Okeechobee, if such project or structures are permitted under this section. Construction activities related to implementation of the Lake Okeechobee Watershed Construction Project may be initiated before final agency action, or notice of intended agency action, on any permit from the department under this section.

(c)1. Owners or operators of existing structures which discharge into or from Lake Okeechobee that were subject to Department Consent Orders 91-0694, 91-0705, 91-0706, 91-0707, and RT50-205564 and that are subject to s. 373.4592(4)(a) do not require a permit under this section and shall be governed by permits issued under ss. 373.413 and 373.416 and the Lake Okeechobee Basin Management Action Plan adopted pursuant to s. 403.067.

2. For the purposes of this paragraph, owners and operators of existing structures which are subject to s. 373.4592(4)(a) and which discharge into or from Lake Okeechobee shall be deemed in compliance with this paragraph if they are in full compliance with the conditions of permits under chapter 40E-63, Florida Administrative Code.

3. By January 1, 2017, the district shall submit to the department a complete application for a permit modification to the Lake Okeechobee structure permits to incorporate proposed changes necessary to ensure that discharges through the structures covered by this permit are consistent with the basin management action plan adopted pursuant to s. 403.067.

(d) The department shall require permits for district regional projects that are part of the Lake Okeechobee Watershed Construction Project. However, projects that qualify as exempt pursuant to s. 373.406 do not require permits under this section. Such permits shall be issued for a term of 5 years upon the demonstration of reasonable assurances that:

1. District regional projects that are part of the Lake Okeechobee Watershed Construction Project shall achieve the design objectives for phosphorus required in subparagraph

(3)(a)1.;

2. For water quality standards other than phosphorus, the quality of water discharged from the facility is of equal or better quality than the inflows;

3. Discharges from the facility do not pose a serious danger to public health, safety, or welfare; and

4. Any impacts on wetlands or state-listed species resulting from implementation of that facility of the Lake Okeechobee Construction Project are minimized and mitigated, as appropriate.

(e) At least 60 days before the expiration of any permit issued under this section, the permittee may apply for a renewal thereof for a period of 5 years.

(f) Permits issued under this section may include any standard conditions provided by department rule which are appropriate and consistent with this section.

(g) Permits issued under this section may be modified, as appropriate, upon review and approval by the department.

(8) RESTRICTIONS ON WATER DIVERSIONS.—The South Florida Water Management District shall not divert waters to the St. Lucie River, the Indian River estuary, the Caloosahatchee River or its estuary, or the Everglades National Park, in such a way that the state water quality standards are violated, that the nutrients in such diverted waters adversely affect indigenous vegetation communities or wildlife, or that fresh waters diverted to the St. Lucie River or the Caloosahatchee or Indian River estuaries adversely affect the estuarine vegetation or wildlife, unless the receiving waters will biologically benefit by the diversion. However, diversion is permitted when an

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emergency is declared by the water management district, if the Secretary of Environmental Protection concurs.

(9) PRESERVATION OF PROVISIONS RELATING TO THE EVERGLADES.—Nothing in this section shall be construed to modify any provision of s. 373.4592.

(10) RIGHTS OF SEMINOLE TRIBE OF FLORIDA.—Nothing in this section is intended to diminish or alter the governmental authority and powers of the Seminole Tribe of Florida, or diminish or alter the rights of that tribe, including, but not limited to, rights under the water rights compact among the Seminole Tribe of Florida, the state, and the South Florida Water Management District as enacted by Pub. L. No. 100-228, 101 Stat. 1556, and chapter 87-292, Laws of Florida, and codified in s. 285.165, and rights under any other agreement between the Seminole Tribe of Florida and the state or its agencies. No land of the Seminole Tribe of Florida shall be used for water storage or stormwater treatment without the consent of the tribe.

(11) RELATIONSHIP TO STATE WATER QUALITY STANDARDS.—Nothing in this section shall be construed to modify any existing state water quality standard or to modify the provisions of s. 403.067(6) and (7)(a).

(12) RULES.—The governing board of the district is authorized to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section.

(13) PRESERVATION OF AUTHORITY.—Nothing in this section shall be construed to restrict the authority otherwise granted to agencies pursuant to this chapter and chapter 403, and provisions of this section shall be deemed supplemental to the authority granted to agencies pursuant to this chapter and

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chapter 403.

Section 37. For the purpose of incorporating the amendment made by this act to section 403.0872, Florida Statutes, in a reference thereto, section 403.0873, Florida Statutes, is reenacted to read:

403.0873 Florida Air-Operation License Fee Account.—The "Florida Air-Operation License Fee Account" is established as a nonlapsing account within the Department of Environmental Protection's Air Pollution Control Trust Fund. All license fees paid pursuant to s. 403.0872(11) shall be deposited in such account and must be used solely by the department and approved local programs under the advice and consent of the Legislature to pay the direct and indirect costs required to develop and administer the major stationary source air-operation permit program. Any approved local pollution control program that accepts funds from the department as reimbursement for services it performs in the implementation of the major source air-operation permit program, receives delegation from the department or the United States Environmental Protection Agency for implementation of the major source air-operation permit program, or performs functions, duties, or activities substantially similar to or duplicative of the services performed by the department or the United States Environmental Protection Agency in the implementation of the major source air-operation permit program is prohibited from collecting additional fees attributable to such services from any source permitted under s. 403.0872.

Section 38. For the purpose of incorporating the amendment made by this act to section 403.1838, Florida Statutes, in a

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reference thereto, paragraph (d) of subsection (3) of section 403.1835, Florida Statutes, is reenacted to read:

403.1835 Water pollution control financial assistance.—

(3) The department may provide financial assistance through any program authorized under 33 U.S.C. s. 1383, as amended, including, but not limited to, making grants and loans, providing loan guarantees, purchasing loan insurance or other credit enhancements, and buying or refinancing local debt. This financial assistance must be administered in accordance with this section and applicable federal authorities.

(d) The department may make grants to financially disadvantaged small communities, as defined in s. 403.1838, using funds made available from grant allocations on loans authorized under subsection (4). The grants must be administered in accordance with s. 403.1838.

Section 39. This act shall take effect July 1, 2026.

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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3/2/26
Meeting Date

FISCAL POLICY
Committee

SB1510
Bill Number or Topic

Amendment Barcode (if applicable)

Name GLENDA ABICHT

Phone

Address
Street

Email

MIAMI FL 33165
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)

The Florida Senate

APPEARANCE RECORD

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3/2/26
Meeting Date

S Fiscal Policy
Committee

SB 1510
Bill Number or Topic

Amendment Barcode (if applicable)

Name Alex Cronin

Phone 850-245-2092

Address 3900 Commonwealth Blvd
Street

Email alex.cronin@FloridaDEP.gov

Tallahassee FL 32399
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 Dept. of Environmental Protection

☐ 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

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3/2/26
Meeting Date

Fiscal Policy
Committee

SB 1510
Bill Number or Topic

Amendment Barcode (if applicable)

Name Ryan Smart

Phone 561-358-7191

Address 204 Tallwood Rd
Street

Email smart@floridaspringscouncil.org

Jax Beach FL 32250
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 Springs Council

☐ 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

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:	SB 1548
INTRODUCER:	Senator Calatayud
SUBJECT:	Affordable Housing
DATE:	February 27, 2026
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hackett	Fleming	CA	**Favorable**
2.	Hackett	Siples	FP	**Favorable**
3.			RC	

I. Summary:

SB 1548 makes a variety of changes regarding the Live Local Act, passed during the 2023 Regular Session to require the authorization of certain affordable housing developments by local governments under certain conditions. The bill:

- Provides that the preemptions of the Live Local Act permitting the development of affordable housing apply on any property owned by a county, municipality, or school district;
- Provides that a local government may not utilize other dimensional means such as setbacks to constructively restrict the height of a project authorized by the Live Local Act;
- Provides that farming and farm operations, including the packaging and sale of those products raised on the premises, are excluded from the definitions of commercial, industrial, or mixed-use zoning which would require the local government to approve affordable housing developments;
- Permits the utilization of the Live Local Act in the vicinity of airports when approved by the airport's governing body; and
- Clarifies language around the prohibition against discriminating against affordable housing development in land use decisions by a local government, and waives sovereign immunity in cases based on such discrimination.

The bill takes effect July 1, 2026.

II. Present Situation:

Zoning and Land Use Preemption for Affordable Developments

The Growth Management Act requires every city and county to create and implement a comprehensive plan to guide future development.[1] All development, both public and private, and

[1] Section 163.3167(2), F.S.

all development orders[2] approved by local governments must be consistent with the local government's comprehensive plan unless otherwise provided by law.[3] The Future Land Use Element in a comprehensive plan establishes a range of allowable uses and densities and intensities over large areas, and the specific use and intensities for specific parcels[4] within that range are decided by a more detailed, implementing zoning map.[5]

The Live Local Act (act)[6] preempts certain county and municipal zoning and land use decisions to encourage development of affordable multifamily rental housing in targeted land use areas. Specifically, the act requires counties and municipalities to allow a multifamily or mixed-use residential[7] rental development in any area zoned for commercial, industrial, or mixed-use if the development meets certain affordability requirements.[8] To qualify, the proposed development must reserve 40 percent of the units for residents with incomes up to 120% AMI, for a period of at least 30 years.

Additionally, the local government may not restrict the density or floor area ratio of qualifying developments below the highest allowed density, or below 150 percent of the highest allowed floor area ratio, on land within its jurisdiction where residential development is allowed, and may not restrict the height below the highest currently allowed height for a commercial or residential development in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher. Further height restrictions apply where a proposed development is adjacent to single family residential development.

An application for a development must be administratively approved, and no further action is required from the governing body of the local government if the development satisfies the local government's land development regulations for multifamily in areas zoned for such use and is otherwise consistent with the jurisdiction's comprehensive plan.

These zoning and land use provisions do not apply to recreational and commercial working waterfronts in industrial areas, and only mixed-use residential developments must be authorized under these provisions in areas where commercial or industrial capacity is exceptionally limited.

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[2] "Development order" means any order granting, denying, or granting with conditions an application for a development permit. See s. 163.3164(15), F.S. "Development permit" includes any building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land. See s. 163.3164(16), F.S.

[3] Section 163.3194(3), F.S.

[4] When local governments make changes to their zoning regulations or comprehensive plans some structures may no longer be in compliance with the newly approved zoning and may be deemed a "nonconforming use." A nonconforming use or structure is one in which the use or structure was legally permitted prior to a change in the law, and the change in law would no longer permit the re-establishment of such structure or use.

[5] Richard Grosso, A Guide to Development Order "Consistency" Challenges Under Florida Statutes Section 163.3215, 34 J. Envtl. L. & Litig. 129, 154 (2019) citing Brevard Cty. v. Snyder, 627 So. 2d 469, 475 (Fla. 1993).

[6] The "Live Local Act", Ch. 2023-17, Laws of Fla., made various changes to affordable housing related programs and policies at the state and local levels, including zoning and land use preemptions favoring affordable housing, funding for state affordable housing programs, and tax provisions intended to incentivize affordable housing development.

[7] For mixed-use residential, at least 65 percent of the total square footage must be used for residential purposes.

[8] *See* ss. 125.01055(7) and 166.04151(7), F.S., this analysis section.

Commercial, Industrial, and Mixed Use[9]

For the purposes of the Live Local Act, "commercial use" means activities associated with the sale, rental, or distribution of products or the performance of services related thereto. It includes, but is not limited to:

- Retail sales; wholesale sales; rentals of equipment, goods, or products;
- Offices; restaurants;
- Food service vendors; sports arenas; theaters; and tourist attractions; and
- Other for-profit business activities

A parcel that is zoned to permit these uses by right (without a variance or waiver) is considered commercial use for this statute, regardless of its local land development category or title. Excluded from commercial use are:

- Home-based businesses and cottage food operations on residential property;
- Certain public lodging establishments;
- Accessory, ancillary, incidental, or temporary uses; and
- Recreational uses (e.g., golf courses, tennis courts, swimming pools, clubhouses) when located within an area designated for residential use.

For the purposes of the Live Local Act, "industrial use" means activities associated with the manufacture, assembly, processing, or storage of products or the performance of related services. It includes, but is not limited to:

- Automobile manufacturing or repair; boat manufacturing or repair;
- Junk yards; meat packing facilities; citrus or produce processing and packing;
- Electrical generating plants; water treatment plants; sewage treatment plants; and
- Solid waste disposal sites.

A parcel zoned to permit these uses by right is considered industrial use for the statute. The term does not include accessory, ancillary, incidental, or temporary uses, or the same set of recreational uses as above.

For the purposes of the Live Local Act, "mixed use" refers to any use that combines multiple types of approved land uses from at least two of the residential use, commercial use, and industrial use categories.[10] The commercial and industrial exclusions for accessory, ancillary, incidental, temporary, and recreational uses apply to mixed use as well.

Fair Housing

The Florida Fair Housing Act[11] prohibits discrimination in housing-related activities, including the sale, rental, and financing of housing. The law protects individuals from discrimination based on race, color, national origin, sex, disability, familial status, or religion. The law also specifically prohibits local governments from discriminatory practices in land use decisions and development permitting, including discrimination based on the source of financing of a

[9] *See* s. 125.01055(7)(n), F.S.
[10] Section 125.01055(n)3., F.S.
[11] Sections 760.20-760.37, F.S.

development, except as otherwise provided by law.[12] The Act is enforced by the Florida Commission on Human Relations, which investigates complaints and can seek legal remedies for violations.

Sovereign Immunity

Sovereign immunity is "[a] government's immunity from being sued in its own courts without its consent."[13] The doctrine had its origin with the judge-made law of England. The basis of the existence of the doctrine of sovereign immunity in the United States was explained as follows: A sovereign is exempt from suit, not because of any formal conception or obsolete theory, but on the logical and practical ground that there can be no legal right as against the authority that makes the law on which the right depends.[14]

Article X, s. 13 of the Florida Constitution authorizes the Legislature to enact laws that permit suits against the State and its subdivisions, thereby waiving sovereign immunity. Currently, Florida law allows tort lawsuits against the State and its subdivisions[15] for damages that result from the negligence of government employees acting in the scope of their employment, but limits payment of judgments to $200,000 per person and $300,000 per incident.[16] This liability exists only where a private person would be liable for the same conduct.[17] Harmed persons who seek to recover amounts in excess of these limits may request that the Legislature enact a claim bill to appropriate the remainder of their court-awarded judgment.[18] Article VII, s. 1(c) of the Florida Constitution prohibits funds from being drawn from the State Treasury except in pursuance of an appropriation made by law. However, local governments and municipalities are not subject to this provision, and therefore may appropriate their local funds according to their processes.

III. Effect of Proposed Changes:

Sections 1 and 2 amend ss. 125.01055 and 166.04151, F.S., related to the administrative approval of certain affordable housing developments under the Live Local Act. The amendments are organized below.

[12] Section 760.26, F.S.
[13] BLACK'S LAW DICTIONARY (11th ed. 2019).
[14] *Cauley v. City of Jacksonville,* 403 So. 2d 379, 381 (Fla. 1981) (quoting *Kawananakoa v. Polyblank*, 205 U.S. 349, 353 (1907).
[15] Section 768.28(2), F.S., defines "state agencies or subdivisions" to include "executive departments, the Legislature, the judicial branch (including public defenders), and the independent establishments of the state, including state university boards of trustees; counties and municipalities; and corporations primarily acting as instrumentalities or agencies of the state, counties, or municipalities, including the Florida Space Authority."
[16] Section 768.28, F.S.
[17] Section 768.28(1), F.S.
[18] Section 768.28(5)(a), F.S. *See also*, s. 11.066, F.S., which states that state agencies are not required to pay monetary damaged under a court's judgment except pursuant to an appropriation made by law.

Land Owned by a County, City, or School District

The bill provides that the preemptions requiring approval of certain affordable housing developments applies to any property owned by a county, municipality, or school district. This provision enables local governments, working in conjunction with affordable housing developers, to bypass processes otherwise required for developing affordable housing.

Setbacks and Stepbacks

The bill provides that a local government may not restrict height of a proposed development utilizing the Live Local Act constructively through other dimensional means, such as height determined by setbacks[19] or stepbacks,[20] or require setbacks or stepbacks that are more restrictive than the minimums of the underlying zoning applicable to the proposed development.

Commercial, Industrial, and Mixed-Use Definitions

The bill provides that for the purposes of the Live Local Act farms or farm operations, or uses associated therewith, to include the packaging and sale of those products raised on the premises, are excluded from the definitions of commercial, industrial, or mixed use.

The bill refers to s. 823.14(3), F.S., which provides that:

- "Farm" means the land, buildings, support facilities, machinery, and other appurtenances used in the production of farm or aquaculture products; and
- "Farm operation" means all conditions or activities by the owner, lessee, agent, independent contractor, or supplier which occur on a farm in connection with the production of farm, honeybee, or apiculture products or in connection with complementary agritourism activities.

The referenced statute includes examples such as roadside stands, agritourism, and the use of certain farm-related machinery.

With this change, counties and municipalities are not required to authorize multifamily and mixed-use residential uses for an area if the area is also a farm or farm operation, or utilized for uses associated therewith.

Section 3 provides that that an applicant for a proposed development authorized under ss. 125.01055(7) or 166.04151(7), F.S., who submitted documentation before July 1, 2026, may proceed under the provisions of law as they existed at the time of submission, or notify the local government of their intent to revise their submission to account for the changes made by the bill.

Proposed Developments Near Airports

The preemptions of the Live Local Act do not apply to a proposed development near a runway, within an airport noise zone, or exceeding maximum height restrictions identified in an airport

[19] The distance a building must be from the street as required by zoning laws.
[20] A zoning or design requirement that requires upper floors of a building to be recessed farther from property lines than lower floors.

zoning regulation.[21] **Section 5** amends s. 333.03, F.S., to provide that the Live Local Act may apply if the development application is approved by the governing body of the relevant airport.

Discrimination in Regulatory Decisions

Section 6 amends s. 760.26, F.S., to provide that it is unlawful to discriminate in land use decisions or in the permitting of development based on the nature of a development or proposed development's financing as affordable housing.

Section 7 amends s. 760.35, F.S., to waive sovereign immunity for a cause of action based on a violation of the Florida Fair Housing Act.

The bill takes effect July 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.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

[21] Section 333.03(5), F.S.

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: 125.01055, 166.04151, 333.03, 760.22, 760.26, and 760.35.

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 Calatayud

38-01065A-26 20261548__

A bill to be entitled

An act relating to affordable housing; amending ss. 125.01055 and 166.04151, F.S.; requiring counties and municipalities, respectively, to authorize certain residential use on property owned by a county, municipality, or school district under certain circumstances; providing requirements for certain proposed developments; prohibiting counties and municipalities, respectively, from restricting the height of certain proposed developments through other dimensional means and from requiring certain setbacks or stepbacks; revising the definitions of the terms "commercial use" and "industrial use"; authorizing applicants for certain proposed developments to notify the county or municipality, as applicable, by a specified date of intent to proceed under certain provisions; requiring counties and municipalities to allow certain applicants to submit revised applications, written requests, and notices of intent to account for changes made by the act; amending s. 333.03, F.S.; providing an exception authorizing the applicability of certain provisions to certain proposed developments, if approved by the governing body of an airport; amending s. 760.22, F.S.; revising the definition of the term "person"; amending s. 760.26, F.S.; revising a prohibition on discriminatory practices in land use decisions and in permitting of development to include housing that is affordable; amending s. 760.35, F.S.; waiving the state's

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38-01065A-26 20261548__

sovereign immunity for certain causes of action based upon housing discrimination; providing applicability; providing an effective date.

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

Section 1. Paragraphs (a), (d), and (n) of subsection (7) of section 125.01055, Florida Statutes, are amended to read:

125.01055 Affordable housing.—

(7)(a) A county must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use, ~~and~~ in portions of any flexibly zoned area such as a planned unit development permitted for commercial, industrial, or mixed use, and on property owned by a county, municipality, or school district, if at least 40 percent of the residential units in a proposed multifamily development are rental units that, for a period of at least 30 years, are affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a county may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, transfer of density or development units, amendment to a development of regional impact, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes. The county may not require that more than 10 percent of the total square footage of such mixed-use residential projects be used for nonresidential

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purposes. A proposed development on property owned by a county, municipality, or school district must be within the geographic boundaries of the respective county, municipality, or school district, and the respective county, municipality, or school district must be a party to the application for the proposed development.

(d)1. A county may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed, or allowed on July 1, 2023, height for a commercial or residential building located in its jurisdiction within 1 mile of the proposed development or three stories, whichever is higher. A county may not restrict height below the height authorized under this paragraph through other dimensional means, such as height determined by setbacks or stepbacks, or vice versa, or require setbacks or stepbacks that are more restrictive than the minimum setbacks or stepbacks of the underlying zoning applicable to the proposed development. For purposes of this paragraph, the term "highest currently allowed height" does not include the height of any building that met the requirements of this subsection or the height of any building that has received any bonus, variance, or other special exception for height provided in the county's land development regulations as an incentive for development.

2. If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use which is within a single-family residential development with at least 25 contiguous single-family homes, the county may restrict the height of the proposed development to 150 percent of the tallest building on any property adjacent to the proposed

development, the highest currently allowed, or allowed on July 1, 2023, height for the property provided in the county's land development regulations, or three stories, whichever is higher, not to exceed 10 stories. For the purposes of this paragraph, the term "adjacent to" means those properties sharing more than one point of a property line, but does not include properties separated by a public road.

3. If the proposed development is on a parcel with a contributing structure or building within a historic district which was listed in the National Register of Historic Places before January 1, 2000, or is on a parcel with a structure or building individually listed in the National Register of Historic Places, the county may restrict the height of the proposed development to the highest currently allowed, or allowed on July 1, 2023, height for a commercial or residential building located in its jurisdiction within three-fourths of a mile of the proposed development or three stories, whichever is higher. The term "highest currently allowed" in this paragraph includes the maximum height allowed for any building in a zoning district irrespective of any conditions.

