

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**COMMUNITY AFFAIRS**  
**Senator Lee, Chair**  
**Senator Clemens, Vice Chair**

**MEETING DATE:** Tuesday, October 24, 2017

**TIME:** 9:00—10:30 a.m.

**PLACE:** 301 Senate Office Building

**MEMBERS:** Senator Lee, Chair; Senator Clemens, Vice Chair; Senators Bean, Brandes, Campbell, Perry, Rodriguez, and Simmons

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Wrap-up of the Workshop on State and Local Regulation of Vacation Rentals - Public Testimony		Discussed
2	<b>SB 192</b> Baxley (Similar H 79)	Public Meetings; Specifying conditions under which members of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision may participate in fact-finding exercises or excursions, etc.  EE 10/10/2017 Favorable CA 10/24/2017 Favorable RC	Favorable Yeas 7 Nays 0
3	<b>SB 272</b> Brandes (Identical H 317)	Local Tax Referenda; Providing that a municipality may increase the millage rate of ad valorem taxes levied on real and tangible personal property only by a vote of a specified percentage of the municipality's governing body approving the increase; revising the voter approval threshold required to pass a referendum to adopt or amend local government discretionary sales surtaxes when the referendum is held at any date other than a general election, etc.  CA 10/24/2017 Fav/CS AFT AP RC	Fav/CS Yeas 6 Nays 1
4	Presentation by the Office of Program Analysis and Governmental Accountability on Community Redevelopment Agencies		Temporarily Postponed
5	Presentation by the Auditor General on Report No. 2015-037, Local Government Financial Reporting System, Community Redevelopment Agencies		Temporarily Postponed
Other Related Meeting Documents			

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

October 24, 2017  
*Meeting Date*

\_\_\_\_\_  
*Bill Number (if applicable)*

Topic State and Local Regulations on Vacation Rentals - Public Testimony

\_\_\_\_\_  
*Amendment Barcode (if applicable)*

Name Patricia Detwiler

Job Title Executive Director

Address 166 Ramblewood Circle  
*Street*

Phone 863.781.2749

Royal Palm Beach                      FL                      33411  
*City*    *State*    *Zip*

Email FloridaBedandBreakfastInns@gmail.com

Speaking:     For     Against     Information

Waive Speaking:     In Support     Against  
*(The Chair will read this information into the record.)*

Representing Florida Bed and Breakfast Inns Association

Appearing at request of Chair:     Yes     No

Lobbyist registered with Legislature:     Yes     No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

# THE FLORIDA SENATE APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

October 24, 2017  
Meeting Date

NA  
Bill Number (if applicable)  
NA  
Amendment Barcode (if applicable)

Topic Wrap-up of Workshop on State & Local Regulation of Vacation Rentals

Name Greg Hansen

Job Title County Commissioner of Flagler County

Address 1769 E Moody Blvd #2  
Street

Phone 386-313-4001

Bunnell FL 32110  
City State Zip

Email ghansen@flaglercounty.org

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Flagler County Board of County Commissioners

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10/23/17

Meeting Date

Topic VACATION RENTALS

Bill Number (if applicable)

Name RICK BHULA

Amendment Barcode (if applicable)

Job Title OWNER/MANAGER

Address 2020 APALACHEE PKWY

Street

Phone 850 766 5808

City TLH

State FL

Zip 32301

Email RKBHULA@GMAIL.COM

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing HOTEL INDUSTRY

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

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10-24-17  
Meeting Date

\_\_\_\_\_  
Bill Number (if applicable)

Topic Short-Term Rentals

\_\_\_\_\_  
Amendment Barcode (if applicable)

Name TRAVIS MOORE

Job Title \_\_\_\_\_

Address P.O. Box 2020  
Street

Phone 727.421.6902

St. Petersburg FL 33731  
City State Zip

Email travis@moore-relations.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Community Associations Institute, Ocean Hammock Property Owners Assoc. + AHCA

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date \_\_\_\_\_

Bill Number (if applicable) \_\_\_\_\_

Topic VACATION RENTAL

Name HEATHER BEAVEN

Amendment Barcode (if applicable) \_\_\_\_\_

Job Title FLORIDIAN

Address 1444 S. CENTRAL AVE  
Street

Phone \_\_\_\_\_

SLAGLER BEACH FL 32136  
City State Zip

Email HMBEAVEN@GMAIL.COM

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

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10/24/17  
Meeting Date

\_\_\_\_\_  
Bill Number (if applicable)

Topic VACATION RENTALS  
Name JENNIFER GREEN

\_\_\_\_\_  
Amendment Barcode (if applicable)

Job Title \_\_\_\_\_

Address 113 E. COLLEGE AVE., SUITE 400  
Street  
TUL FL 32301  
City State Zip

Phone \_\_\_\_\_

Email \_\_\_\_\_

Speaking:  For  Against  Information *(IF NEEDED)*

Waive Speaking:  In Support  Against  
*(The Chair will read this information into the record.)*

Representing HOMERAWAY & EXPEDIA

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10-24-17

Meeting Date

Bill Number (if applicable)

Topic SHORT TERM RENTAL

Name DOUGLAS BEAVEN

Amendment Barcode (if applicable)

Job Title Home Owner

Address 1445 CENTRAL AVE  
Street

Phone 386-627-3376

FLAGLER BEACH, FL  
City

32136  
Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing SELF

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

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10/24/17  
Meeting Date

Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic vacation/short-term rentals

Name Annette Massey

Job Title Self employed

Address 2657 Annette Street  
Street

Flagler Beach FL 32136  
City State Zip

Phone 386 852-2217

Email mooremasssey@me.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing self

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

24 Oct 17  
Meeting Date

\_\_\_\_\_  
Bill Number (if applicable)

Topic short-term rental

Name Lisa A. Robertson

\_\_\_\_\_  
Amendment Barcode (if applicable)

Job Title Host

Address 881 Kell Aire Drive

Phone (857) 737-0226

Street  
Destin  
City

FL  
State

Email lisarobertson@10@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing AirBnB

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

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24 Oct 2017  
Meeting Date

\_\_\_\_\_  
Bill Number (if applicable)

Topic Short-term Rental

\_\_\_\_\_  
Amendment Barcode (if applicable)

Name MARK ROBERTSON

Job Title Homestead Property Owner and Retired Military

Address 771 Kell Air Dr  
Street

Phone 850-461-3665

Destin, FL 32541  
City State Zip

Email mrrobertsen406@icloud.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Airbnb

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date \_\_\_\_\_

Bill Number (if applicable) \_\_\_\_\_

Topic Short term rentals

Amendment Barcode (if applicable) \_\_\_\_\_

Name Stephanie Hardisty

Job Title Self employed

Address 1 Ocean West Ste # 17 B6

Phone 386-606-9773

Street

Daytona Beach FLA 32118

Email Stephardisty@gmail.com

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Short term rentals owners in Daytona

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

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Meeting Date \_\_\_\_\_

Bill Number (if applicable) \_\_\_\_\_

Topic VACATION RENTALS

Amendment Barcode (if applicable) \_\_\_\_\_

Name CHRISTOPHER EMMANUEL

Job Title POLICY DIRECTOR

Address 136 BRONOUGH STREET  
Street

Phone \_\_\_\_\_

TLH FL 32301  
City State Zip

Email CEMMANUEL@FLCHAMBER

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing FLORIDA CHAMBER OF COMMERCE

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10/24

Meeting Date

Bill Number (if applicable)

Topic SHORT TERM RENTALS

Amendment Barcode (if applicable)

Name DAVID BRIGHTBELL

Job Title CONSULTANT

Address 1200 STERNA STREET

Phone 850 576 9574

Fallopsee FL 32309  
City State Zip

Email David.Brightbell@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)

**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.)

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Prepared By: The Professional Staff of the Committee on Community Affairs

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BILL: SB 192

INTRODUCER: Senator Baxley

SUBJECT: Public Meetings

DATE: October 23, 2017

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Carlton</u>	<u>Ulrich</u>	<u>EE</u>	<b>Favorable</b>
2.	<u>Cochran</u>	<u>Yeatman</u>	<u>CA</u>	<b>Favorable</b>
3.	_____	_____	<u>RC</u>	_____

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**I. Summary:**

SB 192 revises Florida’s “Government in the Sunshine Law”, or “Sunshine Law,” by codifying judicial interpretation and application of s. 286.011, F.S. Specifically, the bill provides from jurisprudence definitions for the terms: “de facto meeting,” “discussion,” “meeting,” “official act,” and “public business.” The bill also provides guidelines for boards to conduct permissible fact-finding exercises or excursions. Finally, the bill provides in statute that notice is not required when two or more members of a board are gathered if no official acts are taken and no public business is discussed.

**II. Present Situation:**

**Open Meetings Laws**

The Florida Constitution provides that the public has a right to access governmental meetings.<sup>1</sup> Each collegial body must provide notice of its meetings to the public and permit the public to attend any meeting at which official acts are taken or at which public business is transacted or discussed.<sup>2</sup> This applies to the meetings of any collegial body of the executive branch of state government, counties, municipalities, school districts, or special districts.<sup>3</sup>

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<sup>1</sup> FLA. CONST., art. I, s. 24(b).

<sup>2</sup> *Id.*

<sup>3</sup> Fla. CONST., art. I, s. 24(b). Meetings of the Legislature are governed by Article III, section 4(e) of the Florida Constitution, which states: “The rules of procedure of each house shall further provide that all prearranged gatherings, between more than two members of the legislature, or between the governor, the president of the senate, or the speaker of the house of representatives, the purpose of which is to agree upon formal legislative action that will be taken at a subsequent time, or at which formal legislative action is taken, regarding pending legislation or amendments, shall be reasonably open to the public.”

The Florida Statutes also provide that governmental meetings must be open to the public. Section 286.011, F.S., which is also known as the “Government in the Sunshine Law,”<sup>4</sup> or the “Sunshine Law,”<sup>5</sup> requires all meetings of any board or commission of any state or local agency or authority at which official acts are to be taken be open to the public.<sup>6</sup> The board or commission must provide the public reasonable notice of such meetings.<sup>7</sup> A failure to abide by open meetings requirements will invalidate any resolution, rule or formal action adopted at a meeting.<sup>8</sup> The minutes of a board or commission meeting also must be made available to the public.<sup>9</sup> A public officer or member of a governmental entity who violates the Sunshine Law is subject to civil and criminal penalties.<sup>10</sup>

The Legislature may create an exemption to open meetings requirements by passing a general law by a two-thirds vote of each house.<sup>11</sup> An exemption must explicitly lay out the public necessity justifying the exemption, and the exemption must be no broader than necessary to accomplish the stated purpose of the exemption.<sup>12</sup>

### **Who is Subject to the Sunshine Law?**

Article I, s. 24(b) of the Florida Constitution, in pertinent part, provides that meetings of the following bodies must be open and noticed to the public:

[A]ny collegial public body of the executive branch of state government or of any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed.

Furthermore, s. 286.011, F.S., provides, in relevant part, that all meetings of the following entities must be open to the public:<sup>13</sup>

[A]ny board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, ... including meetings with or attended by any person elected to such board or commission, but who has not yet taken office, at which official acts are to be taken are declared to be public meetings.

The Sunshine Law applies to “[m]embers-elect of boards, commissions, agencies, etc.” as soon as they are elected, even if they have not yet been sworn into office.<sup>14</sup> Any assemblage of members-elect or elected members of a collegial body who “discuss matters on which

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<sup>4</sup> *Times Pub. Co. v. Williams*, 222 So. 2d 470, 472 (Fla. 2d DCA 1969).

<sup>5</sup> *Board of Public Instruction of Broward County v. Doran*, 224 So. 2d 693, 695 (Fla. 1969).

<sup>6</sup> Section 286.011(1)-(2), F.S.

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> Section 286.011(2), F.S.

<sup>10</sup> Section 286.011(3), F.S.

<sup>11</sup> FLA. CONST., art. I, s. 24(c).

<sup>12</sup> *Id.*

<sup>13</sup> Not all meetings must be noticed to the public according to s. 286.011(1), F.S.; only board or commission meetings must be reasonably noticed.

<sup>14</sup> *Hough v. Stembridge*, 278 So. 2d 288, 289 (Fla. 3d DCA 1973).



foreseeable action may be taken by that board or commission” constitutes a meeting subject to the Sunshine Law.<sup>15</sup>

The Sunshine Law has broad application, even to entities that are not normally considered a government body. Case law provides that a university is subject to the Sunshine Law, even if it is not usually considered a state agency.<sup>16</sup> Therefore, since a university is subject to the Sunshine Law, any committee it delegates its powers to must also hold its meetings publicly.<sup>17</sup>

Florida courts have held that the intent behind the Sunshine Law is to provide public access to the entire decision-making process, because it is the “how and why” public officials decided to act which interests the public, not merely the final decision.<sup>18</sup> Accordingly, if a government collegial body delegates its decision-making powers to another group, then those meetings must be public, even if the group is formed of private citizens.<sup>19</sup>

### **What is a “Meeting” that Should be Held in the Sunshine?**

The Legislature has not defined the term “meeting” within the context of the Sunshine Law. However, the courts have. In *Sarasota Citizens for Responsible Gov't v. City of Sarasota* the Florida Supreme Court stated:

[M]eetings within the meaning of the Sunshine Law include any gathering, formal or informal, of two or more members of the same board or commission where the members deal with some matter on which foreseeable action will be taken by the Board.<sup>20</sup>

The Court has also interpreted the intent of the Sunshine Law in relation to the types of assemblages that constitute a “meeting”:

The obvious intent of the Government in the Sunshine Law, *supra*, was to cover any gathering of some of the members of a public board where those members discuss some matters on which foreseeable action may be taken by the board.<sup>21</sup>

A meeting, within the meaning of the Sunshine Law, can occur even if the members of a collegial body do not speak to each other about a topic where foreseeable action may take place. Courts have ruled that the *opportunity* to make a decision was sufficient to make a gathering of school officials a public meeting.<sup>22</sup> In one case, school board members, two school board candidates, a superintendent and his deputy, and members of the press, toured new school bus routes on a school bus. The school board members sat several rows away from each other as a precaution and none of the members discussed preferences, expressed opinions or voted on the bus trip.<sup>23</sup> Despite taking those precautions, the court opined that the school board “had ultimate decision-making authority,” gathered in a confined space, and had “the opportunity at that time

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<sup>15</sup> *Hough v. Stembridge*, 278 So. 2d 288, 289 (Fla. 3d DCA 1973).