(n) As used in this subsection, the term:

1. "Commercial use" means activities associated with the sale, rental, or distribution of products or the performance of services related thereto. The term includes, but is not limited to, such uses or activities as retail sales; wholesale sales; rentals of equipment, goods, or products; offices; restaurants; public lodging establishments as described in s. 509.242(1)(a); food service vendors; sports arenas; theaters; tourist attractions; and other for-profit business activities. A parcel

zoned to permit such uses by right without the requirement to obtain a variance or waiver is considered commercial use for the purposes of this section, irrespective of the local land development regulation's listed category or title. The term does not include home-based businesses or cottage food operations undertaken on residential property, public lodging establishments as described in s. 509.242(1)(c), or uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not commercial use, irrespective of how they are operated. Farms and farm operations as those terms are defined in s. 823.14(3) and uses associated therewith, including the packaging and sale of products raised on the premises, are not commercial use.

2. "Industrial use" means activities associated with the manufacture, assembly, processing, or storage of products or the performance of services related thereto. The term includes, but is not limited to, such uses or activities as automobile manufacturing or repair, boat manufacturing or repair, junk yards, meat packing facilities, citrus processing and packing facilities, produce processing and packing facilities, electrical generating plants, water treatment plants, sewage treatment plants, and solid waste disposal sites. A parcel zoned to permit such uses by right without the requirement to obtain a variance or waiver is considered industrial use for the purposes of this section, irrespective of the local land development regulation's listed category or title. The term does not include uses that are accessory, ancillary, incidental to the allowable

uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not industrial use, irrespective of how they are operated. Farms and farm operations as those terms are defined in s. 823.14(3) and uses associated therewith, including the packaging and sale of products raised on the premises, are not industrial use.

3. "Mixed use" means any use that combines multiple types of approved land uses from at least two of the residential use, commercial use, and industrial use categories. The term does not include uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not mixed use, irrespective of how they are operated.

4. "Planned unit development" has the same meaning as provided in s. 163.3202(5)(b).

Section 2. Paragraphs (a), (d), and (n) of subsection (7) of section 166.04151, Florida Statutes, are amended to read:

166.04151 Affordable housing.—

(7)(a) A municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use, ~~and~~ in portions of any flexibly zoned area such as a planned unit development permitted for commercial, industrial, or mixed use, and on property owned by a county, municipality, or school district, if at least 40 percent of the residential units in a proposed multifamily development are rental units that, for a period of at least 30 years, are affordable as defined in s. 420.0004. Notwithstanding

any other law, local ordinance, or regulation to the contrary, a municipality may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, transfer of density or development units, amendment to a development of regional impact, amendment to a municipal charter, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes. The municipality may not require that more than 10 percent of the total square footage of such mixed-use residential projects be used for nonresidential purposes. A proposed development on property owned by a county, municipality, or school district must be within the geographic boundaries of the respective county, municipality, or school district, and the respective county, municipality, or school district must be a party to the application for the proposed development.

(d)1. A municipality may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed, or allowed on July 1, 2023, height for a commercial or residential building located in its jurisdiction within 1 mile of the proposed development or three stories, whichever is higher. A municipality may not restrict height below the height authorized under this paragraph through other dimensional means, such as height determined by setbacks or stepbacks, or vice versa, or require setbacks or stepbacks that are more restrictive than the minimum setbacks or stepbacks of the underlying zoning applicable to the proposed development.

For purposes of this paragraph, the term "highest currently allowed height" does not include the height of any building that met the requirements of this subsection or the height of any building that has received any bonus, variance, or other special exception for height provided in the municipality's land development regulations as an incentive for development.

2. If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes, the municipality may restrict the height of the proposed development to 150 percent of the tallest building on any property adjacent to the proposed development, the highest currently allowed, or allowed on July 1, 2023, height for the property provided in the municipality's land development regulations, or three stories, whichever is higher, not to exceed 10 stories. For the purposes of this paragraph, the term "adjacent to" means those properties sharing more than one point of a property line, but does not include properties separated by a public road or body of water, including manmade lakes or ponds. For a proposed development located within a municipality within an area of critical state concern as designated by s. 380.0552 or chapter 28-36, Florida Administrative Code, the term "story" includes only the habitable space above the base flood elevation as designated by the Federal Emergency Management Agency in the most current Flood Insurance Rate Map. A story may not exceed 10 feet in height measured from finished floor to finished floor, including space for mechanical equipment. The highest story may not exceed 10 feet from finished floor to the top plate.

3. If the proposed development is on a parcel with a contributing structure or building within a historic district which was listed in the National Register of Historic Places before January 1, 2000, or is on a parcel with a structure or building individually listed in the National Register of Historic Places, the municipality may restrict the height of the proposed development to the highest currently allowed, or allowed on July 1, 2023, height for a commercial or residential building located in its jurisdiction within three-fourths of a mile of the proposed development or three stories, whichever is higher. The term "highest currently allowed" in this paragraph includes the maximum height allowed for any building in a zoning district irrespective of any conditions.

(n) As used in this subsection, the term:

1. "Commercial use" means activities associated with the sale, rental, or distribution of products or the performance of services related thereto. The term includes, but is not limited to, such uses or activities as retail sales; wholesale sales; rentals of equipment, goods, or products; offices; restaurants; public lodging establishments as described in s. 509.242(1)(a); food service vendors; sports arenas; theaters; tourist attractions; and other for-profit business activities. A parcel zoned to permit such uses by right without the requirement to obtain a variance or waiver is considered commercial use for the purposes of this section, irrespective of the local land development regulation's listed category or title. The term does not include home-based businesses or cottage food operations undertaken on residential property, public lodging establishments as described in s. 509.242(1)(c), or uses that

are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not commercial use, irrespective of how they are operated. Farms and farm operations as those terms are defined in s. 823.14(3) and uses associated therewith, including the packaging and sale of products raised on the premises, are not commercial use.

2. "Industrial use" means activities associated with the manufacture, assembly, processing, or storage of products or the performance of services related thereto. The term includes, but is not limited to, such uses or activities as automobile manufacturing or repair, boat manufacturing or repair, junk yards, meat packing facilities, citrus processing and packing facilities, produce processing and packing facilities, electrical generating plants, water treatment plants, sewage treatment plants, and solid waste disposal sites. A parcel zoned to permit such uses by right without the requirement to obtain a variance or waiver is considered industrial use for the purposes of this section, irrespective of the local land development regulation's listed category or title. The term does not include uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not industrial use, irrespective of how they are operated. Farms and farm operations as those terms are defined in s. 823.14(3) and uses associated therewith, including the packaging and sale of products raised on the premises, are not industrial use.

3. "Mixed use" means any use that combines multiple types of approved land uses from at least two of the residential use, commercial use, and industrial use categories. The term does not include uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not mixed use, irrespective of how they are operated.

4. "Planned unit development" has the same meaning as provided in s. 163.3202(5)(b).

Section 3. An applicant for a proposed development authorized under s. 125.01055(7), Florida Statutes, or s. 166.04151(7), Florida Statutes, who submitted an application, a written request, or a notice of intent to use such provisions to the county or municipality and which application, written request, or notice of intent has been received by the county or municipality, as applicable, before July 1, 2026, may notify the county or municipality by July 1, 2026, of its intent to proceed under the provisions of s. 125.01055(7), Florida Statutes, or s. 166.04151(7), Florida Statutes, as they existed at the time of submittal. A county or municipality, as applicable, shall allow an applicant who submitted such an application, written request, or notice of intent before July 1, 2026, the opportunity to submit a revised application, written request, or notice of intent to account for the changes made by this act.

Section 4. Subsection (5) of section 333.03, Florida Statutes, is amended to read:

333.03 Requirement to adopt airport zoning regulations.—

(5) Sections 125.01055(7) and 166.04151(7) do not apply to

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any of the following, unless the respective application is approved by the governing body of the airport:

(a) A proposed development near a runway within one-quarter of a mile laterally from the runway edge and within an area that is the width of one-quarter of a mile extending at right angles from the end of the runway for a distance of 10,000 feet of any existing airport runway or planned airport runway identified in the local government's airport master plan.

(b) A proposed development within any airport noise zone identified in the federal land use compatibility table or in a land-use zoning or airport noise regulation adopted by the local government.

(c) A proposed development that exceeds maximum height restrictions identified in the political subdivision's airport zoning regulation adopted pursuant to this section.

Section 5. Subsection (8) of section 760.22, Florida Statutes, is amended to read:

760.22 Definitions.—As used in ss. 760.20-760.37, the term:

(8) "Person" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, ~~and~~ fiduciaries, agencies, governmental entities, and other legal or commercial entities.

Section 6. Section 760.26, Florida Statutes, is amended to read:

760.26 Prohibited discrimination in land use decisions and in permitting of development.—It is unlawful to discriminate in land use decisions or in the permitting of development based on

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race, color, national origin, sex, disability, familial status, or religion, or, except as otherwise provided by law, based on the source of financing of a development or proposed development, including, but not limited to, financing of a development or on a proposed development for housing that is affordable as defined in s. 420.0004.

Section 7. Subsection (4) of section 760.35, Florida Statutes, is amended to read:

760.35 Civil actions and relief; administrative procedures.—

(4) If the court finds that a person has engaged in a discriminatory housing practice ~~has occurred~~, it must ~~shall~~ issue an order prohibiting the practice and providing affirmative relief from the effects of the practice, including injunctive and other equitable relief, actual and punitive damages, and reasonable attorney fees and costs. In accordance with s. 13, Art. X of the State Constitution, the state, for itself and its agencies or political subdivisions, waives sovereign immunity for a cause of action based upon the application of this section. Such waiver is limited only to actions brought under this section.

Section 8. This act shall take effect July 1, 2026.

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The Florida Senate

APPEARANCE RECORD

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

3/2/26
Meeting Date

FISCAL POLICY
Committee

SB 1548
Bill Number or Topic

Amendment Barcode (if applicable)

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PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

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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

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:	SB 1570
INTRODUCER:	Senators Gaetz and Berman
SUBJECT:	Statewide Project for Missing Persons with Special Needs
DATE:	February 27, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	HE	**Favorable**
2.	Gray	Elwell	AHE	**Favorable**
3.	Jahnke	Siples	FP	**Favorable**

I. Summary:

SB 1570 reestablishes the Missing Persons with Special Needs Statewide Project and implements the project through designated centers for autism and related disabilities. The bill specifies that centers that join the project have the responsibility for administering the project within their service areas, including establishing participant eligibility criteria based on elopement risk and ensuring participation is voluntary and provided at no cost.

The bill requires each participating Center for Autism and Related Disabilities (CARD or center) to provide personal search-and-rescue devices to county sheriffs' offices, requires sheriffs' offices to distribute the devices to project participants in coordination with the applicable center, and requires the centers to fund monitoring costs for the devices.

The bill provides $1 million in nonrecurring General Revenue funds. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2026.

II. Present Situation:

Autism and Wandering

Wandering, also referred to as elopement, is a behavior in which an individual leaves the supervision of a caregiver or a safe environment without notice, placing the individual at risk of serious harm. This may include leaving a classroom, home, or supervised community setting and is particularly prevalent among individuals with autism. While brief wandering behavior is common in early childhood, research indicates that elopement may persist or re-emerge among individuals with autism due to communication challenges, sensory sensitivities, anxiety, or attempts to access preferred environments or avoid distressing stimuli.

Studies have found that nearly half of children with autism are at risk for wandering, and many individuals who elope are unable to reliably communicate identifying information. Wandering incidents pose significant safety risks, including drowning and traffic-related injuries, which are among the leading causes of wandering-related fatalities. These risks increase with the severity of autism and underscore the need for preventive strategies and timely response mechanisms to locate individuals who elope from safe settings.[1]

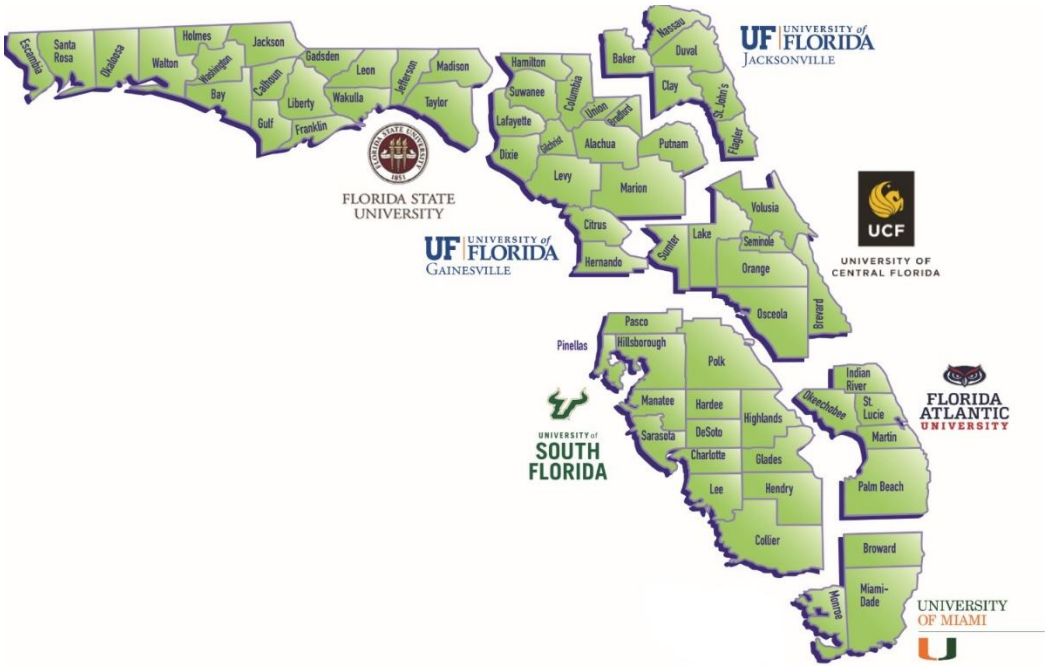
A number of wearable personal tracking devices are available that help locate individuals at risk of wandering or elopement by using electronic location technology. These devices are typically worn on the wrist or ankle and use radio frequency signals or GPS to locate a missing person. These technologies are used by caregivers and, in some cases, by law enforcement or search-and-rescue programs to locate individuals who have left a safe location.[2]

Center for Autism and Related Disabilities

Each Center for Autism and Related Disabilities (CARD)[3] is one of seven regional centers that provide nonresidential resource and training services statewide for persons of all ages and of all levels of intellectual functioning who have autism, a pervasive developmental disorder not otherwise specified, an autistic-like disability, have a dual sensory impairment, or have a sensory impairment with other handicapping conditions.[4] Each CARD operates independently and coordinates services within a specific region between the state, local agencies, and school districts without duplicating services.

The main functions of each CARD is to:
- Provide information about an individual's disability.
- Refer families to federal, state, or local services.
- Locate support groups.
- Support family planning.
- Provide training sessions on how to work effectively with individuals with ASD and related disabilities.
- Provide consultation to caregivers and professionals related to working with individuals with ASD and related disabilities.[5]

[1] National Autism Association, *About Autism and Wandering*, https://nationalautismassociation.org/resources/wandering/ (last visited Feb. 13, 2026).
[2] Autism Speaks, *Wandering Prevention*, https://www.autismspeaks.org/wandering-prevention (last visited Feb. 13, 2026).
[3] Center for Autism and Related Disabilities, *About Us* https://www.florida-card.org/aboutUs.htm (last visited Feb. 13, 2026).
[4] Section 1004.55, F.S.
[5] Center for Autism and Related Disabilities, *About Us,* https://www.florida-card.org/aboutUs.htm (last visited Jan. 23, 2026).



The centers are located at Florida Atlantic University, Florida State University, the University of Central Florida, the University of Florida at Gainesville, the University of Florida at Jacksonville, the University of Miami, and the University of South Florida.[6]

Project Leo

In 2016, the Legislature created three "Project Leo" pilot projects, which provided personal devices to aid in search-and-rescue efforts for persons with special needs in cases of elopement. The first pilot project was developed by the CARD at the University of Florida and served Alachua, Baker, Columbia, Hamilton, and Suwannee Counties. The second pilot project was developed by the CARD at Florida Atlantic University and served Palm Beach County. The third pilot project was developed by the CARD at the University of South Florida and served Hillsborough County.

Participants for each pilot were selected based on criteria developed by the respective CARD, including consideration of the individual's risk of elopement. Participation was voluntary and free. The centers provided personal devices to county sheriff's offices for distribution, and the centers were responsible for funding any monitoring costs. Each center was also required to submit preliminary and final reports describing implementation, participant information, elopement outcomes, and recommendations for the future. Funding for the pilots was provided by the centers through their existing resources, and the statutory authority for the pilot projects included a scheduled expiration date of June 30, 2018.[7]

In 2018, the Legislature amended the statute to expand Project Leo to a statewide project available through all centers. Any CARD that opted to join the statewide project could

[6] Center for Autism and Related Disabilities, *CARD Sites*, https://www.florida-card.org/map.htm (last visited Feb. 13, 2026).
[7] Chapter 2016-186, Laws of Fla.

participate in providing personal devices for search-and-rescue efforts. The selection criteria remained focused on an individual's risk of elopement and were to be developed by each participating center based on the needs of its service area. The device distribution mechanics were also amended to provide devices to county sheriffs' offices for distribution in conjunction with the centers and to establish that centers would continue to fund monitoring costs. The expanded statewide project continued to operate within available funding and each center's existing resources; however, the statute retained an expiration provision that set a sunset date of June 30, 2019.[8]

III. Effect of Proposed Changes:

The bill revives and amends s. 937.041, F.S., relating to the Missing Persons with Special Needs Statewide Project, which was repealed in 2019. The bill creates the Missing Persons with Special Needs Statewide Project ("Project Leo") through selected centers for autism and related disabilities, which are responsible for administering the project within their respective service areas.

The bill requires each participating Center for Autism and Related Disabilities (CARD or center) to develop criteria for selecting individuals for participation in the project, which must account for an individual's risk of elopement, be implemented on a first-come, first-served basis to the extent funding is available, and ensure that participation is voluntary and provided at no cost to the participant.

The bill requires each participating CARD to provide personal search-and-rescue devices to the sheriff's offices of participating counties. The bill requires county sheriffs' offices to distribute the devices to project participants in coordination with the respective CARD. The participating CARD is also required to fund any costs associated with monitoring the devices.

Additionally, the bill appropriates $1 million in nonrecurring General Revenue funds for the 2026-2027 fiscal year, allocating $250,000 each to the University of Florida, Florida Atlantic University, University of South Florida, and Florida State University centers, to be used solely for the purchase of personal search-and-rescue devices.

The bill removes obsolete expiration language from statute.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

[8] Chapter 2018-54, Laws of Fla.

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:

None.

C. Government Sector Impact:

This bill provides a nonrecurring appropriation of $1,000,000, allocating $250,000 in nonrecurring funds to each Center for Autism and Related Disabilities (CARD) at the University of Florida, Florida Atlantic University, the University of South Florida, and Florida State University.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill revives, readopts, and amends section 937.041 of the Florida Statutes.

The bill creates an undesignated section of Florida Law.

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 Gaetz

1-01335A-26 20261570__

A bill to be entitled

An act relating to a statewide project for missing persons with special needs; reviving, readopting, and amending s. 937.041, F.S., relating to the missing persons with special needs statewide project; providing that the project is created through the centers for autism and related disabilities; requiring that participants for the project be selected based on certain criteria; deleting obsolete language; providing appropriations; providing an effective date.

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

Section 1. Notwithstanding the repeal of section 937.041, Florida Statutes, in section 13 of chapter 2020-3, Laws of Florida, section 937.041, Florida Statutes, is revived, readopted, and amended to read:

937.041 Missing persons with special needs statewide project.—

(1) There is created a statewide project, to be known as "Project Leo," through the centers ~~a center~~ for autism and related disabilities established under s. 1004.55. Each center that opts to join the project shall distribute personal devices to aid search-and-rescue efforts for persons with special needs in the case of elopement.

(2) Participants for the project shall be selected based on criteria developed by the respective center for autism and related disabilities based on the specific needs of the respective ~~each~~ center's service area counties prescribed under

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s. 1004.55. Criteria for participation in the project must include, at a minimum, the person's risk of elopement. The qualifying participants shall be selected on a first-come, first-served basis by the respective centers to the extent of available funding within their existing resources. The project must be voluntary and free of charge to participants.

(3) Under the project, personal devices to aid search-and-rescue efforts shall be provided by the respective center to the sheriff's offices of the participating counties. The devices shall be distributed to project participants by the county sheriff's offices in conjunction with the respective center. The respective center shall fund any costs associated with monitoring the devices.

(4) The project shall operate to the extent of available funding within the respective center's existing resources.

~~(5) This section expires June 30, 2019.~~

Section 2. For the 2026-2027 fiscal year, the sum of $250,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Center for Autism and Related Disabilities at the University of Florida, the sum of $250,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Center for Autism and Related Disabilities at Florida Atlantic University, the sum of $250,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Center for Autism and Related Disabilities at the University of South Florida, and the sum of $250,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Center for Autism and Related Disabilities at Florida State University. The funds provided to each center shall be used solely for the

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purchase of personal devices to aid search-and-rescue efforts for persons with special needs in the case of elopement.

Section 3. This act shall take effect July 1, 2026.

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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:	SB 1574
INTRODUCER:	Senators Bracy Davis and Sharief
SUBJECT:	Newborn Screenings
DATE:	February 27, 2026
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Looke	Brown	HP	**Favorable**
2.	Gerbrandt	McKnight	AHS	**Favorable**
3.	Looke	Siples	FP	**Favorable**

I. Summary:

SB 1574 creates "Mattie's Law," and requires the Department of Health (DOH) to:

- Require each newborn be screened for biliary atresia (BA) using the blood specimen collected for newborn screenings.
- Implement a statewide public health education campaign to increase public awareness and understanding of BA and its associated risks.
- Consult with the Genetics and Newborn Screening Advisory Council before adopting rules regarding screening methods, follow-up procedures, and the inclusion of additional conditions in the screening program.

The bill also creates s. 395.3043, F.S., to require hospitals that provide birthing services to screen newborns for BA pursuant to the new requirement.

The bill has a significant, negative fiscal impact on state expenditures. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2026.

II. Present Situation:

Biliary Atresia (BA)

BA is a serious condition that is estimated to occur in one out of every 12,000 babies in the United States and in which a baby's bile ducts are blocked and cannot send bile from their liver to their small intestine. Bile is a substance a baby's liver produces that carries waste products to their intestines. Bile also helps a baby's intestines digest and absorb vital nutrients. BA affects babies in their first few months of life and can quickly lead to severe liver damage without prompt treatment.