<sup>16</sup> *Wood v. Marston*, 442 So. 2d 934 (Fla. 1983).

<sup>17</sup> *Id.*

<sup>18</sup> *Times Publishing Company v. Williams*, 222 So. 2d 470, 473 (Fla. 2d DCA 1969).

<sup>19</sup> *Palm Beach v. Gradison*, 296 So. 2d 473 (Fla. 1974).

<sup>20</sup> *Sarasota Citizens for Responsible Gov't v. City of Sarasota*, 48 So. 3d 755 (Fla. 2010).

<sup>21</sup> *Bd. of Pub. Instruction v. Doran*, 224 So. 2d 693 (Fla. 1969).

<sup>22</sup> *Finch v. Seminole County Sch. Bd.*, 995 So. 2d 1068 (Fla. 5<sup>th</sup> DCA 2008).

<sup>23</sup> *Id.*

to make decisions outside of the public scrutiny.” Therefore, the court held that the bus ride was a meeting that violated the Sunshine Law.<sup>24</sup>

A “sunshine meeting” may also occur even if the members of a board do not assemble or share information through an intermediary. In this case, a superintendent met individual school board members in succession to discuss redistricting, but denied acting as a “go-between” or sharing the opinions of one board member with another one.<sup>25</sup> Although board members did not exchange information or otherwise congregate, the court in finding a violation of the Sunshine Law, held:

The scheduling of six sessions of secret discussions, repetitive in content, in rapid-fire seriatim and of such obvious official portent, resulted in de facto meetings by two or more members of the board at which official action was taken.<sup>26</sup>

Any meeting when public officials meet to avoid being seen or heard by the public violates the Sunshine Law, regardless of whether that meeting is formal or informal.<sup>27</sup> The judiciary has advised, “[i]f a public official is unable to know whether by convening two or more officials he is violating the law, he should leave the meeting forthwith.”<sup>28</sup>

Not all meetings of government officials are subject to the Sunshine Law, and the presence of two government officials alone is not sufficient to require a public meeting.<sup>29</sup> In addition to the exemptions listed in statute, staff meetings and fact-finding meetings are exceptions to the Sunshine Law and there is no requirement that these meetings be open and noticed to the public.

Officials may also meet alone with their staff or employees for “fact-finding” purposes in order to execute their duties without violating the Sunshine Law.<sup>30</sup> In addition, case law states that as long as they do not have decision making authority, “fact-finding” committees are not subject to the Sunshine Law.<sup>31</sup> The Florida Supreme Court ruled that “[w]hen a committee has been established for and conducts only information gathering and reporting, the activities of that committee are not subject to § 286.011, Fla. Stat.”<sup>32</sup>

### **What Happens if a Meeting Violates the Sunshine Law?**

Section 286.011(1), F.S., provides that the penalty for violating the Sunshine Law is to undo any business conducted in a meeting that should have been public. Specifically, it states, “no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting.”

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<sup>24</sup> *Id.*

<sup>25</sup> *Blackford v. Sch. Bd.*, 375 So. 2d 578, 580 (Fla. 5<sup>th</sup> DCA 1979).

<sup>26</sup> *Id.*

<sup>27</sup> *Miami Beach v. Berns*, 245 So. 2d 38, 41 (Fla. 1971).

<sup>28</sup> *Id.*

<sup>29</sup> *City of Sunrise v. News and Sun-Sentinel Co.*, 542 So. 2d 1354, 1355 (Fla. 4<sup>th</sup> DCA 1989).

<sup>30</sup> *Sarasota Citizens for Responsible Gov't v. City of Sarasota*, 48 So. 3d 755 (Fla. 2010). See also *Bennett v. Warden*, 333 So. 2d 97 (Fla. Dist. Ct. App. 1976).

<sup>31</sup> *Sarasota Citizens for Responsible Gov't v. City of Sarasota*, 48 So. 3d 755 (Fla. 2010).

<sup>32</sup> *Id.* at 757.

Courts have meted out a wide range of punishments to bodies who have violated the Sunshine Law, the most severe of which is to make a final action void. A violation of the Sunshine Law is “an irreparable public injury” and it does not matter if an entity did not intend to engage in such an act.<sup>33</sup> Additionally, courts may also order entities to stop meeting unless they meet in the open.<sup>34</sup>

However, it is worth noting that some courts have been more lenient and permitted entities to “cure” the violations. For example, a court may permit a body to cure Sunshine Law violations by requiring that information be made public and that all the subject matter be “reexamined and rediscussed” in an open meeting.<sup>35</sup>

### III. Effect of Proposed Changes:

The bill creates s. 286.011(1)(a), F.S., codifying judicial interpretation and application of the terms: “de facto meeting,” “discussion,” “meeting,” “official act,” and “public business.” Those terms are defined as follows:

- “De facto meeting” means the use of board or commission staff or third parties, acting as intermediaries, to facilitate discussion of public business between board or commission members.
- “Discussion” means a conversation between or among board or commission members regardless of whether through oral, written, electronic, or any other form of communication.
- “Meeting” means a gathering, whether formal or informal, of two or more members of the same board or commission, even if they have not yet taken office.
- “Official act” means the adoption of a resolution or rule or other formal action being taken by the board or commission.
- “Public business” means any matter before, or foreseeably expected to come before, the board or commission.

The bill also specifies that members of a board may participate in “fact-finding” exercises or excursion to research public business, and may participate in meetings with a member of the Legislature if:

- The board provides reasonable notice;
- A vote, official act, or an agreement regarding a future action does not occur;
- There is no discussion of “public business” that occurs; and
- There are appropriate records, minutes, audio recordings, or video recordings made and retained as a public record.

Finally, the bill provides that, if there is a gathering of two or more board members where no official acts are taken and no public business is discussed, then no public notice or access is required.

This bill is effective upon becoming law.

---

<sup>33</sup> *Palm Beach v. Gradison*, 296 So. 2d 473 (Fla. 1974).

<sup>34</sup> *Wood v. Marston*, 442 So. 2d 934 (Fla. 1983).

<sup>35</sup> *Blackford v. Sch. Bd.*, 375 So. 2d 578, 581 (Fla. 5<sup>th</sup> DCA 1979).

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

None.

**B. Public Records/Open Meetings Issues:**

Art. I, s.24(c) of the Florida Constitution provides the manner in which exemptions to Florida's Sunshine Laws may be created and requires a two-thirds vote of each house in order for such exemptions to be enacted. Because this bill does not create any new exemptions or codify existing jurisprudentially-created exemptions, neither the substantive requirements nor the two-thirds vote in each house requirement apply to this bill.

**C. Trust Funds Restrictions:**

None.

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

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

This bill merely codifies jurisprudence, so it is not anticipated that this bill will have a fiscal impact.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends s. 286.011, 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.

---

THE FLORIDA SENATE  
**APPEARANCE RECORD**

*Waived  
in support*

10/24/17

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 192

Meeting Date

Bill Number (if applicable)

Topic SB 192: Public Meetings

Amendment Barcode (if applicable)

Name Brian Sullivan

Job Title Chief Legal Counsel

Address 100 S. Monroe

Phone 810-335-0150

Street

Tallahassee

FL

Email \_\_\_\_\_

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida Association of Counties

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

Waived  
in support

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10/24/17  
Meeting Date

192  
Bill Number (if applicable)

Topic Public Meetings

Amendment Barcode (if applicable)

Name David Cruz

Job Title Legislative Counsel

Address P.O. Box 1757

Phone 701-7474

Tallahassee FL 32311  
City State Zip

Email DCRUZ@FCCITIES.COM

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

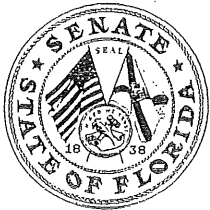
Representing Florida League of Cities

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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



## THE FLORIDA SENATE

**SENATOR DENNIS BAXLEY**  
12th District

**COMMITTEES:**  
Governmental Oversight and Accountability, *Chair*  
Criminal Justice, *Vice Chair*  
Appropriations Subcommittee on Criminal and  
Civil Justice  
Appropriations Subcommittee on Health and  
Human Services  
Transportation

**SELECT COMMITTEE:**  
Joint Select Committee on Collective Bargaining

**JOINT COMMITTEE:**  
Joint Legislative Auditing Committee

October 10, 2017

The Honorable Senator Tom Lee  
418 Senate Office Building  
404 So Monroe Street  
Tallahassee, Florida 32399

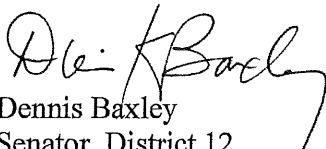
Dear Chairman Lee,

I respectfully request you place Senate Bill 192 Public Meetings on your next available agenda.

This bill allows two or more county commissioners to discuss issues pertaining to business as in fact-finding exercises or excursions to research public business, so long as no official acts are taken and any public business is not discussed, that would require public notice of, and access to, any gathering of two or more members of the same board or commission.

I appreciate your favorable consideration.

Onward & Upward,

  
Dennis Baxley  
Senator, District 12

DKB/dd

cc: Tom Yeatman, Staff Director

320 Senate Office Building, 404 South Monroe St, Tallahassee, Florida 32399-1100 • (850) 487-5012  
Email: [baxley.dennis@flsenate.gov](mailto:baxley.dennis@flsenate.gov)

**JOE NEGRON**  
President of the Senate

**ANITERE FLORES**  
President Pro Tempore



By Senator Baxley

12-00191-18

2018192\_\_

1 A bill to be entitled  
 2 An act relating to public meetings; amending s.  
 3 286.011, F.S.; defining terms; specifying conditions  
 4 under which members of any board or commission of any  
 5 state agency or authority or of any agency or  
 6 authority of any county, municipal corporation, or  
 7 political subdivision may participate in fact-finding  
 8 exercises or excursions; providing for construction;  
 9 providing an effective date.

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

11 Section 1. Subsection (1) of section 286.011, Florida  
 12 Statutes, is amended, present subsections (2) through (8) of  
 13 that section are renumbered as subsections (3) through (9),  
 14 respectively, and a new subsection (2) is added to that section,  
 15 to read:  
 16 286.011 Public meetings and records; public inspection;  
 17 criminal and civil penalties.—  
 18 (1)(a) As used in this section, the term:  
 19 1. “De facto meeting” means the use of board or commission  
 20 staff or third parties, acting as intermediaries, to facilitate  
 21 discussion of public business between board or commission  
 22 members.  
 23 2. “Discussion” means a conversation between or among board  
 24 or commission members regardless of whether through oral,  
 25 written, electronic, or any other form of communication.  
 26 3. “Meeting” means a gathering, whether formal or informal,  
 27 of two or more members of the same board or commission, even if  
 28  
 29

Page 1 of 3

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

12-00191-18

2018192\_\_

30 ~~they have not yet taken office.~~  
 31 4. “Official act” means the adoption of a resolution or  
 32 rule or other formal action being taken by the board or  
 33 commission.  
 34 5. “Public business” means any matter before, or  
 35 foreseeably expected to come before, the board or commission.  
 36 (b) Except as otherwise provided in the State Constitution,  
 37 all meetings or de facto meetings of any board or commission of  
 38 any state agency or authority or of any agency or authority of  
 39 any county, municipal corporation, or political subdivision at  
 40 which official acts are to be taken or public business is to be  
 41 transacted or discussed are declared to be public meetings open  
 42 to the public, except as otherwise provided in the  
 43 Constitution, including meetings with or attended by any person  
 44 elected to such board or commission, but who has not yet taken  
 45 office, at which official acts are to be taken are declared to  
 46 be public meetings open to the public at all times, and  
 47 (c) Members of the same board or commission may participate  
 48 in fact-finding exercises or excursions to research public  
 49 business, and may participate in meetings with a member of the  
 50 Legislature, if:  
 51 1. The board or commission provides reasonable notice;  
 52 2. A vote, an official act, or an agreement regarding an  
 53 action at a future meeting does not occur;  
 54 3. A discussion of public business, as those terms are  
 55 defined in paragraph (a), does not occur; and  
 56 4. Appropriate records, minutes, audio recordings, or video  
 57 recordings are made and retained as a public record.  
 58 (d) A ~~no~~ resolution, rule, or formal action is not ~~shall be~~

Page 2 of 3

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

12-00191-18

2018192\_\_

59 considered binding unless ~~except as~~ taken or made at a public  
60 ~~such~~ meeting. The board or commission must provide reasonable  
61 notice of all such meetings.

62 (2) So long as no official acts are taken and any public  
63 business is not discussed, subsection (1) may not be construed  
64 to require public notice of and access to any gathering of two  
65 or more members of the same board or commission.