A slowdown or stalling of bile flow (cholestasis) affects a baby's liver and all the organs and tissues surrounding it. Bile clogs up in a baby's liver and causes scarring that can prevent the baby's liver from working normally. Also, an afflicted baby's intestines cannot receive the bile needed to break down nutrients and support growth.[1]

BA has a well-established treatment which can delay or even avoid the need for liver transplant. This treatment, Kasai portoenterostomy (KP), directly connects the intestines to the liver to restore bile flow. A critical factor predicting KP outcomes is the time at which the operation is performed. KPs performed before 30 to 45 days of life have the greatest chances of delaying or avoiding liver transplant. Unfortunately, in the United States, without screening, the average age at the time of KP is after 60 days of life and there have been no recent improvements.[2]

One screening strategy for BA is a two-stage screening that looks at serum bilirubin measurements. A study on four Houston, Texas, area hospitals over a 15-month period looked at bilirubin measurements in 11,636 infants and considered newborns to be positive if they had a direct or conjugated bilirubin concentration higher than the 95th percentile. In the second stage, an infant was considered to be positive if he or she had rising concentrations of bilirubin at or before the first well-child visited. Of the 11 infants that tested positive in both stages, two had BA. Of the two infants with BA, the KP was unable to be performed on one of them due to severe congenital heart disease. After the KP procedure, the other infant's bilirubin concentration normalized within three months and the patient survived, transplant-free past two years of age.[3]

Florida's Newborn Screening Program

Established in s. 383.14, F.S., Florida's Newborn Screening Program requires the Department of Health (DOH) to promote the screening of all newborns born in Florida for metabolic, hereditary, and congenital disorders known to result in significant impairment of health or intellect, as screening programs accepted by current medical practice become available and practical in the judgment of the DOH. The primary method of screening is a blood sample which is collected on a specimen card and submitted to the State Public Health Laboratory for testing.[4] The State Public Health Laboratory is required to send a written report with the results of the newborn screening to the submitting entity within five calendar days after receipt of the specimen.[5] Currently, the screening program screens for 37 core conditions and may detect an additional 23 secondary conditions.[6]

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[1] *Biliary Atresia*, Clevland Clinic, last updated Aug. 9, 2023, available at https://my.clevelandclinic.org/health/diseases/21076-biliary-atresia, (last visited Feb. 5, 2026).
[2] Rabbani T, Guthery SL, Himes R, Shneider BL, Harpavat S. Newborn Screening for Biliary Atresia: a Review of Current Methods. Curr Gastroenterol Rep. 2021 Nov 24;23(12):28. doi: 10.1007/s11894-021-00825-2. PMID: 34817690; PMCID: PMC8651301.
[3] Newborn Bilirubin Screening for Biliary Atresia, August 11, 2016, N. Engl. J. Med. 2016;375:605-606, VOL. 375 NO.6.
[4] Rule 64C-7.002, F.A.C.
[5] Rule 64C-7.005, F.A.C.
[6] For a full list of conditions, see https://floridanewbornscreening.com/conditions/core-secondary-conditions/, (last visited Feb. 5, 2026).

III. Effect of Proposed Changes:

The bill creates "Mattie's Law." The bill amends s. 383.14, F.S., to require the Department of Health (DOH) to:

- Adopt rules that, beginning January 1, 2027, require each newborn be screened for biliary atresia (BA) using the blood specimen collected for newborn screenings.
- By October 1, 2026, implement a statewide public health education campaign to increase public awareness and understanding of BA and its associated risks. The campaign, at a minimum, must:
  - Educate new and expecting parents on the symptoms of BA and the importance of early diagnosis; and
  - Provide guidance to physicians, physician assistants, and nurses on strategies for identifying BA in infants and the risks of delayed treatment.
- Consult with the Genetics and Newborn Screening Advisory Council before adopting rules regarding screening methods, follow-up procedures, and the inclusion of additional conditions in the screening program.

The bill also creates s. 395.3043, F.S., to require hospitals that provide birthing services to screen newborns for BA pursuant to the new requirement.

The bill takes effect July 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.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has a significant negative recurring fiscal impact on the Department of Health (DOH). According to the DOH, the bill will require $3,386,165, as follows:[7]

- **Follow-up Activities:**
  - Two Nurse Consultants – $235,517.
  - Follow-up Referral Centers Contract – $1,585,704.
  - Statewide Education Campaign – $380,000.
  - Other Expenses - $61,962.
- **Laboratory Activities:**
  - Testing Kits - $828,000.
  - Two Licensed Laboratory Staff - $219,982.
  - Technology Updates - $75,000 nonrecurring.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 383.14 of the Florida Statutes.

This bill creates section 395.3043 of the Florida Statutes.

IX. Additional Information:

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

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.

[7] Fl. Dept. of Health, *2026 Agency Bill Analysis* (SB 1574) (on file with the Seante Appropriations Committee on Health and Human Services).

By Senator Bracy Davis

15-00087A-26 20261574__

A bill to be entitled

An act relating to newborn screenings; providing a short title; amending s. 383.14, F.S.; revising rulemaking procedures; requiring that newborns, beginning on a specified date, be screened for biliary atresia; requiring the Department of Health to consult with the Genetics and Newborn Screening Advisory Council before adopting certain rules; requiring the department, by a specified date, to implement a certain education campaign relating to biliary atresia; creating s. 395.3043, F.S.; requiring hospitals that provide birthing services to screen for biliary atresia in a specified manner; providing an effective date.

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

Section 1. This act may be cited as "Mattie's Law."

Section 2. Paragraph (a) of subsection (2) of section 383.14, Florida Statutes, is amended, paragraph (c) is added to that subsection, and paragraph (i) is added to subsection (3) of that section, to read:

383.14 Screening for metabolic disorders, other hereditary and congenital disorders, and environmental risk factors.—

(2) RULES.—

(a) ~~After consultation with the Genetics and Newborn Screening Advisory Council,~~ The department shall adopt and enforce rules requiring that every newborn in this state must ~~shall~~:

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15-00087A-26 20261574__

1. Before becoming 1 week of age, have a blood specimen collected for newborn screenings;

2. Be tested for any condition included on the federal Recommended Uniform Screening Panel which the council advises the department should be included under the state's screening program. After the council recommends that a condition be included, the department shall submit a legislative budget request to seek an appropriation to add testing of the condition to the newborn screening program. The department shall expand statewide screening of newborns to include screening for such conditions within 18 months after the council renders such advice, if a test approved by the United States Food and Drug Administration or a test offered by an alternative vendor is available. If such a test is not available within 18 months after the council makes its recommendation, the department must ~~shall~~ implement such screening as soon as a test offered by the United States Food and Drug Administration or by an alternative vendor is available;

3. At the appropriate age, be tested for such other metabolic diseases and hereditary or congenital disorders as the department may deem necessary; ~~and~~

4. Beginning January 1, 2027, be screened for biliary atresia by testing the newborn's direct bilirubin levels using the blood specimen collected for newborn screenings; and

5.~~4.~~ Subject to legislative appropriation, beginning January 1, 2027, be screened for Duchenne muscular dystrophy.

(c) The department shall consult with the Genetics and Newborn Screening Advisory Council before adopting rules regarding screening methods, follow-up procedures, and the

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inclusion of additional conditions in the screening program.

(3) DEPARTMENT OF HEALTH; POWERS AND DUTIES.—The department shall administer and provide certain services to implement the provisions of this section and shall:

(i) By October 1, 2026, implement a statewide public health education campaign to increase public awareness and understanding of biliary atresia and its associated risks. The campaign shall, at a minimum:

1. Educate new and expecting parents on the symptoms of biliary atresia and the importance of early diagnosis.

2. Provide guidance to health care providers licensed under chapters 458, 459, and 464 on strategies for identifying biliary atresia in infants and the risks of delayed treatment.

All provisions of this subsection must be coordinated with the provisions and plans established under this chapter, chapter 411, and Pub. L. No. 99-457.

Section 3. Section 395.3043, Florida Statutes, is created to read:

395.3043 Mandatory newborn screening for biliary atresia.—A hospital that provides birthing services shall screen newborns for biliary atresia as required in s. 383.14(2)(a)4.

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

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The Florida Senate

APPEARANCE RECORD

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

March 2, 26
Meeting Date

Fiscal Committee
Committee

SB 1574
Bill Number or Topic

Amendment Barcode (if applicable)

Name Michael Beacham

Phone 215-964-843

Address 13454 Bellaria Circle
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Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

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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)

By the Appropriations Committee on Criminal and Civil Justice; the Committee on Judiciary; and Senator Grall

604-03243-26 20261632c2

A bill to be entitled

An act relating to ideologies inconsistent with American principles; providing legislative intent and findings; creating s. 2.05, F.S.; defining the terms "foreign law" and "religious law"; prohibiting the application of certain law in adjudicatory proceedings; providing exceptions; providing applicability; amending s. 617.1420, F.S.; providing that the Department of State may administratively dissolve a corporation that has been designated as a terrorist organization in certain situations; amending s. 775.30, F.S.; defining the term "domestic terrorist organization"; amending s. 775.32, F.S.; defining the term "domestic terrorist organization"; providing that a person who receives military training from a domestic terrorist organization in certain situations commits a specified crime; amending s. 775.33, F.S.; defining the term "domestic terrorist organization"; providing a person who knowingly provides or attempts or conspires to provide material support or resources to a domestic terrorist organization commits a specified crime; amending s. 775.34, F.S.; defining the term "domestic terrorist organization"; providing that a person who willfully becomes a member of a domestic terrorist organization and serves under the direction or control of such organization with a specified intent commits a specified crime; amending s. 874.03, F.S.; revising the definition of "terrorist organization" to include a foreign terrorist

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604-03243-26 20261632c2

organization and a domestic terrorist organization; creating s. 943.03102, F.S.; authorizing the Chief of Domestic Security to designate an organization a domestic terrorist organization or a foreign terrorist organization if certain requirements are met; requiring the Chief to maintain a list of such organizations; requiring the Chief to review each designation within a specified time period; requiring the Chief to provide specified written notice to the Governor and the Cabinet within a certain time period before making the designation; providing the Governor and the Cabinet may by a majority vote approve or reject the designation; requiring the Chief to publish such designation in the Florida Administrative Register within a specified time period after approval of the designation by the Governor and the Cabinet; authorizing a designated organization to seek judicial review; providing for removal of such designation in certain circumstances; prohibiting state agencies, political subdivisions, and public school districts from expending certain public funds to support an organization designated as a domestic terrorist organization or a foreign terrorist organization, or accepting funds from such organizations; requiring the Department of Law Enforcement to adopt rules; amending s. 1002.421, F.S.; revising eligibility and obligations of private schools that participate in the state school choice scholarship program; creating s. 1003.035, F.S.; prohibiting a public school from

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expending certain funds to promote, support, or maintain certain programs or activities; amending s. 1004.06, F.S.; prohibiting certain institutions from expending public funds to promote, support, or maintain programs or campus activities that advocate for domestic terrorist organizations or foreign terrorist organizations; authorizing the withholding of specified funding of certain institutions; amending s. 1006.61, F.S.; requiring public postsecondary educational institutions to report specified information of a student in certain circumstances; requiring immediate expulsion of such student from the institution; amending s. 1009.01, F.S.; providing definitions; amending ss. 1009.23 and 1009.24, F.S.; requiring that certain students of Florida College System institutions and state universities, respectively, be immediately expelled and assessed out-of-state fees after a determination has been made such students have promoted a domestic terrorist organization or a foreign terrorist organization; amending s. 1009.26, F.S.; providing that certain students of school districts and Florida College System institutions are ineligible for specified fee waivers; creating s. 1009.8963, F.S.; prohibiting students who promote domestic terrorist organization or foreign terrorist organizations from being awarded certain public institution funds; providing an effective date.

WHEREAS, the Legislature finds that the United States and Florida Constitutions guarantee the free exercise of religion and that the United States and the State of Florida have a long and cherished history of protecting religious freedom, and

WHEREAS, the United States Supreme Court has acknowledged that the United States Constitution does not prohibit public authorities from regulating conduct or actions, even if motivated by religion, that "have invariably posed some substantial threat to public safety, peace or order," Sherbert v. Verner, 374 U.S. 398, 403 (1963), and

WHEREAS, Section 3, Article I of the State Constitution provides that "[r]eligious freedom shall not justify practices inconsistent with public morals, peace or safety," and

WHEREAS, the Legislature finds that certain practices inherent to Sharia law, including nonconsensual and child marriages, public stoning or lashings, physical warfare against non-Muslims, discriminatory treatment of women, and amputation of limbs for crimes such as theft, violate the fundamental rights of persons, undermine the peace and order of society, and are deeply incompatible with the United States and Florida Constitutions, and

WHEREAS, the Legislature has determined that a public or private authority or tribunal in the State of Florida should not enforce any religious practice, including any practice of Sharia law, that violates legal rights, NOW, THEREFORE,

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

Section 1. Section 2.05, Florida Statutes, is created to

read:

2.05 Application of religious or foreign law.—

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

(a) "Foreign law" means a legal code or formal system of law of a foreign country or nation, or of an international organization.

(b) "Religious law" means a legal code or formal system of law that is associated with a religion and is based on the sacred texts or traditions of such religion. The term includes Sharia law.

(2) Notwithstanding subsection (1), the terms "foreign law" and "religious law" do not include the following:

(a) The natural law or natural rights, as such law or rights are understood within the legal tradition of the United States or this state.

(b) A provision of the United States Constitution or a constitution of one of the several states.

(c) A provision of federal or state law.

(d) The common law, including the common law as described in s. 2.01.

(e) A provision of law of a Native American tribe within a state or territory of the United States.

(3) A court, administrative law judge, hearing officer, agency, arbitration panel, or any other authority or tribunal established by law or agreement of the parties may not enforce a provision of religious law or foreign law between any person and the state or its agencies, political subdivisions, or municipalities, unless the enforcement of such provision is required by federal or state law. However, in no event may such

provision be enforced against a person if such enforcement would violate a constitutional right of such person under the United States Constitution or the Florida Constitution.

(4) A court, administrative law judge, hearing officer, agency, arbitration panel, or any other authority or tribunal established by law or agreement of the parties may not enforce any provision of religious law or foreign law in any matter or case between private persons, notwithstanding any contractual agreement between them, if the enforcement of such provision would violate the rights of any person under federal or state law. However, such provision may be enforced if such enforcement is required by the United States Constitution or the Florida Constitution.

(5) This section does not apply to the governance, administration, or adjudication of ecclesiastical matters of a religious organization, including, but not limited to:

(a) The selection, appointment, discipline, or removal of employees or clergy.

(b) The interpretation of doctrine.

Section 2. Subsection (1) of section 617.1420, Florida Statutes, is amended to read:

617.1420 Grounds for administrative dissolution.—

(1) The Department of State may commence a proceeding under s. 617.1421 to administratively dissolve a corporation if:

(a) The corporation has failed to file its annual report and pay the annual report filing fee by 5 p.m. Eastern Time on the third Friday in September;

(b) The corporation is without a registered agent or registered office in this state for 30 days or more;

(c) The corporation does not notify the Department of State within 30 days after its registered agent or registered office has been changed, after its registered agent has resigned, or after its registered office has been discontinued;

(d) The corporation has failed to answer truthfully and fully, within the time prescribed by this act, interrogatories propounded by the Department of State; ~~or~~

(e) The corporation's period of duration stated in its articles of incorporation has expired; or

(f) The corporation has been designated as a domestic terrorist organization or foreign terrorist organization pursuant to s. 943.03102, such designation has been published in the Florida Administrative Register, and any timely judicial challenge under that section has been resolved against the organization.

Section 3. Subsections (1) and (3) of section 775.30, Florida Statutes, are amended to read:

775.30 Terrorism; defined; penalties.—

(1) As used in this chapter and the Florida Criminal Code, the term:

(a) ~~terms~~ "Terrorism" or "terrorist activity" means ~~mean~~ an activity that:

1.~~(a)~~ Involves:

a.~~1.~~ A violent act or an act dangerous to human life which is a violation of the criminal laws of this state or of the United States; or

b.~~2.~~ A violation of s. 815.06; and

2.~~(b)~~ Is intended to:

a.~~1.~~ Intimidate, injure, or coerce a civilian population;

b.~~2.~~ Influence the policy of a government by intimidation or coercion; or

c.~~3.~~ Affect the conduct of government through destruction of property, assassination, murder, kidnapping, or aircraft piracy.

(b) "Domestic terrorist organization" means an organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102.

(3) A person who violates ~~commits a violation of~~ subsection (2) which results in death or serious bodily injury commits a life felony, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. As used in this subsection, the term "serious bodily injury" means an injury to a person which creates a substantial risk of death, serious personal disfigurement, or protracted loss or impairment of the function of a bodily member or an organ.

Section 4. Paragraphs (c), (d), and (e) of subsection (1) of section 775.32, Florida Statutes, are redesignated as paragraphs (d), (e), and (f), respectively, subsections (2), (3), and (4) are amended, and a new paragraph (c) is added to subsection (1) of that section, to read:

775.32 Use of military-type training provided by ~~a designated foreign~~ terrorist organizations ~~organization~~.—

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

(c) "Domestic terrorist organization" means an organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102.

(2) A person who has received military-type training from a designated foreign terrorist organization or a domestic

terrorist organization may not use, attempt to use, or conspire to use such military-type training with the intent to unlawfully harm another person or damage a critical infrastructure facility.

(3) A person who violates ~~commits a violation of~~ subsection (2) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) A person who violates ~~commits a violation of~~ subsection (2) which results in the death of, or serious bodily injury to, a person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 5. Paragraphs (b) through (e) of subsection (1) of section 775.33, Florida Statutes, are redesignated as paragraphs (c) through (f), respectively, subsections (3) and (5) are amended, and a new paragraph (b) is added to subsection (1) of that section, to read:

775.33 Providing material support or resources for terrorism or to terrorist organizations.—

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

(b) "Domestic terrorist organization" means an organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102.

(3) A person who knowingly provides material support or resources to a designated foreign terrorist organization or a domestic terrorist organization, or attempts or conspires to do so, commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. To violate this subsection, a person must have knowledge that the organization is a designated foreign terrorist organization or a domestic

terrorist organization, or that the organization has engaged in or engages in terrorism or terrorist activity.

(5)(a) For purposes of prosecution under subsection (2) or subsection (3), a person is deemed to provide material support or resources by providing personnel if the person knowingly provides, attempts to provide, or conspires to provide himself or herself or another person to:

1. Work under the direction and control of a designated foreign terrorist organization or a domestic terrorist organization, or a person engaged in, or intending to engage in, an act of terrorism; or

2. Organize, manage, supervise, or otherwise direct the operations of a designated foreign terrorist organization or a domestic terrorist organization, or a person engaged in, or intending to engage in, an act of terrorism.

(b) An individual who acts entirely independently of the designated foreign terrorist organization or a domestic terrorist organization, or the person engaged in, or intending to engage in, an act of terrorism to advance the organization's or person's goals or objectives is not working under the direction and control of the designated foreign terrorist organization or domestic terrorist organization or person engaged in, or intending to engage in, an act of terrorism.

Section 6. Section 775.34, Florida Statutes, is amended to read:

775.34 Membership in ~~a designated foreign~~ terrorist organizations ~~organization~~.—

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

(a) "Designated foreign terrorist organization" has the

same meaning as provided in s. 775.32.

(b) "Domestic terrorist organization" means an organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102.

(2) A person who willfully becomes a member of a designated foreign terrorist organization or a domestic terrorist organization and serves under the direction or control of that organization with the intent to further the illegal acts of the organization commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. ~~As used in this section, the term "designated foreign terrorist organization" has the same meaning as provided in s. 775.32.~~

Section 7. Subsection (7) of section 874.03, Florida Statutes, is amended to read:

874.03 Definitions.—As used in this chapter:

(7) "Terrorist organization" means any organized group engaged in or organized for the purpose of engaging in terrorism as defined in s. 775.30. The term includes:

(a) A domestic terrorist organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102.

(b) A foreign terrorist organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102.

This definition does not ~~shall not be construed to~~ prevent prosecution under this chapter of individuals acting alone.

Section 8. Section 943.03102, Florida Statutes, is created to read:

943.03102 Designation of terrorist organizations.—

(1)(a) In order to ensure the safety of this state, and the safety of the residents of this state, the Chief of Domestic Security may designate an organization:

1. A domestic terrorist organization if the Chief of Domestic Security finds that the organization meets the following criteria:

a. The organization is based or operates in this state or the United States.

b. The organization is engaging in terrorist activity as defined in s. 775.30.

c. The terrorist activity of the organization is an ongoing threat to the security of this state or the United States.

2. A foreign terrorist organization if the Chief of Domestic Security finds that the organization meets the following criteria:

a. The organization is designated as a foreign terrorist organization by the United States Secretary of State pursuant to s. 219 of the Immigration and Nationality Act.

b. The terrorist activity of the organization is an ongoing threat to the security of this state or the United States.

(b) The Chief of Domestic Security must maintain a list of organizations that he or she designates as domestic terrorist organizations or foreign terrorist organizations.

(c) At least once every 5 years, the Chief of Domestic Security must review each designation made under paragraph (a) which labels an organization a domestic terrorist organization or a foreign terrorist organization.

(2)(a) At least 7 days before making a designation under

subsection (1), the Chief of Domestic Security must provide written notice to the Governor and Cabinet of his or her intent to designate an organization as a domestic terrorist organization or a foreign terrorist organization, which notice must be accompanied by written findings regarding the basis for such designation.

(b) Upon receipt of written notice made pursuant to paragraph (a), the Governor and Cabinet may, by a majority vote, approve or reject a designation made by the Chief of Domestic Security under subsection (1).

(c) Within 7 days after approval by the Governor and Cabinet of a designation made by the Chief of Domestic Security under subsection (1), the Chief of Domestic Security must publish notice of the designation in the Florida Administrative Register.

(d) Within 30 days after publication of a notice of the designation in the Florida Administrative Register, the organization designated as a domestic terrorist organization or a foreign terrorist organization, or any member of such organization, may challenge such designation in the circuit court of the Second Judicial Circuit in and for Leon County.

(3)(a) An organization designated as a domestic terrorist organization or a foreign terrorist organization may petition the department, at any time, for the removal of such designation.

(b) At any time, the Governor and Cabinet may remove, by a majority vote, a designation made by the Chief of Domestic Security under subsection (1).

(4) A state agency, political subdivision, or public school

district authorized to expend state-appropriated funds or levy ad valorem taxes may not:

(a) Expend such funds or taxes to support a foreign terrorist organization or a domestic terrorist organization, or a member of such organization, whose designation as such has been published in the Florida Administrative Register in accordance with this section.

(b) Accept any funds from a foreign terrorist organization or a domestic terrorist organization, or a member of such organization, whose designation as such has been published in the Florida Administrative Register in accordance with this section.

(5) The department shall adopt rules to implement this section.

Section 9. Paragraph (t) is added to subsection (1) of section 1002.421, Florida Statutes, to read:

1002.421 State school choice scholarship program accountability and oversight.—

(1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private school participating in an educational scholarship program established pursuant to this chapter must be a private school as defined in s. 1002.01 in this state, be registered, and be in compliance with all requirements of this section in addition to private school requirements outlined in s. 1002.42, specific requirements identified within respective scholarship program laws, and other provisions of Florida law that apply to private schools, and must:

(t) Prohibit:

1. Employment of or contracting with;

2. Ownership or operation by; and

3. Acceptance of funds from

a person or entity that is affiliated with or in any way controlled by:

a. A foreign terrorist organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102, or a member of such organization;

b. A criminal gang or a criminal gang member as defined in s. 874.03;

c. A terrorist organization as defined in s. 874.03;

d. A transnational crime organization, as defined in s. 874.03, or a member of such organization;

e. A domestic terrorist organization as defined in s. 775.32;

f. A person or entity that has:

(I) Provided material support or resources, as defined in s. 775.33(1), to; or

(II) Received such support or resources from

a foreign terrorist organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102, or a criminal gang, terrorist organization, transnational crime organization, or domestic terrorist organization, as those terms are defined in s. 874.03;

g. A person or entity that has demonstrated a pattern or practice of supporting or advocating for terrorism as defined in s. 775.30(1);

h. A school program or student group that promotes a domestic terrorist organization or a foreign terrorist organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102; or

i. A school program or student group that promotes a person or entity providing material support, as defined in s. 775.33, to a domestic terrorist organization or a foreign terrorist organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102.

The department shall suspend the payment of funds to a private school that knowingly fails to comply with this subsection, and shall prohibit the school from enrolling new scholarship students, for 1 fiscal year and until the school complies. If a private school fails to meet the requirements of this subsection or has consecutive years of material exceptions listed in the report required under paragraph (q), the commissioner may determine that the private school is ineligible to participate in a scholarship program.

Section 10. Section 1003.035, Florida Statutes, is created to read:

1003.035 Prohibited expenditures.—A public school, including a charter school, school district, charter school administrator, or direct-support organization for any such school or school district, may not expend any state or federal funds to promote, support, or maintain any programs or campus activities that:

(1) Promote a domestic terrorist organization or a foreign

terrorist organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102.

(2) Promote a person or entity providing material support, as defined in s. 775.33, to a domestic terrorist organization or a foreign terrorist organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102.

Section 11. Subsection (2) of section 1004.06, Florida Statutes, is amended to read:

1004.06 Prohibited expenditures.—

(2)(a) A Florida College System institution, state university, Florida College System institution direct-support organization, or state university direct-support organization may not expend any state or federal funds to promote, support, or maintain any programs or campus activities that:

1.~~(a)~~ Violate s. 1000.05; ~~or~~

2.~~(b)~~ Advocate for diversity, equity, and inclusion, or promote or engage in political or social activism, as defined by rules of the State Board of Education and regulations of the Board of Governors; or

3. Promote a domestic terrorist organization or a foreign terrorist organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102.

(b) The State Board of Education or the Board of Governors, as applicable, may withhold performance-based funding of a Florida College System institution or state university that violates subparagraph (a)3.

(c) Student fees to support student-led organizations are allowed ~~permitted~~ notwithstanding any speech or expressive activity by such organizations which would otherwise violate this subsection, provided that the public funds must be allocated to student-led organizations pursuant to written policies or regulations of each Florida College System institution or state university, as applicable. Use of institution facilities by student-led organizations is allowed ~~permitted~~ notwithstanding any speech or expressive activity by such organizations which would otherwise violate this subsection, provided that such use must be granted to student-led organizations pursuant to written policies or regulations of each Florida College System institution or state university, as applicable.

Section 12. Subsection (3) is added to section 1006.61, Florida Statutes, to read:

1006.61 Participation by students in disruptive activities, and promotion of foreign terrorist organizations, at public postsecondary educational institution; penalties.—

(3)(a) Pursuant to 8 C.F.R. s. 214.3(g)(2), a public postsecondary educational institution must report information relating to the current status of a student who is attending the institution on a student visa if the student promotes a foreign terrorist organization or a domestic terrorist organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102.

(b) After a student of a state institution of higher learning has been determined to have promoted a foreign terrorist organization or a domestic terrorist organization

whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102, such student shall be immediately expelled from the institution.

Section 13. Section 1009.01, Florida Statutes, is amended to read:

1009.01 Definitions.—The term:

(1) "Domestic terrorist organization" means an organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102.

(2) "Foreign terrorist organization" means an organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102.

(3) "Out-of-state fee" means the additional fee for instruction charged by a public postsecondary educational institution in this state, which fee is charged to a student who does not qualify for the in-state tuition rate pursuant to s. 1009.21. A charge for any other purpose may not be included in this fee.

(4)~~(1)~~ "Tuition" means the basic fee charged to a student for instruction provided by a public postsecondary educational institution in this state. A charge for any other purpose may ~~shall~~ not be included in ~~within~~ this fee.

~~(2) "Out-of-state fee" means the additional fee for instruction provided by a public postsecondary educational institution in this state, which fee is charged to a student who does not qualify for the in-state tuition rate pursuant to s. 1009.21. A charge for any other purpose shall not be included within this fee.~~

(5)~~(3)~~ "Tuition differential" means the supplemental fee

charged to a student by a public university in this state pursuant to s. 1009.24(16).

Section 14. Subsection (22) of section 1009.23, Florida Statutes, is renumbered as subsection (23), and a new subsection (22) is added to that section, to read:

1009.23 Florida College System institution student fees.—

(22) A student who has been determined to have promoted a domestic terrorist organization or a foreign terrorist organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102, during any term of enrollment, shall be immediately expelled from the institution and assessed the out-of-state fee established in subsection (3).

Section 15. Subsection (22) is added to section 1009.24, Florida Statutes, to read:

1009.24 State university student fees.—

(22) A student who has been determined to have promoted a domestic terrorist organization or a foreign terrorist organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102, during any term of enrollment, shall be immediately expelled from the institution and assessed the out-of-state fee established in subsection (4).

Section 16. Subsection (22) is added to section 1009.26, Florida Statutes, to read:

1009.26 Fee waivers.—

(22) A student who promotes a domestic terrorist organization or a foreign terrorist organization whose designation as such has been published in the Florida

Administrative Register in accordance with s. 943.03102, during any term of enrollment, is ineligible for any fee waiver under this section.

Section 17. Section 1009.8963, Florida Statutes, is created to read:

1009.8963 Prohibition on awarding of scholarships, grants, and other aid.—A student who promotes a domestic terrorist organization or a foreign terrorist organization whose designation as such has been published in the Florida Administrative Register in accordance with s. 943.03102, during any term of enrollment, may not be awarded any institutional or state grants, financial aid, scholarships, or tuition assistance under this chapter.

Section 18. This act shall take effect July 1, 2026.

By the Appropriations Committee on Criminal and Civil Justice; the Committee on Judiciary; and Senator Grall

604-03247-26 20261634c2

A bill to be entitled

An act relating to public records; amending s. 943.03102, F.S.; providing an exemption from public records requirements for certain information relating to the designation of an organization as a domestic terrorist organization or a foreign terrorist organization by the Chief of Domestic Security; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

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

Section 1. Paragraph (a) of subsection (2) of section 943.03102, Florida Statutes, as created by SB 1632, 2026 Regular Session, is amended to read:

943.03102 Designation of terrorist organizations.—

(2)(a)1. At least 7 days before making a designation under subsection (1), the Chief of Domestic Security must provide written notice to the Governor and Cabinet of his or her intent to designate an organization as a domestic terrorist organization or a foreign terrorist organization, which notice must be accompanied by written findings regarding the basis for such designation.

2. Any portion of the information provided under subparagraph 1. which would reveal information critical to state or national security is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. (1) Section 943.03102, Florida Statutes, requires the Chief of Domestic Security to provide written notice and findings to the Governor and Cabinet before designating an organization as a domestic terrorist organization or a foreign terrorist organization. To allow the chief to fulfill his or her role in making such a designation, the chief must consult with local, state, and federal law enforcement agencies; counter-terrorism organizations; and national security organizations and receive national and domestic security information that is highly sensitive in nature. For purposes of public safety, the Legislature intends to keep such information exempt from disclosure.

(2) The Legislature finds that it is a public necessity that any portion of information contained in the chief's written notice and findings provided to the Governor and Cabinet before designating an organization as a domestic terrorist organization or a foreign terrorist organization which would reveal information critical to state or national security be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution.

Section 3. This act shall take effect on the same date that SB 1632 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

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

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 1742

INTRODUCER: Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senator Martin

SUBJECT: Indecent Exposure of Sexual Organs While Observing a Child

DATE: February 27, 2026 REVISED: _____ _____ _____ _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Parker	Stokes	CJ	**Fav/CS**
2.	Atchley	Harkness	ACJ	**Fav/CS**
3.	Parker	Siples	FP	**Favorable**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 1742 creates s. 800.035, F.S., establishing a new offense for indecent exposure of sexual organs while observing a child. Specifically, the bill provides that a person commits the offense of indecent exposure while observing a child if that person, while observing a child under 16 years of age, for the purpose of his or her own sexual arousal or gratification:

- Intentionally expose his or her sexual organ in a lewd or lascivious manner; or
- Intentionally perform any sexual act that does not involve actual physical or sexual contact with the minor, including, but not limited to, sadomasochistic abuse, sexual bestiality, masturbation, or the simulation of any act involving sexual activity.

A person who commits the offense of indecent exposure of sexual organs while observing a child commits a third degree felony.[1]

The bill provides exceptions and provides that it is not a defense that the person being observed was not aware of any specific conduct on the part of the offender or did not see the offender's sexual organs.

The bill repeals s. 800.02, F.S., relating to unnatural and lascivious acts.

[1] A third degree felony is punishable by a term of imprisonment not exceeding 5 years and a fine up to $5,000, as provided in ss. 775.082, 775.083, or 775.084, F.S.

The bill may have a positive indeterminate fiscal impact (unquantifiable increase in prison bed needs) on the Department of Corrections. See Section V., Fiscal Impact Statement.

The bill takes effect on October 1, 2026.

II. Present Situation:

Lewd or Lascivious Offenses

Florida law contains various sections of law relating to lewd or lascivious offenses. This includes, in part, prohibitions on lewd or lascivious exhibition in the presence of a minor.

Lewd or Lascivious Conduct

Section 800.04(6), F.S., provides that a person who commits lewd or lascivious conduct, if he or she:

- Intentionally touches a person under 16 years of age in a lewd or lascivious manner;[2] or
- Solicits a person under 16 years to commit a lewd or lascivious act.[3]

An offender 18 years of age or older who commits lewd or lascivious conduct commits a second degree felony.[4] An offender less than 18 years of age or older who commits lewd or lascivious conduct commits a third degree felony.[5]

Lewd or Lascivious Exhibition

Section 800.04(7), F.S., provides that a person commits Lewd or Lascivious Exhibition if he or she, in the presence of a victim who is less than 16:

- Intentionally masturbates;
- Intentionally exposes the genitals in a lewd or lascivious manner; or
- Intentionally commits any other sexual act that does not involve actual physical or sexual contact with the victim, including but not limited to, sadomasochistic abuse, sexual bestiality, or the simulation of any act involving sexual activity.

An offender 18 years of age or older who commits a lewd or lascivious exhibition[6] commits a second degree felony.[7]

An offender less than 18 years of age who commits a lewd or lascivious exhibition[8] commits a third degree felony.[9]

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[2] Section (6)(a)1., F.S.
[3] Section (6)(a)2., F.S.
[4] Section (6)(b), F.S.
[5] Section (6)(c), F.S.
[6] Section 800.04(7)(b), F.S.
[7] A second degree felony is punishable by a term of imprisonment not exceeding 15 years and a fine up to $10,000, as provided in ss. 775.082, 775.083, and 775.084, F.S.
[8] Section 800.03, F.S.
[9] A third degree felony is punishable by a term of imprisonment not exceeding 5 years and a fine up to $5,000, as provided in ss. 775.082, 775.083, and 775.084, F.S.

A mother breastfeeding her baby does not under any circumstance constitute a violation of this section.[10]

Exposure of Sexual Organs

Publicly exposing sexual organs may be criminal behavior. The criminal act of exposure of sexual organs occurs when a person:

- Exposes or exhibits his or her sexual organs in public, or on the private premises of another, or so near thereto as to be seen from the private premises, in a vulgar or indecent manner; or
- Is naked in public in a vulgar or indecent manner. [11]

Exposure of sexual organs is a first degree misdemeanor.[12] However, a second or subsequent violation is a third degree felony.

Courts have consistently held that being naked alone is not sufficient to violate s. 800.03, F.S. To trigger a violation, there must also be a "lascivious" exhibition of the sexual organs.[13]

Unnatural and lascivious act

A person who commits any unnatural and lascivious act with another person commits a misdemeanor of the second degree.[14,15]

III. Effect of Proposed Changes:

CS/SB 1742 creates s. 800.035, F.S., establishing a new third degree felony offense for indecent exposure of sexual organs while observing a child. Specifically, the bill provides that a person commits the offense of indecent exposure while observing a child if that person, while observing a child under 16 years of age, for the purpose of his or her own sexual arousal or gratification:

- Intentionally exposes his or her sexual organ in a lewd or lascivious manner; or
- Intentionally performs any sexual act that does not involve actual physical or sexual contact with the minor, including, but not limited to, sadomasochistic abuse, sexual bestiality, masturbation, or the simulation of any act involving sexual activity.

The bill provides exceptions to the crime of indecent exposure of sexual organs if the person is either:

- A mother who is breastfeeding her baby.
- An individual who is merely nude in a place provided or set apart for the purpose.

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[10] Section 800.04(8), F.S.
[11] Section 800.03, F.S.
[12] A first degree misdemeanor is punishable by a term of imprisonment not to exceed one year and a fine up to $1,000, as provided in ss. 775.082 or 775.083, F.S.
[13] *Hoffman v. Carson*, 250 So 2d 891(Fla. 1971).
[14] Section 800.02, F.S.
[15] A second degree misdemeanor is punishable by a term of imprisonment not exceeding 60 days and a $500 fine, as provided in ss. 775.082 and 775.083, F.S.

The bill provides that it is not a defense that the person being observed was not aware of any specific conduct on the part of the offender or did not see the offender's sexual organs.

The bill defines "observing" as intentionally viewing another person under circumstances in which the offender is reasonably capable of being seen by the person viewed.

The bill repeals s 800.02, F.S., relating to unnatural and lascivious acts.

This bill takes effect on October 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Art. VII, s. 18 of the State Constitution.

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:

None.

C. Government Sector Impact:

The Legislature's Office of Economic and Demographic Research (EDR) and the Criminal Justice Impact Conference, which provides the final, official estimate of the prison bed impact, if any, of legislation, has determined that the bill may have a positive

indeterminate impact on Department of Corrections' prison bed needs. The EDR provides the following additional information regarding its estimate:

- Per FDLE, in FY 2024-2025, there were 28 arrests, with 8 guilty/convicted charges and two adjudication withheld charges for the current second degree misdemeanor under s. 800.02, F.S. Current language under s. 800.04(7), F.S. has a Level 5, second degree felony for someone older than 18 years of age committing lewd or lascivious exhibition in front of a victim less than 16 years of age, and a Level 4, third degree felony for when that person is less than 18 years of age. Per FDLE, there were 215 arrests under s. 800.04(7), F.S., with 64 guilty/convicted charges and three adjudication withheld charges. Per DOC, in FY 2024-2025, there were 34 new commitments to prison for such acts. The new language expands on similar acts, creating a situation where it "does not require such person to be aware of any specific conduct or to see the offender's sexual organs." It is not known how many additional offenders there would be under this new language.
- Per DOC, in FY 2024-2025, the incarceration rate for a Level 1, third degree felony was 9.7 percent.[16]

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 800.035 of the Florida Statutes.

This bill repeals section 800.02 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 Appropriations Committee on Criminal and Civil Justice on February 25, 2026:

The committee substitute:

- Renames the new offense to "indecent exposure of sexual organs while observing a child".
- Removes the definition of "viewing" and defines "observing".
- Provides that it is not a defense that the person being observed was not aware of any specific conduct on the part of the offender or did not see the offender's sexual organs.

[16] Office of Economic and Demographic Research, *SB 1742 – Indecent Exposure of Sexual Organs to Minors*, (on file with the Senate Appropriations Committee on Criminal and Civil Justice)

CS by Criminal Justice on January 26, 2026:
The committee substitute:

- Creates a third degree felony for indecent exposure to a minor which prohibits lewd or sexual acts while viewing a child, for the purpose of attaining sexual arousal or gratification.
- Repeals unnatural and lascivious acts statute.

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 the Appropriations Committee on Criminal and Civil Justice; the Committee on Criminal Justice; and Senator Martin

A bill to be entitled

An act relating to indecent exposure of sexual organs while observing a child; repealing s. 800.02, F.S., relating to unnatural and lascivious acts; creating s. 800.035, F.S.; defining the term "observing"; prohibiting a person from, for a specified purpose, intentionally exposing his or her sexual organs in a lewd or lascivious manner or intentionally performing specified sexual acts while observing a child under 16 years of age; providing criminal penalties; specifying what does not constitute a defense to committing such offense; providing exceptions; amending ss. 914.16 and 933.18, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Section 800.02, Florida Statutes, is repealed.

Section 2. Section 800.035, Florida Statutes, is created to read:

800.035 Indecent exposure of sexual organs while observing a child.—

(1) As used in this section, the term "observing" means intentionally viewing another person under circumstances in which the offender is reasonably capable of being seen by the person being viewed.

(2) A person commits the offense of indecent exposure while observing a child if that person, while observing a child under 16 years of age, for the purpose of his or her own sexual

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

arousal or gratification:

(a) Intentionally exposes a sexual organ in a lewd or lascivious manner; or

(b) Intentionally performs any sexual act that does not involve actual physical or sexual contact with the child, including, but not limited to, sadomasochistic abuse, sexual bestiality, masturbation, or the simulation of any act involving sexual activity.

(3) A person who violates subsection (2) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) It is not a defense under this section that the person being observed was not aware of any specific conduct on the part of the offender or did not see the offender's sexual organs.

(5) A person does not commit the offense of indecent exposure of sexual organs while observing a child if the person is either of the following:

(a) A mother who is breastfeeding her baby.

(b) An individual who is merely nude in a place provided or set apart for that purpose.

Section 3. Section 914.16, Florida Statutes, is amended to read:

914.16 Child abuse and sexual abuse of victims under age 16 or who have an intellectual disability; limits on interviews.—The chief judge of each judicial circuit, after consultation with the state attorney and the public defender for the judicial circuit, the appropriate chief law enforcement officer, and any other person deemed appropriate by the chief judge, shall order reasonable limits on the number of interviews which a victim of

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

a violation of s. 794.011, s. 800.04, s. 827.03, or s. 847.0135(5) who is under 16 years of age or a victim of a violation of s. 794.011, ~~s. 800.02,~~ s. 800.03, or s. 825.102 who has an intellectual disability as defined in s. 393.063 must submit to for law enforcement or discovery purposes. To the extent possible, the order must protect the victim from the psychological damage of repeated interrogations while preserving the rights of the public, the victim, and the person charged with the violation.

Section 4. Paragraph (b) of subsection (7) of section 933.18, Florida Statutes, is amended to read:

933.18 When warrant may be issued for search of private dwelling.—No search warrant shall issue under this chapter or under any other law of this state to search any private dwelling occupied as such unless:

(7) One or more of the following child abuse offenses is being committed there:

~~(b) Commission of an unnatural and lascivious act with a child, in violation of s. 800.02.~~

If, during a search pursuant to a warrant issued under this section, a child is discovered and appears to be in imminent danger, the law enforcement officer conducting such search may remove the child from the private dwelling and take the child into protective custody pursuant to chapter 39. The term "private dwelling" shall be construed to include the room or rooms used and occupied, not transiently but solely as a residence, in an apartment house, hotel, boardinghouse, or lodginghouse. No warrant shall be issued for the search of any

private dwelling under any of the conditions hereinabove mentioned except on sworn proof by affidavit of some creditable witness that he or she has reason to believe that one of said conditions exists, which affidavit shall set forth the facts on which such reason for belief is based.

Section 5. This act shall take effect October 1, 2026.

The Florida Senate

APPEARANCE RECORD

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

3/2/26
Meeting Date

Senate Fiscal Policy
Committee

SB 1742
Bill Number or Topic

Amendment Barcode (if applicable)

Name Kylee Anzveto

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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.

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Orange County Sheriff's Office

☐ 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

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 1750
INTRODUCER:	Appropriations Committee on Criminal and Civil Justice and Senator Martin
SUBJECT:	Sexual Offenses
DATE:	February 27, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Parker	Stokes	CJ	**Favorable**
2.	Atchley	Harkness	ACJ	**Fav/CS**
3.	Parker	Siples	FP	**Favorable**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1750 amends multiple Florida laws to increase penalties for, provide mandatory minimum sentencing for, and revise crimes related to sex offenses. Specifically, the bill amends:

- Section 775.0847, F.S., to revise the circumstances under which the violation of specified offenses relating to child pornography must be reclassified to the next higher degree.
- Section 794.0116, F.S., to increase mandatory minimum prison sentences for certain sexual offenses committed by persons previously convicted of a sexual offense.
- Section 827.071, F.S., to increase penalties for use of a child in a sexual performance, create the crime of aggravated use of a child younger than 12 in a sexual performance, provide a mandatory minimum sentence for certain crimes, and increase the penalty for knowingly soliciting, etc., child pornography for a person 18 years of age or older at the time of the offense.
  - The court is not required to impose a mandatory minimum term of imprisonment for a violation of this section if the court makes written findings related to the sexual performance that forms the basis of the violation under specified circumstances.
- Section 827.072, F.S., to provide increased penalties persons who transmit generated child pornography.
- Section 828.126, F.S., to provide increased penalties for offenses relating to sexual activities involving animals.
- Section 847.011, F.S., to provide that prosecution for offenses relating to the prohibition of certain acts in connection with obscene, lewd, etc., material, does not preclude prosecution for a violation of another crime.