66 Section 2. This act shall take effect upon becoming a law.

**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 Community Affairs

---

BILL: CS/SB 272

INTRODUCER: Community Affairs Committee and Senator Brandes

SUBJECT: Local Tax Referenda

DATE: October 24, 2017      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Present	Yeatman	CA	Fav/CS
2.			AFT	
3.			AP	
4.			RC	

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

**I. Summary:**

CS/SB 272 provides that a referendum to adopt or amend a local option discretionary sales surtax which is held at any date other than a general election requires the approval of at least 60 percent of the electors voting. If the referendum is held at a general election, only a simple majority is required.

**II. Present Situation:**

**Discretionary Sales Surtax**

The Florida Constitution preempts all forms of taxation to the state, except for ad valorem taxes on real estate and tangible personal property, unless otherwise provided by general law.<sup>1</sup> Counties have limited authority to levy discretionary sales surtaxes on transactions subject to state sales tax.<sup>2,3</sup> The Legislature has prescribed authorized uses for the local option discretionary sales surtax revenues, which include:

- Operating a transportation system in a charter county;<sup>4</sup>
- Financing local government infrastructure projects;<sup>5</sup>

---

<sup>1</sup> Art. VII, s. 1(a), Fla. Const.

<sup>2</sup> Sections 212.054 and 212.055, F.S.

<sup>3</sup> Surtaxes only apply to the first \$5,000 of a taxable transaction pursuant to s. 212.054(2)(b)1, F.S.

<sup>4</sup> Section 212.055(1), F.S.

<sup>5</sup> Section 212.055(2), F.S.

- Providing additional revenue for counties having less than 50,000 residents as of April 1, 1992;<sup>6</sup>
- Providing medical care for indigent persons;<sup>7</sup>
- Funding trauma centers;<sup>8</sup>
- Operating, maintaining, and administering a county public general hospital;<sup>9</sup>
- Constructing and renovating schools;<sup>10</sup>
- Providing emergency fire rescue services and facilities;<sup>11</sup> and
- Funding pension liability shortfalls.<sup>12</sup>

The surtax is collected by the Department of Revenue (DOR) using the same procedures utilized for the administration, collection, and enforcement of the general state sales tax.<sup>13</sup> DOR places these funds into the Discretionary Sales Surtax Clearing Trust Fund. A separate account is established for each county imposing a discretionary surtax. The proceeds of the surtax are distributed to the county on a monthly basis, minus an administrative fee of the lesser of 3 percent or administrative costs solely and directly attributable to the surtax. Each county is liable for administrative costs equal to its prorated share of discretionary sales surtax revenue to the amount collected statewide.<sup>14</sup>

New surtaxes and rate changes to existing surtaxes take effect on January 1, while the repeal of an existing surtax takes effect on December 31.<sup>15</sup> The governing body of the county or the school district must notify DOR of the imposition, termination, or rate change of a discretionary sales surtax within 10 days of final adoption by ordinance or referendum, but no later than November 16. The notification must include the duration of the surtax, the surtax rate, a copy of the ordinance, and any additional information DOR requires by rule.<sup>16</sup> If the county or school district fails to provide timely notice, the effective date of the change is delayed by 1 year.<sup>17</sup> Counties and school districts are also required to notify DOR if a referendum or consideration of an ordinance to impose, terminate, or change the rate of a surtax is to occur after October 1.<sup>18</sup>

The 49 counties and 16 school districts levying one or more discretionary sales surtaxes are projected to realize \$2.35 billion in revenue in fiscal year 2016-17.<sup>19</sup> If all counties and school

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<sup>6</sup> Section 212.055(3), F.S.

<sup>7</sup> Section 212.055(4)(a), F.S. (for counties with more than 800,000 residents); s. 212.055(7), F.S. (for counties with less than 800,000 residents).

<sup>8</sup> Section 212.055(4)(b), F.S.

<sup>9</sup> Section 212.055(5), F.S.

<sup>10</sup> Section 212.055(6), F.S.

<sup>11</sup> Section 212.055(8), F.S.

<sup>12</sup> Section 212.055(9), F.S.

<sup>13</sup> Section 212.054(4)(a), F.S.

<sup>14</sup> Section 212.054(4)(b), F.S.

<sup>15</sup> Section 212.054(5), F.S.

<sup>16</sup> Section 212.054(7)(a), F.S.

<sup>17</sup> *Id.*

<sup>18</sup> Section 212.054(7)(b), F.S. The deadline for this notification is October 1.

<sup>19</sup> 2017 *Florida Tax Handbook*, Office of Economic and Demographic Research, p. 220, available at <http://edr.state.fl.us/Content/revenues/reports/tax-handbook/taxhandbook2017.pdf> (last visited Oct. 16, 2017).

districts levied discretionary sales surtaxes at the maximum possible rate, they would be projected to raise \$11.68 billion in revenue in fiscal year 2016-17.<sup>20</sup>

Most local discretionary sales surtaxes may only be approved by referendum, while some may be approved by an extraordinary vote of the county commission.<sup>21</sup> For those requiring voter approval, the referendum must be approved by a majority of electors voting.<sup>22</sup> Except for the emergency fire rescue services and facilities surtax, the date of the referendum is at the discretion of the county commission.<sup>23</sup>

### Referendum Process

The Florida Election Code states the general requirements for a referendum.<sup>24</sup> The question presented to voters must contain a ballot summary with clear and unambiguous language, such that a “yes” or “no” vote on the measure indicates approval or rejection, respectively.<sup>25</sup> The ballot summary should explain the chief purpose of the measure and may not exceed 75 words.<sup>26</sup> The ballot summary and title must be included in the resolution or ordinance calling for the referendum.<sup>27</sup> For some discretionary sales surtaxes, the form of the ballot question is specified by statute.<sup>28</sup>

Five types of elections exist under the Election Code: primary elections, special primary elections, special elections, general elections, and presidential preference primary elections.<sup>29</sup> A “general election” is held on the first Tuesday after the first Monday in November in even-numbered years to fill national, state, county, and district offices, and for voting on constitutional amendments.<sup>30</sup>

### III. Effect of Proposed Changes:

**Section 1** amends s. 212.055, F.S., to provide that a referendum to adopt or amend a local government discretionary sales surtax, which is held at any date other than a general election requires the approval of at least 60 percent of the electors voting on the ballot question. As in current law, a referendum to adopt or amend a local government discretionary sales surtax that is

<sup>20</sup> 2016 *Local Government Financial Information Handbook*, Office of Economic and Demographic Research, p. 150, available at <http://edr.state.fl.us/Content/local-government/reports/lgfih16.pdf> (last visited Oct. 16, 2017).

<sup>21</sup> See generally s. 212.055, F.S., but see s. 212.055(3), F.S. (small county surtax may be approved by extraordinary vote of the county commission, as long as surtax revenues are not used for servicing bond indebtedness), s. 212.055(4), F.S. (indigent care and trauma center surtax may be approved by extraordinary vote of the county commission), and s. 212.055(5), F.S. (county public hospital surtax may be approved by extraordinary vote of the county commission).