- Section 847.0137, F.S., to define the terms "access credential," "cloud storage," "link," and "transmit," and to increase penalties and provide a mandatory minimum term of imprisonment for a person who was 18 years of age or older at the time of the offense, and provides a good faith exception for reporting information to law enforcement.
  - The bill provides that a court is not required to impose a mandatory minimum term of imprisonment for a violation of this section if the court makes specific written findings related to the image that forms the basis of the violation.
- Section 921.0022, F.S., to rank offenses relating to criminal sexual conduct in the Offense Severity Ranking Chart (OSRC) of the Criminal Punishment Code.

The bill may have a positive significant fiscal impact on the Department of Corrections. See Section V., Fiscal Impact Statement.

The bill takes effect on July 1, 2026.

II. Present Situation:

Florida law currently contains a variety of statutes that prohibit acts relating to criminal sexual conduct. A summary of these laws follows.

Sexual Performance by a Child, Child Pornography, Possession or Promotion of Child Pornography, Sexual Activity Involving Animals

Sexual performance by a child

A person is guilty of the use of a child in a sexual performance, if they direct, or promote any performance which includes sexual conduct by a child.[1] A person who violates this offense commits a second degree felony.[2]

It is unlawful for any person to possess with the intent to promote any photograph, motion picture, exhibition, show, representation, or other presentation which, in whole or in part, that includes child pornography. The possession of three or more copies of such media is prima facie evidence of an intent to promote.[3] A person who violates this offense commits a second degree felony.

It is unlawful for any person to knowingly solicit, possess, control, or intentionally view any media which, they know to include child pornography. The solicitation, possession, control, or intentional viewing of each such media is a separate offense. If such media depicts more than one child, then each child in each such media that is knowingly solicited, possessed, controlled, or intentionally viewed is a separate offense.[4] A person who violates this offense commits a third degree felony.[5]

[1] Section 827.071(3), F.S.
[2] A second degree felony is punishable by a term of imprisonment not exceeding 15 years and a fine up to $10,000, as provided in ss. 775.082, 775.083, and 775.084, F.S.
[3] Section 827.071(4), F.S.
[4] Section 827.071(5)(a), F.S.
[5] A third degree felony is generally punishable by not more than 5 years in prison and a fine not exceeding $5,000, as provided in ss. 775.082, 775.083, and 775.084, F.S.

Child Pornography

Child pornography is any image depicting a minor engaged in sexual conduct; or any image that has been created, altered, adapted, or modified by electronic, mechanical or other means, to portray an identifiable minor engaged in sexual conduct.[6]

Generally, the First Amendment does not protect child pornography. In *New York v. Ferber*,[7] the Supreme Court of the United States recognized that states have a compelling interest in safeguarding the physical and psychological well-being of minors and in preventing their sexual exploitation and abuse. The Court noted that it was "unlikely that visual depictions of children . . . lewdly exhibiting their genitals would often constitute an important and necessary part of a literary performance or scientific or educational work."[8]

The use of AI has also been used to create child pornography, sometimes referred to as "morphing." The Federal Government prohibits such images; however, the Supreme Court of the United States has found that the child or minor depicted in the image must be a real minor for such bans to pass constitutional muster.[9] Under these principles, states have constitutionally been able to criminalize the possession, distribution, etc., of child pornography. However, the constitutionality of criminalizing such acts is less clear when the images at issue are morphed pornography.

Child Pornography Prevention Action of 1996

In 1996, Congress passed the Child Pornography Prevention Action of 1996 (CPPA),[10] which created a definition of "child pornography." This criminalized, for the first time, acts relating to morphed child pornography. Under the CPPA, "child pornography" was defined as:

(8) Any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct,[11] where:
   (A) The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
   (B) Such visual depiction is, or appears to be, of a minor engaging in sexually explicit conduct (i.e., *virtual child pornography – created without using an actual child*);
   (C) Such visual depiction has been created, adapted, or modified to appear that an identifiable minor[12] is engaging in sexually explicit conduct (i.e*., morphed child pornography*); or

[6] Section 827.071(1)(b), F.S.
[7] *New York v. Ferber*, 458 U.S. 747 (1982).
[8] *Id*. at 763.
[9] *See Ashcroft v. Free Speech Coalition*, 535 U.S. 234 (2002).
[10] Pub. L. No. 104-208, s. 121.
[11] The term "sexually explicit conduct" was defined as actual or simulated sexual intercourse (including genital-genital, oral-genital, anal-genital, or oral-anal) whether between persons of the same or opposite sex; bestiality; masturbation; sadistic or masochistic abuse; or lascivious exhibition of the genitals or pubic area of any person. 18 U.S.C. s. 2256(2) (1996 ed.).
[12] The term "identifiable minor" was defined as a person who is recognizable as an actual person by the person's face, likeness, or other distinguishing characteristic, such as a unique birthmark or other recognizable feature, and who was a minor at the time the visual depiction was created, adapted, or modified, or whose image as a minor was used in creating, adapting, or modifying the visual depiction. The term was not construed as to require proof of the actual identity of the identifiable minor. 18 U.S.C. s. 2556(9) (1996 ed.).

(D) Such visual depiction is advertised, promoted, presented, described, or distributed in such a manner that conveys the impression that the material is or contains a visual depiction of a minor engaging in sexually explicit conduct.[13]

In 2002, the United States Supreme Court decided *Ashcroft v. Free Speech Coalition*,[14] a case in which a California trade association for the adult-entertainment industry challenged section 2256(8)(B) of the CPPA as unconstitutionally overbroad. As noted above, section 2256(8)(B) made it a crime to possess or distribute images depicting a child or what appears to be a child, engaging in sexually explicit conduct (i.e., virtual child pornography).[15]

The Court held that the "speech" criminalized in the challenged provision of the CPPA violated the First Amendment because it extended the federal prohibition against child pornography to sexually explicit images that appeared to depict minors but were produced without using any real children.[16] The Court decided that by prohibiting child pornography that did not depict an actual child, section 2256(8)(B) of the CPPA "abridged the freedom to engage in a substantial amount of lawful speech" and was therefore overbroad and unconstitutional.[17]

The *Ashcroft* decision did not specifically address the constitutionality of 18 U.S.C. 2256(8)(C) (prohibiting *morphed* child pornography), it did note, in dictum, that "[a]lthough morphed images may fall within the definition of virtual child pornography, they implicate the interests of real children. . ."[18] Courts have taken this dictum to suggest that the *Ashcroft* court would have deemed morphed child pornography as not protected by the First Amendment.[19]

Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act (Protect Act)

Congress attempted to remedy the constitutional issues raised in *Ashcroft* by passing the "Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act" (Protect Act) in 2003.[20] The Protect Act, in part, narrowed the definition of "virtual" child pornography in section (8)(B) of the CPPA to include virtual or computer-generated images that are "indistinguishable from" images of actual minors engaging in sexually explicit conduct.[21]

Notably, the definition of "morphed" child pornography contained in section 2256(8)(C) remained unchanged between the CPPA and the Protect Act.

[13] 18 U.S.C. s. 2556(8) (1996 ed.).
[14] 535 U.S. 234 (2002).
[15] 18 U.S.C. s. 2556(8) (1996 ed.).
[16] *Ashcroft*, 535 U.S. at 256.
[17] *Id.*
[18] *Id*. at 242.
[19] *McFadden v. Alabama*, 67 So. 3d 169, 181-182 (Ala. Crim. App. 2010).
[20] Pub. L. No. 108-21.
[21] 18 U.S.C. s. 2256(8)(B).

Case Law since the Passage of the Protect Act

To date, the federal statutes relating to morphed child pornography have been upheld.[22] In *United States v. Bach*,[23] the defendant was convicted of possessing morphed child pornography. The image at issue showed a young nude boy sitting in a tree, grinning, with his pelvis tilted upward, his legs opened wide, and a full erection.[24] The photograph of a well-known child entertainer's head had been "skillfully inserted onto the photograph of the nude boy so that the resulting image appeared to be a nude picture of [the child entertainer] sitting in the tree."[25]

The defendant appealed arguing that his conviction was invalid because the definition of morphed child pornography violated the First Amendment. The United States Court of Appeals for the Eighth Circuit disagreed, holding that morphed child pornography "implicate the interests of a real child," and creates a lasting record of an identifiable minor child seemingly engaged in sexually explicit activity.[26] The court noted that there may be instances when the "application of s. 2256(8)(C) violates the First Amendment, this is not such a case. This image involves the type of harm which can constitutionally be prosecuted under [*Ashcroft*] and *Ferber*."[27]

In *United States v. Anderson*, the defendant was charged with distribution of morphed child pornography relating to an image in which the face of a minor female was superimposed over the face of an adult female engaging in sex with an adult male.[28] The defendant moved to dismiss the charge, arguing that the definition of morphed child pornography was unconstitutionally overbroad.[29] The court noted that the image at issue was different from the one in *Bach* in that "no minor was sexually abused."[30] However, the court held that because such images falsely portray identifiable children engaging in sexual activity, such images implicate the government's compelling interest in protecting minors. Using this reasoning, the court held that the definition of morphed child pornography was constitutional.[31]

In 2024, Florida passed laws related to generated child pornography. It is unlawful for a person to knowingly possess, control or intentionally view any media which, in whole or in part, is known to include generated child pornography. The possession, control, or intentional viewing of each such media is a separate offense.[32] A person who violates this offense commits a third degree felony.

Generated child pornography, means any image that has been created, altered, adapted, or modified by electronic, mechanical, or other computer-generated means to portray a fictitious

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[22] *See United States v. Ramos,* 685 F. 3d 120, 134 (2d Cir. 2012), *cert. denied,* 133 S.Ct. 567 (2012); *see also Doe v. Boland*, 630 F. 3d 491, 497 (6th Cir. 2011).
[23] *United States v. Bach*, 400 F. 3d 622 (8th Cir. 2005).
[24] *Id*. at 625.
[25] *Id*.
[26] *Id*. at 632.
[27] *Id*. *See also United States v. Hotaling,* 634 F. 3d 725 (2d Cir. 2008), cert. denied, 132 S.Ct. 843 (2011) (citing *Bach,* the Court held that "child pornography created by digitally altering sexually explicit photographs of adults to display the face of a child is not protected expressive speech under the First Amendment").
[28] 759 F. 3d 891 (8th Cir. 2014).
[29] *Id*.
[30] *Id*. at 895.
[31] *Id*. at 896.
[32] Section 827.072(2)(a), F.S.

person, who a reasonable person would regard as being a real person younger than 18 years of age, engaged in sexual conduct.[33]

Section 847.0135, F.S., specifies the criminal offense of computer pornography. It is a third degree felony for a person who:

- Knowingly compiles, enters into, or transmits[34] by use of computer;
- Makes, prints, publishes, or reproduces by other computerized means;
- Knowingly causes or allows to be entered into or transmitted by use of computer; or
- Buys, sells, receives, exchanges, or disseminates any notice, statement, or advertisement of any minor's name, telephone number, place of residence, physical characteristics, or other descriptive or identifying information for purposes of facilitating, encouraging, offering, or soliciting sexual conduct of or with any minor, or the visual depiction of such conduct.[35]

Section 775.0847, F.S., reclassifies violations of sexual performance by a child; computer pornography; prohibited computer usage; traveling to meet a minor; transmission of pornography by electronic device or equipment; and transmission of material harmful to minors to a minor by electronic device or equipment, to the next higher degree if:

- The offender possesses ten or more images of any form of child pornography[36] regardless of content; and
- The content of at least one image contains one or more of the following:
  - A child who is younger than the age of five.
  - Sadomasochistic abuse[37] involving a child.
  - Sexual battery involving a child.
  - Sexual bestiality involving a child.
  - Any movie involving a child, regardless of length and whether the movie contains sound.[38]

In the case of a third degree felony, the offense is reclassified to a second degree felony.[39]

In the case of a second degree felony, the offense is reclassified to a first degree felony.[40,41]

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[33] Section 827.072(1)(a), F.S.
[34] Section 847.0137, F.S., defines the term "transmit" to mean the act of sending and causing to be delivered, including the act of providing access for receiving and causing to be delivered, any image, information, or data over or through any medium, including the internet or an interconnected network, by use of any electronic equipment or other device.
[35] Section 847.0135(2)(a)-(c), F.S.
[36] Section 775.0847(1)(b), F.S., defines "child pornography" to mean any image depicting a minor engaged in sexual conduct.
[37] Section 775.0847(1)(e), F.S., defines "sadomasochistic abuse," to mean flagellation or torture by or upon a person or the condition of being fettered, bound, or otherwise physically restrained, for the purpose of deriving sexual satisfaction, or satisfaction brought about as a result of sadistic violence, from inflicting harm on another or receiving such harm oneself.
[38] Section 775.0847(2), F.S.
[39] Section 775.0847(3)(a), F.S.
[40] Section 775.0847(3)(b), F.S.
[41] A first degree felony is generally punishable by up to 30 years in prison and a fine not exceeding $10,000, as provided in ss. 775.082, 775.083, and 775.084, F.S.

Mandatory Minimum Sentencing for Sex Offenses

Certain sexual offenses will carry mandatory minimum sentences if committed by a person who was previously convicted of or had an adjudication withheld for a specified offense.[42] A person who was previously convicted of or had adjudication withheld for sexual offenses must be sentenced to a mandatory minimum term of imprisonment as follows:

Lewd or lascivious molestation[43]	10 years
Lewd or lascivious molestation of an elderly person or disabled person[44]	10 years
Use of a child in a sexual performance[45]	20 years
Promoting a sexual performance by a child when, knowing the character and content thereof, he or she produces, directs, or promotes any performance which includes sexual conduct by a child[46]	20 years
Possess with the intent to promote any photograph, motion picture, exhibition, show, representation, or other presentation which, in whole or in part, includes child pornography[47]	15 years
Knowingly solicit, possess, control, or intentionally view a photograph, motion picture, exhibition, show, representation, image, data, computer depiction, or other presentation which, in whole or in part, he or she knows to include child pornography[48]	10 years
Computer pornography[49]	10 years
Transmission of pornography by electronic device or equipment[50]	10 years
Selling or buying of minors[51]	20 years

Obscenity and The Miller Test

The U.S. Supreme Court has long held that obscenity is not within the area of constitutionally protected speech, however, sex and obscenity are not synonymous. The Court held that portrayal of sex, for example, in art, literature and scientific works, is not itself a sufficient reason to deny material the constitutional protections of free speech. Obscene material is material that deals with

[42] Section 794.0116, F.S.
[43] Section 800.04(5), F.S.
[44] Section 825.0125(3), F.S.
[45] Section 827.071(2), F.S.
[46] Section 827.071(3), F.S.
[47] Section 827.071(4), F.S.
[48] Section 827.071(5)(a), F.S.
[49] Section 847.0135, F.S.
[50] Section 847.0137, F.S.
[51] Section 847.0145, F.S.

sex in a manner appealing to prurient interests.[52] The U.S. Supreme Court's standard for determining what material is obscene has evolved over the years.[53]

In 1973, the U.S. Supreme Court developed a three-prong test in *Miller v. California*,[54] to define obscene speech. The court acknowledged the inherent dangers of undertaking to regulate any form of expression, and that statutes designed to regulate obscene materials must be carefully limited. This is the test that is still used today to determine whether speech is obscene. According to the *Miller* test, speech is determined to be obscene if:

- The average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to the prurient interest;
- The work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and
- The work, taken as a whole, lacks serious literary, artistic, political, or scientific value.[55]

In addressing the contemporary community standard, the court in *Miller* stated "to require a state to structure obscenity proceedings around evidence of a national 'community standard' would be an exercise in futility," and held that the requirement of the jury to evaluate the materials with reference to contemporary standards of the State is constitutionally adequate.[56]

Material Harmful to Minors

The power of the state to control the conduct of children reaches beyond the scope of its authority over adults. The state may give minors a more restricted right than that assured to adults to determine for themselves what sex material they may read or see.[57] The U.S. Supreme Court held in *Ginsberg*, that a statute which defined obscenity of material on a basis of its appeal to minors, by prohibiting the sale of obscene material harmful to minors, to youths had a rational relation to the objective of safeguarding such minors from harm, and was constitutionally valid.[58]

Further, courts have found that the state has a "'compelling interest in protecting the physical and psychological well-being of minors' which 'extends to shielding minors from the influence of literature that is not obscene by adult standards.' In doing so, however, the means must be narrowly tailored to achieve that end so as not to unnecessarily deny adults access to material which is constitutionally protected indecent material. No similar tailoring is required when the material is obscene material, which is not protected by the First Amendment."[59]

Despite the Court's clear ruling that a state may regulate material harmful to minors, but not obscene for adults, some statutes have been found unconstitutionally overbroad and criminalized constitutionally protected speech. For example, in *Powell's Books Inc. v. Kroger*, the Ninth Circuit Court of Appeals struck down a pair of statutes aimed at prohibiting "luring" and

[52] *Roth v. U.S.,* S. Ct. 1304 (1957).
[53] *See* Roth v. U.S., S. Ct. 1304 (1957); *A book named 'John Cleland's Memoirs of a Woman of Please,' et al., v. Attorney General of the Commonwealth of Massachusetts*, 86 S. Ct. 975 (1965); *Miller v. California*, 413 U.S. 15 (1973).
[54] *Miller v. California*, 413 U.S. 15 (1973).
[55] *Id.*at 24.
[56] *Id.* at 33-34.
[57] *Ginsberg v. New York*, 88 S. Ct. 1274 (1968).
[58] *Id*. at 1282
[59] *Simmons v. State*, 944 So. 2d 317 (Fla. 2006). *See also Ashcroft v. Free Speech Coal*., 535 U.S. 234, 244-45 (2002).

"grooming."[60] The first statute struck down in this case criminalized providing children under the age of 13 with sexually explicit material, and the second statute criminalized providing minors under the age of 18 with visual, verbal, or narrative descriptions of sexual conduct for the purpose of sexually arousing the minor or the furnisher, or inducing the minor to engage in sexual conduct.[61]

In *Powell's Books, Inc,* the court found that speech that is neither obscene as to youths nor subject to some other legitimate proscription cannot be suppressed simply to protect youth from ideas or images legislators find unsuitable. "To criminalize furnishing material solely intended to titillate the reader will certainly sweep up some material that appeals to the prurient interests of children and minors, but it will also criminalize a broad swath of material that does not appeal to prurient interests.[62] The court found that the statutes were overbroad and reached far more material than hardcore pornography or material that is obscene to minors.

Similarly, in 2011, in *Entertainment Merchants*, the U.S. Supreme Court found that even where the protection of children is the object the constitutional limits on governmental action apply. While *Entertainment Merchants* did not address obscenity directly, it held a statute that regulated violent video games for minors was unconstitutional, and in doing so, noted that minors are guaranteed protections of the First Amendment.

> Minors are entitled to a significant measure of First Amendment protection, and only in relatively narrow and well-defined circumstances may government bar public dissemination of protected materials to them. No doubt a state possesses legitimate power to protect children from harm, but that does not include a free floating power to restrict the ideas to which children may be exposed. Speech that is neither obscene as to youths nor subject to some other legitimate proscription cannot be suppressed solely to protect the young from ideas or images that a legislative body thinks unsuitable for them.[63]

Florida Transmission of Material Harmful to Minors

Because the state may modify the test for obscenity as it relates to what is obscene (or "harmful to minors"), courts have upheld the *Miller* test, as modified for minors. The *Miller* test is incorporated into Florida's definition of what is "harmful to minors" in s. 847.001(7), F.S., and "obscenity" in s. 847.001(12), F.S.

Section 847.001(7), F.S., defines "harmful to minors" as any reproduction, imitation, characterization, description, exhibition, presentation, or representation, of whatever kind or form, depicting nudity, sexual conduct, or sexual excitement[64] when it:

- Predominantly appeals to a prurient, shameful, or morbid interest;

[60] *See Powell's Books, Inc. v. Kroger,* 622 F. 3d 1202 (2010).
[61] *Powell's Books, Inc. v. Kroger,* 622 F. 3d 1202, 1206-07 (2010).
[62] *Id*. at 1214-15.
[63] *Brown, Governor of California, et al., Entertainment Merchants Ass'n et al.,* 131 S. Ct. 2729, 2735-36 (2011) (citing *Ernoznik v. Jacksonville*, 422 U.S. 205 (1975); *Ginsberg v. New York*, 88 S. Ct. 1274 (1968); Prince v. Massachusetts, 321 U.S. 158 (1944)).
[64] Section 847.001(20), F.S., defines "sexual excitement" as the condition of the human male or female genitals when in a state of sexual stimulation or arousal.

- Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material or conduct *for minors*; and
- Taken as a whole, is without serious literary, artistic, political, or scientific value *for minors*.

Section 847.0138, F.S., provides that:
- Any person who knew or believed that he or she was transmitting an image, information, or data that is harmful to minors to a specific individual known by the defendant to be a minor commits a third degree felony.[65]
- Any person in any jurisdiction other than this state who knew or believed that he or she was transmitting an image, information, or data that is harmful to minors, to a specific individual known by the defendant to be a minor commits a third degree felony.[66,67]

The Supreme Court of Florida has upheld Florida's criminal laws relating to the transmission of harmful materials. In *Simmons*, the court noted that sexual expression which is indecent but not obscene is protected by the First Amendment, however the state may regulate the content of constitutionally protected speech in order to promote a compelling interest if it chooses the least restrictive means to further the articulated interest.

The court in *Simmons* found that the term harmful to minors is adequately defined by a reference to the three prong miller standard, as modified to apply to minors. The court also noted that the third prong in Miller is particularly important because it allows appellate courts to impose some limitations and regularity on the definition.[68]

Sexual Activities Involving Animals

"Sexual contact with an animal" means any act committed between a person and an animal for the purpose of sexual gratification, abuse, or financial gain which involves:[69]
- Contact between the sex organ or anus of one and the mouth, sex organ, or anus of the other;
- The fondling of the sex organ or anus of an animal; or
- The insertion, however slight, of any part of the body of a person or any object into the vaginal or anal opening of an animal, or the insertion of any part of the body of an animal into the vaginal or anal opening of a person.