<sup>22</sup> Section 212.055, F.S.

<sup>23</sup> E.g. s. 212.055(1)(c), F.S. (referendum for charter county and regional transportation system to be held at a time “set at the discretion of the governing body”); but see s. 212.055(8)(b), F.S. (referendum for emergency fire rescue services and facilities surtax must be placed on the ballot of a “regularly scheduled election”).

<sup>24</sup> Section 101.161, F.S.

<sup>25</sup> Section 101.161(1), F.S.

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

<sup>28</sup> See s. 212.055(4)(b)1., F.S. (ballot question for discretionary sales surtax for trauma centers).

<sup>29</sup> Section 97.021(11), F.S.

<sup>30</sup> Art. VI, s. 5(a), Fla. Const. (also codified as s. 97.021(16), F.S.).

held at a general election requires the approval of a majority of the electors voting on the ballot question.

For purposes of the bill, the definition recited in the present situation section of this analysis for the term “general election” applies.

**Section 2** provides that the act takes effect July 1, 2018.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

Subsection 18(b) of article VII of the Florida Constitution provides that the Legislature, except upon approval by a two-thirds vote, may not enact a general law if the anticipated effect of doing so would be to reduce the *authority* that counties or municipalities have to raise revenues in the aggregate.

In 1991, Senate President Margolis and House Speaker Wetherell created a memo to guide the House and Senate in the review of local government mandates. In the memo, the guidelines define the term “authority” to mean the power to levy a tax; the vote required to levy the tax, e.g., increasing the required vote from majority to majority plus one; the tax rate which can be levied; and the base against which the tax is levied, e.g., a bill providing a sales tax exemption should be considered a reduction in authority because counties have authority to levy local option sales taxes against the state sales tax base.

The bill requires a vote of at least 60 percent of the electors voting in a referendum to adopt or amend a local discretionary sales surtax at a date other than a general election. The bill appears to reduce the “*authority*” that counties or municipalities have to raise revenues in the aggregate. The bill does not appear to qualify under any exemption or exception. If the bill qualifies as a mandate, final passage must be approved by two-thirds of the membership of each house of the Legislature.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

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 212.055 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 Community Affairs Committee on October 24, 2017:**

Removes a provision that required a municipality to attain a vote of at least 60 percent of the governing body of the municipality in order to increase the millage rate of ad valorem taxes levied on real and tangible personal property within the municipality.

B. Amendments:

None.



968566

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
10/24/2017	.	
	.	
	.	
	.	

---

The Committee on Community Affairs (Brandes) recommended the following:

**Senate Amendment**

In title, delete line 2  
and insert:  
An act relating to local government taxation; amending  
s.





524224

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
10/24/2017	.	
	.	
	.	
	.	

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The Committee on Community Affairs (Brandes) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 17 - 25.

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

And the title is amended as follows:

Delete lines 3 - 7.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10/24/17 Meeting Date

272 Bill Number (if applicable)
524224 Amendment Barcode (if applicable)

Topic Local Surtax Referenda / Millage Rates

Name Amber Hughes

Job Title Sr. Legislative Advocate

Address PO Box 1757 Street

Tallahassee FL 32302 City State Zip

Phone 850 701-3621

Email ahughes@flcities.com

Speaking: [X] For [ ] Against [ ] Information

Waive Speaking: [X] In Support [ ] Against (The Chair will read this information into the record.)

Representing Florida League of Cities

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)



10/24/2017  
Meeting Date

272  
Bill Number (if applicable)

Topic \_\_\_\_\_

\_\_\_\_\_  
Amendment Barcode (if applicable)

Name BRIAN PITTS

Job Title Trustee

Address 1119 Newton Ave S  
Street

Phone 877/897-9291

St. Petersburg FL 33705  
City State Zip

Email justice2jesus@yahoo.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Justice-2-Jesus

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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



The Florida Senate

## Committee Agenda Request

**To:** Senator Tom Lee  
Committee on Community Affairs

**Subject:** Committee Agenda Request

**Date:** October 3, 2017

---

I respectfully request that **Senate Bill #272**, relating to **Local Tax Referenda**, be placed on the:

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

A handwritten signature in black ink, appearing to read "Jeff Brandes", written over a horizontal line.

\_\_\_\_\_  
Senator Jeff Brandes  
Florida Senate, District 24

By Senator Brandes

24-00344A-18

2018272\_\_

1 A bill to be entitled  
 2 An act relating to local tax referenda; amending s.  
 3 166.211, F.S.; providing that a municipality may  
 4 increase the millage rate of ad valorem taxes levied  
 5 on real and tangible personal property only by a vote  
 6 of a specified percentage of the municipality's  
 7 governing body approving the increase; amending s.  
 8 212.055, F.S.; revising the voter approval threshold  
 9 required to pass a referendum to adopt or amend local  
 10 government discretionary sales surtaxes when the  
 11 referendum is held at any date other than a general  
 12 election; conforming provisions to changes made by the  
 13 act; providing an effective date.

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

16  
 17 Section 1. Present subsection (2) of section 166.211,  
 18 Florida Statutes, is redesignated as subsection (3), and a new  
 19 subsection (2) is added to that section, to read:

20 166.211 Ad valorem taxes.—

21 (2) A municipality may increase the millage rate of ad  
 22 valorem taxes levied on real and tangible personal property  
 23 within the municipality only by a vote of at least 60 percent of  
 24 the governing body of the municipality which approves the  
 25 increase.

26 Section 2. Paragraphs (a) and (c) of subsection (1),  
 27 paragraph (a) of subsection (2), paragraph (a) of subsection  
 28 (3), subsections (4) and (5), paragraph (a) of subsection (6),  
 29 paragraph (a) of subsection (7), paragraph (b) of subsection

Page 1 of 17

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

24-00344A-18

2018272\_\_

30 (8), and paragraph (a) of subsection (9) of section 212.055,  
 31 Florida Statutes, are amended, and subsection (10) is added to  
 32 that section, to read:

33 212.055 Discretionary sales surtaxes; legislative intent;  
 34 authorization and use of proceeds.—It is the legislative intent  
 35 that any authorization for imposition of a discretionary sales  
 36 surtax shall be published in the Florida Statutes as a  
 37 subsection of this section, irrespective of the duration of the  
 38 levy. Each enactment shall specify the types of counties  
 39 authorized to levy; the rate or rates which may be imposed; the  
 40 maximum length of time the surtax may be imposed, if any; the  
 41 procedure which must be followed to secure voter approval, if  
 42 required; the purpose for which the proceeds may be expended;  
 43 and such other requirements as the Legislature may provide.  
 44 Taxable transactions and administrative procedures shall be as  
 45 provided in s. 212.054.

46 (1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM  
 47 SURTAX.—

48 (a) Each charter county that has adopted a charter, each  
 49 county the government of which is consolidated with that of one  
 50 or more municipalities, and each county that is within or under  
 51 an interlocal agreement with a regional transportation or  
 52 transit authority created under chapter 343 or chapter 349 may  
 53 levy a discretionary sales surtax, ~~subject to approval by a~~  
 54 ~~majority vote of the electorate of the county or by a charter~~  
 55 ~~amendment approved by a majority vote of the electorate of the~~  
 56 ~~county.~~

57 (c) The proposal to adopt a discretionary sales surtax as  
 58 provided in this subsection and to create a trust fund within

Page 2 of 17

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

24-00344A-18

2018272\_\_

59 the county accounts shall be placed on the ballot in accordance  
60 with law and must be approved in a referendum as set forth in  
61 subsection (10) at a time to be set at the discretion of the  
62 governing body.

63 (2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

64 (a)1. The governing authority in each county may levy a  
65 discretionary sales surtax of 0.5 percent or 1 percent. The levy  
66 of the surtax shall be pursuant to an ordinance enacted by a  
67 majority of the members of the county governing authority and  
68 approved by ~~a majority of~~ the electors of the county, as set  
69 forth in subsection (10), voting in a referendum on the surtax.  
70 If the governing bodies of the municipalities representing a  
71 majority of the county's population adopt uniform resolutions  
72 establishing the rate of the surtax and calling for a referendum  
73 on the surtax, the levy of the surtax shall be placed on the  
74 ballot and shall take effect if approved by ~~a majority of~~ the  
75 electors of the county, as set forth in subsection (10), voting  
76 in the referendum on the surtax.

77 2. If the surtax was levied pursuant to a referendum held  
78 before July 1, 1993, the surtax may not be levied beyond the  
79 time established in the ordinance, or, if the ordinance did not  
80 limit the period of the levy, the surtax may not be levied for  
81 more than 15 years. The levy of such surtax may be extended only  
82 by approval of ~~a majority of~~ the electors of the county, as set  
83 forth in subsection (10), voting in a referendum on the surtax.

84 (3) SMALL COUNTY SURTAX.—

85 (a) The governing authority in each county that has a  
86 population of 50,000 or less on April 1, 1992, may levy a  
87 discretionary sales surtax of 0.5 percent or 1 percent. The levy

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88 of the surtax shall be pursuant to an ordinance enacted by an  
89 extraordinary vote of the members of the county governing  
90 authority if the surtax revenues are expended for operating  
91 purposes. If the surtax revenues are expended for the purpose of  
92 servicing bond indebtedness, the surtax shall be approved by ~~a~~  
93 ~~majority of~~ the electors of the county, as set forth in  
94 subsection (10), voting in a referendum on the surtax.

95 (4) INDIGENT CARE AND TRAUMA CENTER SURTAX.—

96 (a)1. The governing body in each county the government of  
97 which is not consolidated with that of one or more  
98 municipalities, which has a population of at least 800,000  
99 residents and is not authorized to levy a surtax under  
100 subsection (5), may levy, pursuant to an ordinance either  
101 approved by an extraordinary vote of the governing body or  
102 conditioned to take effect only upon approval by ~~a majority vote~~  
103 ~~of~~ the electors of the county, as set forth in subsection (10),  
104 voting in a referendum, a discretionary sales surtax at a rate  
105 that may not exceed 0.5 percent.

106 2. If the ordinance is conditioned on a referendum, a  
107 statement that includes a brief and general description of the  
108 purposes to be funded by the surtax and that conforms to the  
109 requirements of s. 101.161 shall be placed on the ballot by the  
110 governing body of the county. The following questions shall be  
111 placed on the ballot:

112 FOR THE. . .CENTS TAX

113 AGAINST THE. . .CENTS TAX

114 3. The ordinance adopted by the governing body providing  
115  
116

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117 for the imposition of the surtax shall set forth a plan for  
 118 providing health care services to qualified residents, as  
 119 defined in subparagraph 4. Such plan and subsequent amendments  
 120 to it shall fund a broad range of health care services for both  
 121 indigent persons and the medically poor, including, but not  
 122 limited to, primary care and preventive care as well as hospital  
 123 care. The plan must also address the services to be provided by  
 124 the Level I trauma center. It shall emphasize a continuity of  
 125 care in the most cost-effective setting, taking into  
 126 consideration both a high quality of care and geographic access.  
 127 Where consistent with these objectives, it shall include,  
 128 without limitation, services rendered by physicians, clinics,  
 129 community hospitals, mental health centers, and alternative  
 130 delivery sites, as well as at least one regional referral  
 131 hospital where appropriate. It shall provide that agreements  
 132 negotiated between the county and providers, including hospitals  
 133 with a Level I trauma center, will include reimbursement  
 134 methodologies that take into account the cost of services  
 135 rendered to eligible patients, recognize hospitals that render a  
 136 disproportionate share of indigent care, provide other  
 137 incentives to promote the delivery of charity care, promote the  
 138 advancement of technology in medical services, recognize the  
 139 level of responsiveness to medical needs in trauma cases, and  
 140 require cost containment, including, but not limited to, case  
 141 management. It must also provide that any hospitals that are  
 142 owned and operated by government entities on May 21, 1991, must,  
 143 as a condition of receiving funds under this subsection, afford  
 144 public access equal to that provided under s. 286.011 as to  
 145 meetings of the governing board, the subject of which is

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146 budgeting resources for the rendition of charity care as that  
 147 term is defined in the Florida Hospital Uniform Reporting System  
 148 (FHURS) manual referenced in s. 408.07. The plan shall also  
 149 include innovative health care programs that provide cost-  
 150 effective alternatives to traditional methods of service  
 151 delivery and funding.

152 4. For the purpose of this paragraph, the term "qualified  
 153 resident" means residents of the authorizing county who are:

154 a. Qualified as indigent persons as certified by the  
 155 authorizing county;

156 b. Certified by the authorizing county as meeting the  
 157 definition of the medically poor, defined as persons having  
 158 insufficient income, resources, and assets to provide the needed  
 159 medical care without using resources required to meet basic  
 160 needs for shelter, food, clothing, and personal expenses; or not  
 161 being eligible for any other state or federal program, or having  
 162 medical needs that are not covered by any such program; or  
 163 having insufficient third-party insurance coverage. In all  
 164 cases, the authorizing county is intended to serve as the payor  
 165 of last resort; or

166 c. Participating in innovative, cost-effective programs  
 167 approved by the authorizing county.