A person commits a third degree felony if he or she knowingly:[70,71]
- Engages in any sexual contact with an animal;
- Causes, aids, or abets another person to engage in any sexual contact with an animal;
- Permits any sexual contact with an animal to be conducted on any premises under his or her charge or control;

[65] Section 847.0138(2), F.S.
[66] Section 847.0138(3), F.S.
[67] A third degree felony is generally punishable by not more than 5 years in state prison and a fine not exceeding $5,000. Sections 775.082 and 775.083, F.S.
[68] *Simmons v. Florida*, 944 So. 2d 317 (2006).
[69] Section 828.126(1)(a)-(c), F.S.
[70] Section 828.126(2)(a)-(e), F.S.
[71] Section 828.126(3), F.S.

- Organizes, promotes, conducts, aids, abets, participates in as an observer, or advertises, offers, or accepts an offer of an animal for the purpose of sexual contact with such animal, or performs any service in the furtherance of an act involving any sexual contact with an animal; or
- Films, distributes, or possesses any pornographic image or video of a person and an animal engaged in any of the prohibited activities.

Offense Severity Ranking Chart

Felony offenses which are subject to the Criminal Punishment Code[72] are listed in a single OSRC, which uses 10 offense levels to rank felonies from least severe to most severe. Each felony offense listed in the OSRC is assigned a level according to the severity of the offense.[73,74]

A person's primary offense, any other current offenses, and prior convictions are scored using the points designated for the offense severity level of each offense. The final score calculation, following the scoresheet formula, determines the lowest permissible sentence that a trial court may impose, absent a valid reason for departure.[75]

III. Effect of Proposed Changes:

The bill amends s. 775.0847, F.S., to revise the circumstances that trigger reclassification for the following offenses:

- Sex performance by a child.[76]
- Computer pornography.[77]
- Transmission of pornography by electronic device or equipment.[78]
- Transmission of materials harmful to minors by electronic device or equipment.[79]

A violation of the above offenses must be reclassified to the next higher degree if the offender:

- Possesses ten or more images of any form of child pornography, regardless of content; and
- The content of at least one image contains one or more of the following:
  - A child who is younger than the age of 12.
  - Sadomasochistic abuse involving a child.
  - Sexual battery involving a child.
  - Sexual bestiality involving a child.
  - Any motion picture, film, video, or computer-generated motion picture, film, or video involving a child, regardless of length and regardless of whether the motion picture, film, video, or computer-generated motion picture, film, or video contains sound.

[72] All felony offenses, with the exception of capital felonies, committed on or after October 1, 1998, are subject to the Criminal Punishment Code.
[73] Section 921.0022, F.S.
[74] Section 921.0022(2), F.S.
[75] Section 921.0024(2), F.S., provides that if a person scores more than 44 points, the lowest permissible sentence is a specified term of months in state prison, determined by a formula. If a person scores 44 points or fewer, the court may impose a nonprison sanction, such as a county jail sentence, probation, or community control.
[76] Section 827.071, F.S.
[77] Section 847.0135, F.S.
[78] Section 847.0137, F.S.
[79] Section 847.0138, F.S.

The bill amends s. 794.0116, F.S., to increase mandatory minimum prison sentences for sexual offenses committed by persons previously convicted of, or had an adjudication withheld for, a sexual offense. The bill increases the mandatory minimum term of imprisonment as follows:

- Lewd or lascivious molestation is increased from 10 years to 15 years.[80]
- Sexual performance by a child (producing, directing or promoting) is increased from 20 years to 30 years.[81]
- Selling or buying minors is increased from 20 years to 30 years.[82]

The bill amends s. 827.071, F.S., to:

- Increase the penalty for using a child in a sexual performance from a second degree felony to a first degree felony and provides a mandatory minimum term of imprisonment of 15 years for a person who was 18 years of age or older at the time of the offense.
- Provide a mandatory minimum sentence of five years for the crime of promoting a sexual performance by a child.
- Create the offense of aggravated use of a child in a sexual performance. Aggravated use of a child in a sexual performance or inducing a child younger than 12 years of age to engage in a sexual performance, is a life felony[83] with a mandatory minimum term of imprisonment of 25 years for a person who was 18 years of age or older at the time of the offense.
- Increase the penalty for knowingly soliciting, possessing, controlling, or intentionally viewing child pornography from a third degree felony to a second degree felony.
- Provide that a court is not required to impose a mandatory minimum term of imprisonment for a violation of this section if the court makes the following written findings related to the sexual performance that forms the basis of the violation:
  - The child depicted in the sexual performance was 14 years of age or older at the time the sexual performance was created;
  - The sexual performance was created with the depicted child's permission;
  - The offender was not more than four years older than the depicted child at the time the sexual performance was created; and
  - The offender did not promote the sexual performance to any third party.

The bill amends s. 827.072, F.S., to provide that:

- Any person in this state who knew or reasonably should have known that he or she was transmitting generated child pornography to another person in this state or in another jurisdiction commits a second degree felony.
- Any person in any jurisdiction other than this state who knew or reasonably should have known that he or she was transmitting generated child pornography to any person in this state commits a second degree felony.
- A person is subject to prosecution in this state for any act or conduct proscribed in this section, including a person in a jurisdiction other than this state if he or she transmits generated pornography.

[80] Section 800.04(5), F.S.
[81] Section 827.071(2), F.S.
[82] Section 847.0145, F.S.
[83] A life felony is punishable by a term of imprisonment for life and a fine up to $15,000, as provided by ss. 775.082, 775.083, and 775.084, F.S.

The bill enhances the penalty for a person who intentionally creates generated child pornography from a third degree felony to a second degree felony.

The bill amends s. 828.126, F.S., to increase penalties for the following offenses relating to sexual activities involving animals from a third degree felony to a second degree felony for a person who knowingly:

- Engages in sexual conduct with an animal.
- Causes, aids or abets another person to engage in any sexual contact with an animal.

The bill further provides that it is a third degree felony for a person to:

- Knowingly permit any sexual contact with an animal to be conducted on any premises under his or her control.
- Knowingly organize, promote, conduct, aid, abet, participate in as an observer, or advertise, offer, solicit, or accept an offer of an animal for the purpose of sexual contact with such animal, or perform any service in the furtherance of an act involving any sexual contact with an animal.
- Knowingly film, distribute, or possess any pornographic image or video of a person and an animal engaged in any of the activities prohibited by this section.

In addition to the penalties prescribed by law, the court must issue an order prohibiting a person convicted under this section from harboring, owning, possessing, or exercising control over any animal. The order must be effective for a minimum of five years after the date of the conviction. Current law provides that such an order may be effective for up to five years.

The bill amends s. 847.011, F.S., to provide that prosecution for offenses relating to the prohibition of certain acts in connection with obscene, lewd, etc., material, does not preclude prosecution for a violation of another crime.

The bill amends s. 847.0137, F.S., to define the following terms:

- "Access credential" means any password, username, token, unique link, URL, hyperlink, or other data that enables a user to access a digital file or data in cloud storage.
- "Child pornography" has the same meaning as in s. 847.001, F.S.[84]
- "Cloud storage" means any remote, networked, or third-party provided storage service that enables a user to store, host, or share digital files or data and to access such files or data through the Internet or other network, whether by direct file transfer, link, access credential, or similar means.
- "Link" means any URL, hyperlink, short link, shareable link, magnet link, or other string, token, or data that, when used, directs or grants access a digital file or other data stored remotely, including cloud storage.
- "Transmit" means the act of sending and causing to be delivered, including the act of providing access for receiving and causing to be delivered, any image, information, or data over and through any medium, including the Internet or an interconnected network, by use of

[84] "Child pornography" means any image depicting a minor engaged in sexual conduct; or any image that has been created. Altered, adopted, or modified by electronic, mechanical, or other means, to portray and identifiable minor engaged in sexual conduct.

any electronic equipment or other device. The term also includes the act of providing access to any image, information, or data in cloud storage by sharing, publishing, or otherwise making available a link, access credential, or other similar means by which another person may access, view, or obtain such image, information, or data.

The bill increases the offense for any person who knows or reasonably should know that he or she was transmitting child pornography from a third degree as a second degree felony. Additionally, a person 18 years of age or older at the time of the offense and who is convicted of this crime must be sentenced to a mandatory minimum term of imprisonment of 5 years.

The bill provides an exception for a person reporting suspected child pornography. A person who in good faith, provides a link, access, credentials or other information to a law enforcement agency, prosecuting authority, or authorized forensic examiner for the purpose of reporting suspected child pornography, cooperating with an investigation, preserving evidence, or seeking lawful removal of content may not be subject to prosecution under this section for that disclosure.

The bill provides that a court is not required to impose a mandatory minimum term of imprisonment for a violation of this section if the court makes the following written findings related to the image that forms the basis of the violation:

- The child depicted in the image was 14 years of age or older at the time the image was created;
- The image was created with the depicted child's permission;
- The offender was not more than four years older than the depicted child at the time the image was created; and
- The offender did not transmit the image to any third party.

The bill amends s. 921.0022, F.S., to do the following:

- Revise possess, control, or intentionally view any pornographic material which includes child pornography from a third degree felony to a second degree felony.
- Add permitting sexual activities involving animals[85] as a second degree felony, ranked as a Level 6.
- Add engaging in sexual activities involving animals as a second degree felony, ranked as a Level 7.
- Add offenses where a person may not knowingly cause, permit or organize sexual conduct with an animal,[86]as a third degree felony, ranked as a Level 6.
- Add promoting a sexual performance by a child,[87] as a second degree felony, ranked as a Level 7.
- Revised transmitting child pornography from a third degree felony, ranked as a level 5 to a second degree felony, ranked as a Level 6.

The bill takes effect on July 1, 2026.

[85] Section 828.126(2), (3), F.S.
[86] Section 828.126(4), (5), (6), F.S.
[87] Section 827.071(3), F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Art. VII, s. 18 of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

The First Amendment of the U.S. Constitution states that, "Congress shall make no law … abridging the freedom of speech…" This language prohibits the government from having the ability to constrain the speech of citizens. However, materials that constitute child pornography, obscenity, or material harmful to minors may be restricted. Child pornography, obscenity, and material harmful to minors have been defined in ch. 847, F.S., and are consistent with federal law and the United States Supreme Court holdings regarding such laws.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Legislature's Office of Economic and Demographic Research (EDR) and the Criminal Justice Impact Conference, which provides the final, official estimate of the prison bed impact, if any, of legislation, has determined that the increased penalties and addition of minimum mandatory sentences in the bill may have an overall positive

significant impact on Department of Corrections (DOC) prison bed needs (an increase of 25 or more beds).[88]

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 775.0847, 794.0116, 827.071, 827.072, 828.126, 847.011, 847.0137, and 921.0022.

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 Criminal and Civil Justice Appropriations Committee on February 25, 2026:
The committee substitute revises:

- Section 1 of the bill to revert to current law for the reclassification of the crime of possessing or promoting child pornography, except that the amendment provides for reclassification of a child pornography offense if the offender possesses at least one file containing a child younger than the age of 12.
- Section 2 of the bill to increase mandatory minimum sentences for certain sex offenses.
- Section 3 of the bill to remove the changes to the definition of "child," and provide that certain mandatory minimum sentences only apply to persons 18 years of age or older, unless specified circumstances are met.
- Section 4 of the bill to provide a definition for the term "transmit," and provides increase penalties for transmitting generated child pornography.
- Section 5 of the bill providing criminal penalties and enhancements for certain sexual activities involving animals.
- Section 6 of the bill providing that prosecution for certain acts in connection with obscene or lewd materials does not preclude prosecution for other specified offenses.
- Section 7 of the bill requiring a mandatory minimum sentence for the transmission of child pornography when committed by specified offenders. Provides specific conditions in which a court is not required to impose a mandatory minimum term of imprisonment.
- Section 8 of the bill amending the offense severity ranking chart of the Criminal Punishment Code to ensure consistency with changes made by the act.

[88] Office of Economic and Demographic Research, *SB 1750 Criminal Sexual Conduct* (on file with the Senate Appropriations Committee on Criminal and Civil Justice)

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 the Appropriations Committee on Criminal and Civil Justice; and Senator Martin

604-03225-26 20261750c1

A bill to be entitled

An act relating to sexual offenses; amending s. 775.0847, F.S.; revising a criteria related to the reclassification of specified offenses; amending s. 794.0116, F.S.; revising mandatory minimum sentences for certain sexual offenses by persons previously convicted of sexual offenses; amending s. 827.071, F.S.; increasing the criminal penalties for a person who is guilty of the use of a child in a sexual performance under certain circumstances; requiring mandatory minimum sentences for certain offenses when committed by specified offenders; prohibiting a person from employing, authorizing, or inducing a child younger than 12 years of age to engage in a sexual performance; providing criminal penalties; requiring a mandatory minimum sentence for a person who is guilty of promoting a sexual performance by a child under certain circumstances; increasing the criminal penalties for knowingly soliciting, possessing, controlling, or intentionally viewing certain materials that include child pornography; providing applicability of specified mandatory minimum sentences; amending s. 827.072, F.S.; defining the term "transmit"; providing criminal penalties for a person transmitting child pornography to another person; providing criminal penalties; increasing the criminal penalties for intentionally creating generated child pornography; amending s. 828.126, F.S.; revising criminal penalties for certain sexual

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604-03225-26 20261750c1

activities involving animals; requiring a certain court order to be effective for a certain number of years; amending s. 847.011, F.S.; providing that prosecution of a person for certain acts in connection with obscene, lewd, etc., materials does not preclude prosecution of that person for other specified offenses; amending s. 847.0137, F.S.; defining terms; increasing the criminal penalties for transmitting child pornography; requiring mandatory minimum sentences for certain offenses when committed by specified offenders; prohibiting prosecution under certain circumstances; providing applicability of specified mandatory minimum sentences; amending s. 921.0022, F.S.; ranking offenses on the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

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

Section 1. Subsection (2) of section 775.0847, Florida Statutes, is amended, and subsection (3) of that section is republished, to read:

775.0847 Possession or promotion of certain images of child pornography; reclassification.—

(2) A violation of s. 827.071, s. 847.0135, s. 847.0137, or s. 847.0138 shall be reclassified to the next higher degree as provided in subsection (3) if:

(a) The offender possesses 10 or more images of any form of child pornography regardless of content; and

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

(b) The content of at least one image contains one or more of the following:

1. A child who is younger than the age of 12 ~~5~~.

2. Sadomasochistic abuse involving a child.

3. Sexual battery involving a child.

4. Sexual bestiality involving a child.

5. Any motion picture, film, video, or computer-generated motion picture, film, or video involving a child, regardless of length and regardless of whether the motion picture, film, video, or computer-generated motion picture, film, or video contains sound.

(3)(a) In the case of a felony of the third degree, the offense is reclassified to a felony of the second degree.

(b) In the case of a felony of the second degree, the offense is reclassified to a felony of the first degree.

For purposes of sentencing under chapter 921 and determining incentive gain-time eligibility under chapter 944, a felony offense that is reclassified under this section is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

Section 2. Subsection (1) of section 794.0116, Florida Statutes, is amended to read:

794.0116 Sexual offenses by persons previously convicted of sexual offenses.—

(1) A person who was previously convicted of or had adjudication withheld for an offense specified in s. 943.0435(1)(h)1.a. and commits a violation of s. 800.04(5); s. 825.1025(3); s. 827.071(2), (3), (4), or (5)(a); s. 847.0135; s.

847.0137; or s. 847.0145 shall be sentenced to a mandatory minimum term of imprisonment as follows:

	Statute	Mandatory Minimum
(a)	800.04(5)	15 ~~10~~ years
(b)	825.1025(3)	10 years
(c)	827.071(2)	30 ~~20~~ years
(d)	827.071(3)	20 years
(e)	827.071(4)	15 years
(f)	827.071(5)(a)	10 years
(g)	847.0135	10 years
(h)	847.0137	10 years
(i)	847.0145	30 ~~20~~ years

Section 3. Subsections (2) and (3) and paragraph (a) of subsection (5) of section 827.071, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

827.071 Sexual performance by a child; child pornography; penalties.—

(2)(a) A person is guilty of the use of a child in a sexual performance if, knowing the character and content thereof, he or she employs, authorizes, or induces a child to engage in a sexual performance or, being a parent, legal guardian, or custodian of such child, consents to the participation by such child in a sexual performance. A person who violates this subsection commits a felony of the first ~~second~~ degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Except as provided in subsection (7), a person 18 years of age or older at the time of the offense who is convicted of a violation of this paragraph must be sentenced to a mandatory minimum term of imprisonment of 15 years.

(b) A person is guilty of aggravated use of a child in a sexual performance if, knowing the character and content thereof, he or she employs, authorizes, or induces a child younger than 12 years of age to engage in a sexual performance. A person who violates this paragraph commits a life felony, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. A person 18 years of age or older at the time of the offense who is convicted of a violation of this paragraph must be sentenced to a mandatory minimum term of imprisonment of 25 years.

(3) A person is guilty of promoting a sexual performance by a child when, knowing the character and content thereof, he or she produces, directs, or promotes any performance which includes sexual conduct by a child. A person who violates this subsection commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Except as provided in subsection (7), a person 18 years of age or older at the time of the offense who is convicted of a violation of this

subsection must be sentenced to a mandatory minimum term of imprisonment of 5 years.

(5)(a) It is unlawful for any person to knowingly solicit, possess, control, or intentionally view a photograph, motion picture, exhibition, show, representation, image, data, computer depiction, or other presentation which, in whole or in part, he or she knows to include child pornography. The solicitation, possession, control, or intentional viewing of each such photograph, motion picture, exhibition, show, image, data, computer depiction, representation, or presentation is a separate offense. If such photograph, motion picture, exhibition, show, representation, image, data, computer depiction, or other presentation includes child pornography depicting more than one child, then each such child in each such photograph, motion picture, exhibition, show, representation, image, data, computer depiction, or other presentation that is knowingly solicited, possessed, controlled, or intentionally viewed is a separate offense. A person who violates this paragraph commits a felony of the second ~~third~~ degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(7) A court is not required to impose a mandatory minimum term of imprisonment for a violation of this section if the court makes the following written findings related to the sexual performance that forms the basis of the violation:

(a) The child depicted in the sexual performance was 14 years of age or older at the time the sexual performance was created;

(b) The sexual performance was created with the depicted child's permission;

(c) The offender was not more than 4 years older than the depicted child at the time the sexual performance was created; and

(d) The offender did not promote the sexual performance to any third party.

Section 4. Section 827.072, Florida Statutes, is amended to read:

827.072 Generated child pornography.—

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

(a) "Generated child pornography" means any image that has been created, altered, adapted, or modified by electronic, mechanical, or other computer-generated means to portray a fictitious person, who a reasonable person would regard as being a real person younger than 18 years of age, engaged in sexual conduct.

(b) "Intentionally view" has the same meaning as in s. 827.071.

(c) "Sexual conduct" has the same meaning as in s. 827.071.

(d) "Transmit" has the same meaning as in s. 847.0137.

(2)(a) It is unlawful for a person to knowingly possess or control or intentionally view a photograph, a motion picture, a representation, an image, a data file, a computer depiction, or any other presentation which, in whole or in part, he or she knows includes generated child pornography. The possession, control, or intentional viewing of each such photograph, motion picture, representation, image, data file, computer depiction, or other presentation is a separate offense. A person who violates this paragraph commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b)1. Notwithstanding ss. 847.012 and 847.0133, any person in this state who knew or reasonably should have known that he or she was transmitting generated child pornography to another person in this state or in another jurisdiction commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. Notwithstanding ss. 847.012 and 847.0133, any person in any jurisdiction other than this state who knew or reasonably should have known that he or she was transmitting generated child pornography to any person in this state commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. A person is subject to prosecution in this state pursuant to chapter 910 for any act or conduct proscribed by this paragraph, including a person in a jurisdiction other than this state, if the act or conduct violates subparagraph 2.

(c) A person who intentionally creates generated child pornography commits a felony of the second ~~third~~ degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d)~~(c)~~ Paragraph (a) does not apply to any material possessed, controlled, or intentionally viewed as part of a law enforcement investigation.

Section 5. Section 828.126, Florida Statutes, is amended to read:

828.126 Sexual activities involving animals.—

(1) As used in this section, the term "sexual contact with an animal" means any act committed between a person and an animal for the purpose of sexual gratification, abuse, or financial gain which involves:

(a) Contact between the sex organ or anus of one and the mouth, sex organ, or anus of the other;

(b) The fondling of the sex organ or anus of an animal; or

(c) The insertion, however slight, of any part of the body of a person or any object into the vaginal or anal opening of an animal, or the insertion of any part of the body of an animal into the vaginal or anal opening of a person.

(2) A person may not~~:~~

~~(a)~~ knowingly engage in any sexual contact with an animal. A person who violates this subsection commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~;~~

(3)~~(b)~~ A person may not knowingly cause, aid, or abet another person to engage in any sexual contact with an animal. A person who violates this subsection commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~;~~

(4)~~(c)~~ A person may not knowingly permit any sexual contact with an animal to be conducted on any premises under his or her charge or control. A person who violates this subsection commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~;~~

(5)~~(d)~~ A person may not knowingly organize, promote, conduct, aid, abet, participate in as an observer, or advertise, offer, solicit, or accept an offer of an animal for the purpose of sexual contact with such animal, or perform any service in the furtherance of an act involving any sexual contact with an animal. A person who violates this subsection commits a felony of the third degree, punishable as provided in s. 775.082, s.

775.083, or s. 775.084.~~; or~~

(6)~~(e)~~ A person may not knowingly film, distribute, or possess any pornographic image or video of a person and an animal engaged in any of the activities prohibited by this section.

~~(3)~~ A person who violates this subsection ~~section~~ commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(7)~~(4)~~ In addition to other penalties prescribed by law, the court shall issue an order prohibiting a person convicted under this section from harboring, owning, possessing, or exercising control over any animal; from residing in any household in which animals are present; and from engaging in an occupation, whether paid or unpaid, or participating in a volunteer position at any establishment at which animals are present. The order shall ~~may~~ be effective for at least ~~up to~~ 5 years after the date of the conviction, regardless of whether adjudication is withheld.

(8)~~(5)~~ This section does not apply to accepted animal husbandry practices, including, but not limited to, bona fide agricultural purposes, assistance with the birthing process or artificial insemination of an animal for reproductive purposes, accepted conformation judging practices, or accepted veterinary medical practices.

Section 6. Subsection (12) is added to section 847.011, Florida Statutes, and subsections (1) through (11) of that section are republished, to read:

847.011 Prohibition of certain acts in connection with obscene, lewd, etc., materials; penalty.—

(1)(a) Except as provided in paragraph (c), any person who knowingly sells, lends, gives away, distributes, transmits, shows, or transmutes, or offers to sell, lend, give away, distribute, transmit, show, or transmute, or has in his or her possession, custody, or control with intent to sell, lend, give away, distribute, transmit, show, transmute, or advertise in any manner, any obscene book, magazine, periodical, pamphlet, newspaper, comic book, story paper, written or printed story or article, writing, paper, card, picture, drawing, photograph, motion picture film, figure, image, phonograph record, or wire or tape or other recording, or any written, printed, or recorded matter of any such character which may or may not require mechanical or other means to be transmuted into auditory, visual, or sensory representations of such character, or any article or instrument for obscene use, or purporting to be for obscene use or purpose; or who knowingly designs, copies, draws, photographs, poses for, writes, prints, publishes, or in any manner whatsoever manufactures or prepares any such material, matter, article, or thing of any such character; or who knowingly writes, prints, publishes, or utters, or causes to be written, printed, published, or uttered, any advertisement or notice of any kind, giving information, directly or indirectly, stating, or purporting to state, where, how, of whom, or by what means any, or what purports to be any, such material, matter, article, or thing of any such character can be purchased, obtained, or had; or who in any manner knowingly hires, employs, uses, or permits any person knowingly to do or assist in doing any act or thing mentioned above, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s.

775.083. A person who, after having been convicted of a violation of this subsection, thereafter violates any of its provisions, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) The knowing possession by any person of three or more identical or similar materials, matters, articles, or things coming within the provisions of paragraph (a) is prima facie evidence of the violation of the paragraph.

(c) A person who commits a violation of paragraph (a) or subsection (2) which is based on materials that depict a minor engaged in any act or conduct that is harmful to minors commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) A person’s ignorance of a minor’s age, a minor’s misrepresentation of his or her age, a bona fide belief of a minor’s age, or a minor’s consent may not be raised as a defense in a prosecution for one or more violations of paragraph (a) or subsection (2).

(2) Except as provided in paragraph (1)(c), a person who knowingly has in his or her possession, custody, or control any obscene book, magazine, periodical, pamphlet, newspaper, comic book, story paper, written or printed story or article, writing, paper, card, picture, drawing, photograph, motion picture film, film, any sticker, decal, emblem or other device attached to a motor vehicle containing obscene descriptions, photographs, or depictions, any figure, image, phonograph record, or wire or tape or other recording, or any written, printed, or recorded matter of any such character which may or may not require mechanical or other means to be transmuted into auditory,

visual, or sensory representations of such character, or any article or instrument for obscene use, or purporting to be for obscene use or purpose, without intent to sell, lend, give away, distribute, transmit, show, transmute, or advertise the same, commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. A person who, after having been convicted of violating this subsection, thereafter violates any of its provisions commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. In any prosecution for such possession, it is not necessary to allege or prove the absence of such intent.

(3) No person shall as a condition to a sale, allocation, consignment, or delivery for resale of any paper, magazine, book, periodical, or publication require that the purchaser or consignee receive for resale any other article, paper, magazine, book, periodical, or publication reasonably believed by the purchaser or consignee to be obscene, and no person shall deny or threaten to deny or revoke any franchise or impose or threaten to impose any penalty, financial or otherwise, by reason of the failure of any person to accept any such article, paper, magazine, book, periodical, or publication, or by reason of the return thereof. Whoever violates this subsection is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) Any person who knowingly promotes, conducts, performs, or participates in an obscene show, exhibition, or performance by live persons or a live person before an audience is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. Any person who, after having been

convicted of violating this subsection, thereafter violates any of its provisions and is convicted thereof is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(5)(a)1. A person may not knowingly sell, lend, give away, distribute, transmit, show, or transmute; offer to sell, lend, give away, distribute, transmit, show, or transmute; have in his or her possession, custody, or control with the intent to sell, lend, give away, distribute, transmit, show, or transmute; or advertise in any manner an obscene, child-like sex doll.

2.a. Except as provided in sub-subparagraph b., a person who violates this paragraph commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

b. A person who is convicted of violating this paragraph a second or subsequent time commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b)1. Except as provided in subparagraph 2., a person who knowingly has in his or her possession, custody, or control an obscene, child-like sex doll commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

2. A person who is convicted of violating this paragraph a second or subsequent time commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

(c)1. A law enforcement officer may arrest without a warrant any person who he or she has probable cause to believe has violated paragraph (b).

2. Upon proper affidavits being made, a search warrant may be issued to further investigate a violation of paragraph (b),

including to search a private dwelling.

(6) Every act, thing, or transaction forbidden by this section shall constitute a separate offense and shall be punishable as such.

(7) Proof that a defendant knowingly committed any act or engaged in any conduct referred to in this section may be made by showing that at the time such act was committed or conduct engaged in the defendant had actual knowledge of the contents or character of the material, matter, article, or thing possessed or otherwise dealt with, by showing facts and circumstances from which it may fairly be inferred that he or she had such knowledge, or by showing that he or she had knowledge of such facts and circumstances as would put a person of ordinary intelligence and caution on inquiry as to such contents or character.

(8) There shall be no right of property in any of the materials, matters, articles, or things possessed or otherwise dealt with in violation of this section; and, upon the seizure of any such material, matter, article, or thing by any authorized law enforcement officer, the same shall be held by the arresting agency. When the same is no longer required as evidence, the prosecuting officer or any claimant may move the court in writing for the disposition of the same and, after notice and hearing, the court, if it finds the same to have been possessed or otherwise dealt with in violation of this section, shall order the sheriff to destroy the same in the presence of the clerk; otherwise, the court shall order the same returned to the claimant if the claimant shows that he or she is entitled to possession. If destruction is ordered, the sheriff and clerk

shall file a certificate of compliance.

(9)(a) The circuit court has jurisdiction to enjoin a threatened violation of this section upon complaint filed by the state attorney or attorney for a municipality in the name of the state upon the relation of such state attorney or attorney for a municipality.

(b) After the filing of such a complaint, the judge to whom it is presented may grant an order restraining the person complained of until final hearing or further order of the court. Whenever the relator state attorney or attorney for a municipality requests a judge of such court to set a hearing upon an application for such a restraining order, such judge shall set such hearing for a time within 3 days after the making of such request. No such order shall be made unless such judge is satisfied that sufficient notice of the application therefor has been given to the party restrained of the time when and place where the application for such restraining order is to be made; however, such notice shall be dispensed with when it is manifest to such judge, from the sworn allegations of the complaint or the affidavit of the plaintiff or other competent person, that the apprehended violation will be committed if an immediate remedy is not afforded.

(c) The person sought to be enjoined shall be entitled to a trial of the issues within 1 day after joinder of issue, and a decision shall be rendered by the court within 2 days of the conclusion of the trial.

(d) In any action brought as provided in this subsection, no bond or undertaking shall be required of the state attorney or the municipality or its attorney before the issuance of a

restraining order provided for by paragraph (b), and there shall be no liability on the part of the state or the state attorney or the municipality or its attorney for costs or for damages sustained by reason of such restraining order in any case where a final decree is rendered in favor of the person sought to be enjoined.

(e) Every person who has possession, custody, or control of, or otherwise deals with, any of the materials, matters, articles, or things described in this section, after the service upon him or her of a summons and complaint in an action for injunction brought under this subsection, is chargeable with knowledge of the contents and character thereof.

(10) The several sheriffs and state attorneys shall vigorously enforce this section within their respective jurisdictions.

(11) This section shall not apply to the exhibition of motion picture films permitted by s. 847.013.

(12) Prosecution of a person for an offense under this section does not preclude prosecution of that person in this state for a violation of any other law of this state, including a law providing for greater penalties than prescribed in this section or any other crime punishing the sexual performance or the sexual exploitation of children.

Section 7. Section 847.0137, Florida Statutes, is amended to read:

847.0137 Transmission of pornography by electronic device or equipment prohibited; penalties.—

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

(a) "Access credential" means any password, username,

token, unique link, uniform resource locator (URL), hyperlink, or other data that enables a user to access a digital file or other data in cloud storage.

(b) "Child pornography" has the same meaning as in s. 847.001.

(c) "Cloud storage" means any remote, networked, or third-party provided storage service that enables a user to store, host, or share a digital file or other data and to access such a digital file or other data via the Internet or other network, whether by direct file transfer, access credential, link, or other similar means.

(d) "Link" means any uniform resource locater (URL), hyperlink, short link, shareable link, magnet link, or other string, token, or data that, when used, directs or grants a user access to a digital file or other data that is stored remotely, including in cloud storage.

(e) "Transmit" means the act of sending and causing to be delivered, including the act of providing access for receiving and causing to be delivered, any image, information, or data over or through any medium, including the Internet or an interconnected network, by use of any electronic equipment or other device. The term also includes the act of providing access to any image, information, or data in cloud storage by sharing, publishing, or otherwise making available a link, access credential, or other similar means by which another person may access, view, or obtain such image, information, or data.

(2) Notwithstanding ss. 847.012 and 847.0133, any person in this state who knew or reasonably should have known that he or she was transmitting child pornography~~, as defined in s.~~

~~847.001,~~ to another person in this state or in another jurisdiction commits a felony of the second ~~third~~ degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Except as provided in subsection (7), a person 18 years of age or older at the time of the offense who is convicted of a violation of this subsection must be sentenced to a mandatory minimum term of imprisonment of 5 years.

(3) Notwithstanding ss. 847.012 and 847.0133, any person in any jurisdiction other than this state who knew or reasonably should have known that he or she was transmitting child pornography~~, as defined in s. 847.001,~~ to any person in this state commits a felony of the second ~~third~~ degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Except as provided in subsection (7), a person 18 years of age or older at the time of the offense who is convicted of a violation of this subsection must be sentenced to a mandatory minimum term of imprisonment of 5 years.

(4) A person may not be prosecuted under this section for providing a link, access credential, or other information, in good faith, to a law enforcement agency, prosecuting authority, or authorized forensic examiner for the purpose of reporting suspected child pornography, cooperating with an investigation, preserving evidence, or seeking lawful removal of content.

(5)~~(4)~~ This section shall not be construed to preclude prosecution of a person in this state or another jurisdiction for a violation of any law of this state, including a law providing for greater penalties than prescribed in this section, for the transmission of child pornography, as defined in s. 847.001, to any person in this state.

(6)~~(5)~~ A person is subject to prosecution in this state pursuant to chapter 910 for any act or conduct proscribed by this section, including a person in a jurisdiction other than this state, if the act or conduct violates subsection (4) ~~(3)~~.

(7) A court is not required to impose a mandatory minimum term of imprisonment for a violation of this section if the court makes the following written findings related to the image that forms the basis of the violation:

(a) The child depicted in the image was 14 years of age or older at the time the image was created;

(b) The image was created with the depicted child's permission;

(c) The offender was not more than 4 years older than the depicted child at the time the image was created; and

(d) The offender did not transmit the image to any third party.

The provisions of this section do not apply to subscription-based transmissions such as list servers.

Section 8. Paragraphs (e), (f), and (g) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(e) LEVEL 5

Florida Statute	Felony Degree	Description

316.027(2)(a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
316.1935(3)(a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
316.80(2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
327.30(5)(a)2.	3rd	Vessel accidents involving personal injuries other than serious bodily injury; leaving scene.
365.172 (14)(b)2.	2nd	Misuse of emergency communications system resulting in death.

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379.365(2)(c)1.	3rd	Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or sale, conspiring or aiding in such barter, trade, or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates; making, altering, forging, counterfeiting, or reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.
379.367(4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
379.407(5)(b)3.	3rd	Possession of 100 or more undersized spiny lobsters.
381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.

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440.10(1)(g)	2nd	Failure to obtain workers' compensation coverage.
440.105(5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
440.381(2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
624.401(4)(b)2.	2nd	Transacting insurance without a certificate or authority; premium collected $20,000 or more but less than $100,000.
626.902(1)(c)	2nd	Representing an unauthorized insurer; repeat offender.
790.01(3)	3rd	Unlawful carrying of a concealed firearm.
790.162	2nd	Threat to throw or discharge destructive device.
790.163(1)	2nd	False report of bomb, explosive, weapon of mass

		destruction, or use of firearms in violent manner.
790.221(1)	2nd	Possession of short-barreled shotgun or machine gun.
790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
796.05(1)	2nd	Live on earnings of a prostitute; 1st offense.
800.04(6)(c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
800.04(7)(b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
806.111(1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
810.145(4)	3rd	Commercial digital voyeurism dissemination.

810.145(7)(a)	2nd	Digital voyeurism; 2nd or subsequent offense.
810.145(8)(a)	2nd	Digital voyeurism; certain minor victims.
812.014(2)(d)3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.
812.0145(2)(b)	2nd	Theft from person 65 years of age or older; $10,000 or more but less than $50,000.
812.015 (8)(a) & (c)-(e)	3rd	Retail theft; property stolen is valued at $750 or more and one or more specified acts.
812.015(8)(f)	3rd	Retail theft; multiple thefts within specified period.
812.015(8)(g)	3rd	Retail theft; committed with specified number of other persons.
812.019(1)	2nd	Stolen property; dealing in or trafficking in.

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812.081(3)	2nd	Trafficking in trade secrets.
812.131(2)(b)	3rd	Robbery by sudden snatching.
812.16(2)	3rd	Owning, operating, or conducting a chop shop.
817.034(4)(a)2.	2nd	Communications fraud, value $20,000 to $50,000.
817.234(11)(b)	2nd	Insurance fraud; property value $20,000 or more but less than $100,000.
817.2341(1), (2)(a) & (3)(a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
817.568(2)(b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, $5,000 or more or use of personal identification information of 10 or more

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		persons.
817.611(2)(a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
817.625(2)(b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
825.1025(4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
836.14(4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.
839.13(2)(b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or

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		death.
843.01(1)	3rd	Resist officer with violence to person; resist arrest with violence.
847.0135(5)(b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
~~847.0137 (2) & (3)~~	~~3rd~~	~~Transmission of pornography by electronic device or equipment.~~
847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
874.05(1)(b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
874.05(2)(a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
893.13(1)(a)1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d),

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		(2)(a), (2)(b), or (2)(c)5. drugs).
893.13(1)(c)2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
893.13(1)(d)1.	1st	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of university.
893.13(1)(e)2.	2nd	Sell, manufacture, or deliver cannabis or other drug prohibited under s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9.,

		(2)(c)10., (3), or (4) within 1,000 feet of property used for religious services or a specified business site.
893.13(1)(f)1.	1st	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of public housing facility.
893.13(4)(b)	2nd	Use or hire of minor; deliver to minor other controlled substance.
893.1351(1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.

(f) LEVEL 6

Florida Statute	Felony Degree	Description
316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.

316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
327.30(5)(a)3.	2nd	Vessel accidents involving serious bodily injury; leaving scene.
400.9935(4)(c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
499.0051(2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
499.0051(3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
499.0051(4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
775.0875(1)	3rd	Taking firearm from law enforcement officer.

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784.021(1)(a)	3rd	Aggravated assault; deadly weapon without intent to kill.
784.021(1)(b)	3rd	Aggravated assault; intent to commit felony.
784.041	3rd	Felony battery; domestic battery by strangulation.
784.048(3)	3rd	Aggravated stalking; credible threat.
784.048(5)	3rd	Aggravated stalking of person under 16.
784.07(2)(c)	2nd	Aggravated assault on law enforcement officer.
784.074(1)(b)	2nd	Aggravated assault on sexually violent predators facility staff.
784.08(2)(b)	2nd	Aggravated assault on a person 65 years of age or older.
784.081(2)	2nd	Aggravated assault on specified official or employee.
784.082(2)	2nd	Aggravated assault by detained

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		person on visitor or other detainee.
784.083(2)	2nd	Aggravated assault on code inspector.
787.02(2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
787.025(2)(a)	3rd	Luring or enticing a child.
790.115(2)(d)	2nd	Discharging firearm or weapon on school property.
790.161(2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
790.164(1)	2nd	False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use of firearms in violent manner.
790.19	2nd	Shooting or throwing deadly missiles into dwellings,

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		vessels, or vehicles.
794.011(8)(a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
794.05(1)	2nd	Unlawful sexual activity with specified minor.
800.04(5)(d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years of age; offender less than 18 years.
800.04(6)(b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
806.031(2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
810.02(3)(c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
810.145(8)(b)	2nd	Digital voyeurism; certain minor victims; 2nd or subsequent offense.

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812.014(2)(b)1.	2nd	Property stolen $20,000 or more, but less than $100,000, grand theft in 2nd degree.
812.014(2)(c)5.	3rd	Grand theft; third degree; firearm.
812.014(6)	2nd	Theft; property stolen $3,000 or more; coordination of others.
812.015(9)(a)	2nd	Retail theft; property stolen $750 or more; second or subsequent conviction.
812.015(9)(b)	2nd	Retail theft; aggregated property stolen within 120 days is $3,000 or more; coordination of others.
812.015(9)(d)	2nd	Retail theft; multiple thefts within specified period.
812.015(9)(e)	2nd	Retail theft; committed with specified number of other persons and use of social media platform.
812.13(2)(c)	2nd	Robbery, no firearm or other

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		weapon (strong-arm robbery).
817.4821(5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
817.49(2)(b)2.	2nd	Willful making of a false report of a crime resulting in death.
817.505(4)(b)	2nd	Patient brokering; 10 or more patients.
817.5695(3)(b)	2nd	Exploitation of person 65 years of age or older, value $10,000 or more, but less than $50,000.
825.102(1)	3rd	Abuse of an elderly person or disabled adult.
825.102(3)(c)	3rd	Neglect of an elderly person or disabled adult.
825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
825.103(3)(c)	3rd	Exploiting an elderly person or disabled adult and property is

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		valued at less than $10,000.
827.03(2)(c)	3rd	Abuse of a child.
827.03(2)(d)	3rd	Neglect of a child.
827.071(5)	2nd ~~3rd~~	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes child pornography.
828.126 (4), (5) & (6) ~~828.126(3)~~	3rd	Sexual activities involving animals.
836.05	2nd	Threats; extortion.
836.10	2nd	Written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.
843.12	3rd	Aids or assists person to escape.
847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene

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		materials depicting minors.
847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
847.0137 (2) & (3)	2nd	Transmitting child pornography.
893.131	2nd	Distribution of controlled substances resulting in overdose or serious bodily injury.
914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
918.13(2)(b)	2nd	Tampering with or fabricating physical evidence relating to a capital felony.
944.35(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate

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		or offender on community supervision, resulting in great bodily harm.
944.40	2nd	Escapes.
944.46	3rd	Harboring, concealing, aiding escaped prisoners.
944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
951.22(1)(i)	3rd	Firearm or weapon introduced into county detention facility.

(g) LEVEL 7

Florida Statute	Felony Degree	Description
316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
316.1935(3)(b)	1st	Causing serious bodily injury or death to another person;

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		driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
327.35(3)(a)3.b.	3rd	Vessel BUI resulting in serious bodily injury.
402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
409.920 (2)(b)1.a.	3rd	Medicaid provider fraud; $10,000 or less.
409.920 (2)(b)1.b.	2nd	Medicaid provider fraud; more than $10,000, but less than $50,000.
456.065(2)	3rd	Practicing a health care profession without a license.
456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily

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		injury.
458.327(1)	3rd	Practicing medicine without a license.
459.013(1)	3rd	Practicing osteopathic medicine without a license.
460.411(1)	3rd	Practicing chiropractic medicine without a license.
461.012(1)	3rd	Practicing podiatric medicine without a license.
462.17	3rd	Practicing naturopathy without a license.
463.015(1)	3rd	Practicing optometry without a license.
464.016(1)	3rd	Practicing nursing without a license.
465.015(2)	3rd	Practicing pharmacy without a license.
466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.

467.201	3rd	Practicing midwifery without a license.
468.366	3rd	Delivering respiratory care services without a license.
483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
483.901(7)	3rd	Practicing medical physics without a license.
484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
484.053	3rd	Dispensing hearing aids without a license.
494.0018(2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded $50,000 and there were five or more victims.
560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding $300 but less than $20,000 by a

		money services business.
560.125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding $300 but less than $20,000.
655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding $300 but less than $20,000 by financial institution.
775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
782.051(3)	2nd	Attempted felony murder of a person by a person other than

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		the perpetrator or the perpetrator of an attempted felony.
782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.

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784.048(4)	3rd	Aggravated stalking; violation of injunction or court order.
784.048(7)	3rd	Aggravated stalking; violation of court order.
784.07(2)(d)	1st	Aggravated battery on law enforcement officer.
784.074(1)(a)	1st	Aggravated battery on sexually violent predators facility staff.
784.08(2)(a)	1st	Aggravated battery on a person 65 years of age or older.
784.081(1)	1st	Aggravated battery on specified official or employee.
784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
784.083(1)	1st	Aggravated battery on code inspector.
787.025(2)(b)	2nd	Luring or enticing a child; second or subsequent offense.

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787.025(2)(c)	2nd	Luring or enticing a child with a specified prior conviction.
787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
787.06(3)(e)2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
790.16(1)	1st	Discharge of a machine gun under specified circumstances.
790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.

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790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
794.08(4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.

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800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
800.04(5)(c)2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
800.04(5)(e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
806.01(2)	2nd	Maliciously damage structure by fire or explosive.
810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
810.02(3)(d)	2nd	Burglary of occupied

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		conveyance; unarmed; no assault or battery.
810.02(3)(e)	2nd	Burglary of authorized emergency vehicle.
812.014(2)(a)1.	1st	Property stolen, valued at $100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than $50,000, grand theft in 2nd degree.
812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
812.014(2)(b)4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
812.014(2)(g)	2nd	Grand theft; second degree; firearm with previous conviction of s.

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		812.014(2)(c)5.
812.0145(2)(a)	1st	Theft from person 65 years of age or older; $50,000 or more.
812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
812.131(2)(a)	2nd	Robbery by sudden snatching.
812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
817.034(4)(a)1.	1st	Communications fraud, value greater than $50,000.
817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
817.234(11)(c)	1st	Insurance fraud; property value $100,000 or more.

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817.2341 (2)(b) & (3)(b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
817.418(2)(a)	3rd	Offering for sale or advertising personal protective equipment with intent to defraud.
817.504(1)(a)	3rd	Offering or advertising a vaccine with intent to defraud.
817.535(2)(a)	3rd	Filing false lien or other unauthorized document.
817.611(2)(b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
825.102(3)(b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
825.103(3)(b)	2nd	Exploiting an elderly person or disabled adult and property is valued at $10,000 or more, but less than $50,000.
827.03(2)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
827.04(3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
827.071(3) ~~827.071(2) & (3)~~	2nd	~~Use or induce a child in a sexual performance, or~~ Promote or direct sexual ~~such~~ performance by a child.
827.071(4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
828.126 (2) & (3)	2nd	Sexual activities involving animals.
837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.

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838.015	2nd	Bribery.
838.016	2nd	Unlawful compensation or reward for official behavior.
838.021(3)(a)	2nd	Unlawful harm to a public servant.
838.22	2nd	Bid tampering.
843.0855(2)	3rd	Impersonation of a public officer or employee.
843.0855(3)	3rd	Unlawful simulation of legal process.
843.0855(4)	3rd	Intimidation of a public officer or employee.
847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
872.06	2nd	Abuse of a dead human body.
874.05(2)(b)	1st	Encouraging or recruiting

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		person under 13 to join a criminal gang; second or subsequent offense.
874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5., within 1,000 feet of property used for religious services or a specified business site.

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893.13(4)(a)	1st	Use or hire of minor; deliver to minor other controlled substance.
893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
893.135 (1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
893.135 (1)(c)2.a.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
893.135 (1)(c)2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
893.135 (1)(c)3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.

893.135 (1)(c)3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
893.135 (1)(c)4.b.(I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
893.135 (1)(d)1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
893.135(1)(e)1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
893.135(1)(f)1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
893.135 (1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
893.135 (1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.

893.135 (1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
893.135 (1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
893.135 (1)(m)2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
893.135 (1)(m)2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
893.135 (1)(n)2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
896.101(5)(a)	3rd	Money laundering, financial transactions exceeding $300 but less than $20,000.
896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding $300 but less than $20,000.
943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.
943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

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944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

Section 9. This act shall take effect July 1, 2026.

The Florida Senate

APPEARANCE RECORD

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

3/2/26
Meeting Date

Fiscal Policy
Committee

1750
Bill Number or Topic

Amendment Barcode (if applicable)

Name Clark Smith/Florida Sheriffs Association Phone 850-251-3218

Address 123 South Adams St Email csmith@thesouthgroup.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. 2020-2022JointRules.pdf (flsenate.gov)

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

S-001 (08/10/2021)

THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

SENATOR BRYAN AVILA
39th District

COMMITTEES:
Finance and Tax, *Chair*
Transportation, Vice Chair
Appropriations Committee on Transportation, Tourism, and Economic Development
Environmental and Natural Resources
Ethics and Elections
Fiscal Policy
Rules

February 23, 2026

The Honorable Senator Joe Gruters
Committee on Fiscal Policy
The Florida Senate
2000 The Capital
404 S. Monroe Street
Tallahassee, FL 32399

REF: Absence Excuse Request

Honorable Senator Gruters,

Please excuse my absence from Committee on Fiscal Policy on March 2nd, 2026. I have been scheduled to serve in the Florida Army National Guard during that time.

Please feel free to contact me with any questions.

Sincerely,

Bryan Avila

CC: Yolanda Siples, Staff Director
Michelle Grimes, Administrative Assistant
Ronnie Whitaker, Majority Office Director
Taylor Shaw, Majority Office Legislative Analyst

THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Banking and Insurance, *Chair*
Fiscal Policy, *Chair*

SENATOR JOE GRUTERS
22nd District

February 27, 2026

The Honorable Ben Albritton
Senate President
409 The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

President Albritton,

I would like to request an excused absence from the Committee on Fiscal Policy scheduled for Monday, March 2nd. I would prefer Vice Chair Osgood serve as Chairman in my absence.

Thank you for your consideration of this request.

Sincerely,

Joe Gruters
State Senator, District 22

REPLY TO:
❒ 381 Interstate Boulevard, Sarasota, Florida 34240 (941) 378-6309
❒ 413 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5022

Senate's Website: *www.flsenate.gov*

BEN ALBRITTON
President of the Senate

JASON BRODEUR
President Pro Tempore

CourtSmart Tag Report

Room: KB 412 **Case No.:** **Type:**
Caption: Senate Fiscal Policy Committee **Judge:**

Started: 3/2/2026 12:02:39 PM
Ends: 3/2/2026 5:49:55 PM Length: 05:47:17

12:02:45 PM Chair Osgood calls the meeting to order
12:02:47 PM Roll call
12:03:20 PM Chair Osgood makes opening remarks
12:03:42 PM CS/SB 1632 and CS/SB 1634 will not be heard, and CS/CS/SB 654 is temporarily postponed
12:04:19 PM Tab 1; SB 42 by AHS, Senator Sharief; Special Medical Diagnoses in Child Protective Investigations
12:04:40 PM Amendment #544198
12:04:48 PM Senator Sharief explains the amendment
12:05:03 PM Senator Sharief waives close on the amendment
12:05:30 PM Chair Osgood recognizes public testimony
12:06:03 PM Senator Sharief makes closing remarks and waives close on the bill
12:06:47 PM Roll call
12:07:35 PM Tab 20; SB 1570 by Senator Gaetz; Statewide Project for Missing Persons with Special Needs
12:07:51 PM Senator Gaetz explains the bill
12:09:01 PM Senator Gaetz waives close on the bill
12:09:03 PM Roll call
12:09:59 PM Tab 2; SB 182 by AED, ED, Senator Jones; School Teacher Training and Mentoring Program
12:10:04 PM Senator Jones explains the bill
12:11:19 PM Chair Osgood recognizes public testimony
12:11:28 PM Senator Jones waives close on the bill
12:12:08 PM Tab 10; SB 794 by AHS, CF, Senator Jones; Agency for Persons with Disabilities
12:12:17 PM Senator Jones explains the bill
12:13:31 PM Chair Osgood recognizes public testimony
12:13:42 PM Speaking:
12:13:47 PM JJ Holmes
12:18:53 PM Allison Holmes
12:19:35 PM Senator Mayfield
12:20:20 PM Debate:
12:20:47 PM Senator Bracy Davis
12:20:57 PM Senator Davis
12:22:18 PM Senator Jones makes closing remarks and waives close on the bill
12:23:46 PM Melissa Mazaedo
12:26:44 PM Roll call
12:27:42 PM Tab 11; SB 1168 by HP, Senator Grall; Background Screenings
12:27:56 PM Amendment #128520
12:28:03 PM Senator Grall explains the amendment
12:29:48 PM Senator Grall waives close on the amendment
12:30:00 PM Back on the bill as amended
12:30:09 PM Chair Osgood recognizes public testimony
12:30:35 PM Senator Grall waives close on the bill
12:30:37 PM Roll call
12:31:14 PM Tab 3; SB 214 by ATD, Senator McClain; Special District Funding
12:31:21 PM Senator McClain explains the bill
12:32:05 PM Amendment #951808
12:32:14 PM Senator McClain explains the amendment
12:32:49 PM Senator McClain waives close on the amendment
12:32:56 PM Back on the bill as amended
12:33:06 PM Chair Osgood recognizes public testimony
12:33:26 PM Senator McClain makes closing remarks and waives close on the bill
12:33:30 PM Roll call
12:34:29 PM Tab 17; SB 1376 by HE, Senator Burgess; Grants for Genetic Counseling Education
12:34:37 PM Senator Burgess explains the bill
12:35:08 PM Senator Burgess waives close on the bill

12:35:10 PM Roll call
12:36:01 PM Tab 21; SB 1574 by Senator Bracy Davis; Newborn Screenings
12:36:10 PM Senator Bracy Davis explains the bill
12:37:09 PM Chair Osgood recognizes public testimony
12:37:11 PM Speaking:
12:37:30 PM Michael Beacham
12:40:33 PM Debate:
12:40:37 PM Senator Arrington
12:41:14 PM Senator Bracy Davis makes closing remarks and waives close on the bill
12:41:43 PM Roll call
12:42:53 PM Tab 18; SB 1510 by AEG, EN, Senator Massullo; Department of Environmental Protection
12:43:02 PM Senator Massullo explains the bill
12:45:20 PM Amendment #376678
12:45:28 PM Senator Massullo explains the amendment
12:46:52 PM Back on the bill as amended
12:47:01 PM Chair Osgood recognizes public testimony
12:47:03 PM Speaking:
12:47:15 PM Ryan Smart
12:49:53 PM Senator Massullo makes closing remarks and waives close on the bill
12:50:34 PM Roll call
12:51:32 PM Tab 5; SB 598 by AEG, BI, Senator Truenow; Funeral, Cemetery, and Consumer Services
12:51:40 PM Senator Truenow explains the bill
12:53:05 PM Chair Osgood recognizes public testimony
12:53:17 PM Senator Truenow makes closing remarks and waives close on the bill
12:53:19 PM Roll call
12:54:18 PM Tab 8; SB 688 by Senator Rodriguez; Naturopathic Medicine
12:54:29 PM Amendment #558882
12:54:41 PM Senator Rodriguez explains the amendment
12:55:28 PM Chair Osgood recognizes public testimony
12:55:45 PM Senator Rodriguez waives close on the amendment
12:55:49 PM Back on the bill as amended
12:56:03 PM Chair Osgood recognizes public testimony
12:56:07 PM Speaking:
12:56:11 PM Todd Robinson
12:57:42 PM Jann Bellamy
1:00:18 PM Senator Burton
1:00:50 PM Jann Bellamy
1:01:36 PM Debate:
1:01:47 PM Senator Burton
1:03:01 PM Senator Rodriguez makes closing remarks and waives close on the bill
1:03:57 PM Roll call
1:04:34 PM Tab 15; SB 1318 by Senator Rodriguez; Florida Tax Credit Scholarship Program
1:04:48 PM Senator Rodriguez explains the bill
1:05:29 PM Questions:
1:05:33 PM Senator Davis
1:05:37 PM Senator Rodriguez
1:05:51 PM Senator Davis
1:06:24 PM Senator Rodriguez
1:06:31 PM Senator Davis
1:06:46 PM Senator Rodriguez
1:07:01 PM Senator Davis
1:07:12 PM Senator Rodriguez
1:07:28 PM Senator Davis
1:08:11 PM Senator Rodriguez
1:08:24 PM Debate:
1:08:27 PM Senator Jones
1:08:59 PM Senator Rodriguez waives close on the bill
1:09:01 PM Roll call
1:09:57 PM Tab 7; SB 682 by ACJ, CF, Senator Calatayud; Domestic Violence and Protective Injunctions
1:10:06 PM Senator Calatayud explains the bill
1:10:38 PM Senator Calatayud waives close on the bill
1:10:39 PM Roll call

1:11:32 PM Tab 14; SB 1300 by Senator Calatayud; Education and Workforce Development for Current and Former Inmates
1:11:39 PM Senator Calatayud explains the bill
1:12:05 PM Senator Calatayud waives close on the bill
1:12:07 PM Roll call
1:12:51 PM Tab 19; SB 1548 by Senator Calatayud; Affordable Housing
1:13:01 PM Senator Calatayud explains the bill
1:13:55 PM Chair Osgood recognizes public testimony
1:14:09 PM Senator Calatayud waives close on the bill
1:14:11 PM Roll call
1:14:55 PM Chair Osgood calls for recess
1:14:58 PM Recording Paused
2:23:54 PM Recording Resumed
2:24:00 PM Chair Osgood calls meeting to order
2:24:43 PM Tab 4, CS/CS/SB 536 by Senator Martin, Criteria for Determining Criminal Gang Membership
2:24:47 PM Senator Martin explains the bill
2:25:44 PM Questions:
2:25:45 PM Senator Jones
2:25:55 PM Senator Martin
2:25:59 PM Senator Jones
2:26:14 PM Senator Martin
2:26:41 PM Senator Jones
2:26:52 PM Senator Martin
2:27:47 PM Chair Osgood recognizes public testimony
2:27:50 PM Senator Martin waives close
2:27:52 PM Roll Call
2:28:39 PM Tab 9, CS/CS/SB 762 by Senator Martin; Offices of Criminal Conflict and Civil Regional Counsel
2:28:56 PM Senator Martin explains the bill
2:30:05 PM Questions:
2:30:07 PM Chair Osgood
2:30:20 PM Senator Martin
2:31:21 PM Chair Osgood recognizes public testimony:
2:31:27 PM Ita Neymotin
2:32:19 PM Abram Dale
2:33:23 PM Senator Martin waives close
2:33:25 PM Roll Call
2:34:12 PM Tab 16, SB 1332 by Senator Martin; Career Offender Registration
2:34:30 PM Senator Martin explains the bill
2:35:29 PM Amendment 299088
2:35:34 PM Senator Martin explains the amendment
2:35:53 PM Senator Martin waives close
2:36:00 PM Chair Osgood reports amendment
2:36:13 PM Chair Osgood recognizes public testimony
2:36:22 PM Senator Martin waives close
2:36:35 PM Roll Call
2:37:13 PM Tab 24, CS/CS/SB 1742 by Senator Martin; Indecent Exposure of Sexual Organs While Observing a Child
2:37:34 PM Senator Martin explains the bill
2:38:48 PM Chair Osgood recognizes public testimony
2:38:59 PM Debate:
2:39:02 PM Senator Arrington
2:39:29 PM Senator Martin waives close
2:39:32 PM Roll Call
2:40:10 PM Tab 25, CS/SB 1750 by Senator Martin; Sexual Offenses
2:40:24 PM Senator Martin explains the bill
2:41:34 PM Chair Osgood recognizes public testimony
2:41:38 PM Senator Martin waives close
2:41:44 PM Roll Call
2:42:31 PM Tab 12, CS/SB 1296 by Senator Martin; Public Employees Relations Commission
2:42:36 PM Senator Martin explains the bill
2:44:40 PM Amendment 323952
2:44:44 PM Senator Simon explains the amendment

2:45:08 PM Questions?
2:45:16 PM Senator Bracy Davis
2:45:31 PM Senator Simon
2:45:55 PM Any debate?
2:45:58 PM Senator Jones
2:46:38 PM Senator Rodriguez
2:46:56 PM Senator Martin
2:47:05 PM Chair Osgood reports amendment
2:47:13 PM Questions:
2:47:22 PM Senator Jones
2:47:53 PM Senator Martin
2:47:54 PM Senator Jones
2:47:55 PM Senator Martin
2:48:51 PM Senator Jones
2:48:55 PM Senator Martin
2:49:23 PM Senator Jones
2:49:39 PM Senator Martin
2:50:02 PM Senator Jones
2:50:14 PM Senator Martin
2:52:26 PM Senator Jones
2:52:29 PM Senator Martin
2:52:33 PM Senator Jones
2:52:51 PM Senator Martin
2:53:05 PM Senator Jones
2:53:20 PM Senator Martin
2:54:28 PM Senator Jones
2:54:45 PM Senator Martin
2:55:52 PM Senator Jones
2:56:13 PM Senator Martin
2:57:45 PM Senator Bracy Davis
2:58:22 PM Senator Martin
2:59:46 PM Senator Bracy Davis
3:00:11 PM Senator Martin
3:00:43 PM Senator Arrington
3:00:55 PM Senator Martin
3:01:06 PM Senator Arrington
3:01:16 PM Senator Martin
3:01:23 PM Senator Arrington
3:01:31 PM Senator Martin
3:01:37 PM Senator Arrington
3:01:50 PM Senator Martin
3:02:13 PM Senator Arrington
3:02:25 PM Senator Martin
3:02:50 PM Senator Arrington
3:03:15 PM Senator Bernard
3:03:39 PM Senator Martin
3:04:49 PM Senator Bernard
3:05:11 PM Senator Martin
3:05:27 PM Senator Bernard
3:05:49 PM Senator Martin
3:05:59 PM Senator Bernard
3:06:12 PM Senator Martin
3:06:23 PM Senator Bernard
3:06:51 PM Senator Martin
3:06:53 PM Senator Bernard
3:07:07 PM Senator Martin
3:07:23 PM Senator Bernard
3:07:41 PM Senator Martin
3:08:23 PM Senator Bernard
3:08:56 PM Senator Martin
3:09:38 PM Senator Bernard
3:09:46 PM Senator Martin

3:10:01 PM Senator Bernard
3:10:24 PM Senator Martin
3:10:41 PM Senator Bernard
3:11:11 PM Senator Martin
3:13:16 PM Chair Osgood recognizes public testimony:
3:14:22 PM Shirley Campen
3:16:06 PM Theresa King, President of Florida Building Trades
3:18:21 PM Jason Bellamy-Fults
3:19:25 PM Jay Marion
3:20:36 PM Angela Barron
3:22:09 PM Edward Ferguson
3:23:24 PM William Board
3:24:41 PM Auntrece Henry
3:26:13 PM David Diaz
3:28:35 PM Joe Simmons Jr
3:29:54 PM Mario Ambrose
3:32:26 PM Lerell Winstead
3:33:44 PM Nancy Chatman
3:34:47 PM Rebecca Dean
3:35:33 PM Neil Devine
3:37:50 PM Nicole Farmer
3:39:01 PM Casey Mohrien
3:40:35 PM Elizabeth Wiley
3:42:11 PM Ellery Farmer
3:43:39 PM Jody Fidda
3:44:46 PM Tammie Grant
3:46:13 PM Heather Lawrenz
3:46:52 PM Julie Kerber
3:47:48 PM Evelyn Townsley
3:49:08 PM Tracy Rebando
3:50:23 PM Alexandra Vaporis
3:51:55 PM Christine Tapalaga
3:52:42 PM Megan Stip
3:53:33 PM Deep Adhikari
3:54:30 PM Tyler Anderson
3:55:33 PM Shonda Zimmerman
3:56:18 PM Glafira Mackie
3:57:47 PM Martin Westall
3:58:14 PM Douglas Deters
3:59:33 PM Richard Crews
4:00:30 PM Robert Loveitt
4:01:04 PM Stacy Kennett
4:02:18 PM Carol Hurst
4:03:27 PM Michael Laub
4:04:33 PM Alicia Walton
4:05:47 PM Raymond Robbins
4:07:15 PM Andrew Valentine
4:07:56 PM Lindsey Bell
4:09:10 PM Erin Skipper
4:10:38 PM Mark Rendel
4:12:24 PM Questions:
4:12:25 PM Senator Jones
4:12:34 PM Mark Rendel
4:12:46 PM Senator Jones
4:13:01 PM Mark Rendel
4:13:46 PM Senator Bernard
4:14:12 PM Mark Rendel
4:14:37 PM Laurie Cox
4:16:06 PM Marley Pence
4:16:47 PM James Ingle
4:18:39 PM Elizabeth Pritchett
4:19:45 PM Michael Smith

4:20:38 PM Vanessa Chiles
4:22:08 PM Laura Allgood
4:23:53 PM Jaklyn South
4:24:31 PM Carly Karas
4:25:27 PM Aubrey Davey
4:26:17 PM Dennis Velez
4:27:36 PM Robert Heath
4:28:38 PM Ryan Kamba
4:30:07 PM Elijah Key
4:31:56 PM Heidi Paquette
4:33:08 PM Sandra Thuringer
4:34:54 PM Rebecca Herrison
4:35:25 PM Ronnie Gray
4:36:55 PM Jonathan Fielder
4:38:10 PM Megan Kurlinski
4:39:12 PM Kim Smith
4:40:05 PM John Aubele
4:41:16 PM John O'Berski
4:41:36 PM Kimi Evans
4:43:20 PM Robin Goodman
4:45:22 PM Kelly LaBedz
4:46:41 PM Michael Buchler
4:47:51 PM Mary Rivera
4:49:15 PM Rusty Brown
4:50:34 PM Questions:
4:50:36 PM Senator Jones
4:50:45 PM Rusty Brown
4:50:49 PM Senator Jones
4:50:55 PM Rusty Brown
4:51:00 PM Senator Jones
4:51:06 PM Rusty Brown
4:51:08 PM Senator Jones
4:51:16 PM Rusty Brown
4:51:20 PM James Stoner
4:52:22 PM Laurie Simmons
4:52:59 PM Leanne Pedraja
4:53:59 PM Marc Johnson
4:55:30 PM Shameka Monroe
4:55:55 PM Kathleen Crowe
4:56:54 PM Ruth Santiago
4:58:04 PM Vlad Ghioraia
4:58:43 PM Duncan Lawrence
4:59:40 PM Rick Myers
5:00:46 PM Lisa Bush
5:01:43 PM Debate:
5:01:46 PM Senator Bracy Davis
5:08:02 PM Senator Arrington
5:10:40 PM Senator Bernard
5:14:25 PM Senator Jones
5:21:24 PM Senator Davis
5:27:29 PM Senator Simon
5:30:34 PM Senator Yarborough
5:32:47 PM Chair Osgood
5:35:43 PM Senator Martin closes on the bill
5:42:37 PM Roll Call
5:43:56 PM Tab 13, CS/SB 1298 by Senator Martin; Public Records/ Public Employes Relations Commission
5:43:59 PM Senator Martin explains the bill
5:44:16 PM Chair Osgood recognizes public testimony:
5:44:30 PM Dr. Rich Templin, ALFCIO
5:46:15 PM Senator Martin waives close
5:46:18 PM Roll Call
5:47:27 PM Senator Gaetz moves to record missed votes

5:47:51 PM Senator Leek moves to record missed vote
5:47:56 PM Senator Simon moves to record missed vote
5:48:11 PM Senator Rodriguez moves to record missed vote
5:48:20 PM Senator Davis moves to record missed vote
5:48:33 PM Senator Yarborough moves to record missed vote
5:48:42 PM Senator Truenow moves to record missed vote
5:48:51 PM Senator Mayfield moves to record missed votes
5:48:58 PM Senator Calatayud moves to record missed votes
5:49:06 PM Senator Bradley moves to record missed vote
5:49:14 PM Senator Burton moves to record missed vote
5:49:26 PM Senator Boyd moves to record missed votes
5:49:41 PM Meeting adjourned