168 5. Moneys collected pursuant to this paragraph remain the  
 169 property of the state and shall be distributed by the Department  
 170 of Revenue on a regular and periodic basis to the clerk of the  
 171 circuit court as ex officio custodian of the funds of the  
 172 authorizing county. The clerk of the circuit court shall:

173 a. Maintain the moneys in an indigent health care trust  
 174 fund;

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175 b. Invest any funds held on deposit in the trust fund  
 176 pursuant to general law;

177 c. Disburse the funds, including any interest earned, to  
 178 any provider of health care services, as provided in  
 179 subparagraphs 3. and 4., upon directive from the authorizing  
 180 county. However, if a county has a population of at least  
 181 800,000 residents and has levied the surtax authorized in this  
 182 paragraph, notwithstanding any directive from the authorizing  
 183 county, on October 1 of each calendar year, the clerk of the  
 184 court shall issue a check in the amount of \$6.5 million to a  
 185 hospital in its jurisdiction that has a Level I trauma center or  
 186 shall issue a check in the amount of \$3.5 million to a hospital  
 187 in its jurisdiction that has a Level I trauma center if that  
 188 county enacts and implements a hospital lien law in accordance  
 189 with chapter 98-499, Laws of Florida. The issuance of the checks  
 190 on October 1 of each year is provided in recognition of the  
 191 Level I trauma center status and shall be in addition to the  
 192 base contract amount received during fiscal year 1999-2000 and  
 193 any additional amount negotiated to the base contract. If the  
 194 hospital receiving funds for its Level I trauma center status  
 195 requests such funds to be used to generate federal matching  
 196 funds under Medicaid, the clerk of the court shall instead issue  
 197 a check to the Agency for Health Care Administration to  
 198 accomplish that purpose to the extent that it is allowed through  
 199 the General Appropriations Act; and

200 d. Prepare on a biennial basis an audit of the trust fund  
 201 specified in sub-subparagraph a. Commencing February 1, 2004,  
 202 such audit shall be delivered to the governing body and to the  
 203 chair of the legislative delegation of each authorizing county.

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204 6. Notwithstanding any other provision of this section, a  
 205 county shall not levy local option sales surtaxes authorized in  
 206 this paragraph and subsections (2) and (3) in excess of a  
 207 combined rate of 1 percent.

208 (b) Notwithstanding any other provision of this section,  
 209 the governing body in each county the government of which is not  
 210 consolidated with that of one or more municipalities and which  
 211 has a population of less than 800,000 residents, may levy, by  
 212 ordinance subject to approval by ~~a majority of~~ the electors of  
 213 the county, as set forth in subsection (10), voting in a  
 214 referendum, a discretionary sales surtax at a rate that may not  
 215 exceed 0.25 percent for the sole purpose of funding trauma  
 216 services provided by a trauma center licensed pursuant to  
 217 chapter 395.

218 1. A statement that includes a brief and general  
 219 description of the purposes to be funded by the surtax and that  
 220 conforms to the requirements of s. 101.161 shall be placed on  
 221 the ballot by the governing body of the county. The following  
 222 shall be placed on the ballot:

223

224 FOR THE. . .CENTS TAX  
 225 AGAINST THE. . .CENTS TAX  
 226

227 2. The ordinance adopted by the governing body of the  
 228 county providing for the imposition of the surtax shall set  
 229 forth a plan for providing trauma services to trauma victims  
 230 presenting in the trauma service area in which such county is  
 231 located.

232 3. Moneys collected pursuant to this paragraph remain the

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233 property of the state and shall be distributed by the Department  
 234 of Revenue on a regular and periodic basis to the clerk of the  
 235 circuit court as ex officio custodian of the funds of the  
 236 authorizing county. The clerk of the circuit court shall:

237 a. Maintain the moneys in a trauma services trust fund.  
 238 b. Invest any funds held on deposit in the trust fund  
 239 pursuant to general law.

240 c. Disburse the funds, including any interest earned on  
 241 such funds, to the trauma center in its trauma service area, as  
 242 provided in the plan set forth pursuant to subparagraph 2., upon  
 243 directive from the authorizing county. If the trauma center  
 244 receiving funds requests such funds be used to generate federal  
 245 matching funds under Medicaid, the custodian of the funds shall  
 246 instead issue a check to the Agency for Health Care  
 247 Administration to accomplish that purpose to the extent that the  
 248 agency is allowed through the General Appropriations Act.

249 d. Prepare on a biennial basis an audit of the trauma  
 250 services trust fund specified in sub-subparagraph a., to be  
 251 delivered to the authorizing county.

252 4. A discretionary sales surtax imposed pursuant to this  
 253 paragraph shall expire 4 years after the effective date of the  
 254 surtax, unless reenacted by ordinance subject to approval by a  
 255 ~~majority of~~ the electors of the county, as set forth in  
 256 subsection (10), voting in a subsequent referendum.

257 5. Notwithstanding any other provision of this section, a  
 258 county shall not levy local option sales surtaxes authorized in  
 259 this paragraph and subsections (2) and (3) in excess of a  
 260 combined rate of 1 percent.

261 (5) COUNTY PUBLIC HOSPITAL SURTAX.—Any county as defined in

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262 s. 125.011(1) may levy the surtax authorized in this subsection  
 263 pursuant to an ordinance either approved by extraordinary vote  
 264 of the county commission or conditioned to take effect only upon  
 265 approval by ~~a majority vote of~~ the electors of the county, as  
 266 set forth in subsection (10), voting in a referendum. In a  
 267 county as defined in s. 125.011(1), for the purposes of this  
 268 subsection, "county public general hospital" means a general  
 269 hospital as defined in s. 395.002 which is owned, operated,  
 270 maintained, or governed by the county or its agency, authority,  
 271 or public health trust.

272 (a) The rate shall be 0.5 percent.

273 (b) If the ordinance is conditioned on a referendum, the  
 274 proposal to adopt the county public hospital surtax shall be  
 275 placed on the ballot in accordance with subsection (10) ~~law at a~~  
 276 ~~time to be set at the discretion of the governing body~~. The  
 277 referendum question on the ballot shall include a brief general  
 278 description of the health care services to be funded by the  
 279 surtax.

280 (c) Proceeds from the surtax shall be:

281 1. Deposited by the county in a special fund, set aside  
 282 from other county funds, to be used only for the operation,  
 283 maintenance, and administration of the county public general  
 284 hospital; and

285 2. Remitted promptly by the county to the agency,  
 286 authority, or public health trust created by law which  
 287 administers or operates the county public general hospital.

288 (d) Except as provided in subparagraphs 1. and 2., the  
 289 county must continue to contribute each year an amount equal to  
 290 at least 80 percent of that percentage of the total county

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291 budget appropriated for the operation, administration, and  
 292 maintenance of the county public general hospital from the  
 293 county's general revenues in the fiscal year of the county  
 294 ending September 30, 1991:

295 1. Twenty-five percent of such amount must be remitted to a  
 296 governing board, agency, or authority that is wholly independent  
 297 from the public health trust, agency, or authority responsible  
 298 for the county public general hospital, to be used solely for  
 299 the purpose of funding the plan for indigent health care  
 300 services provided for in paragraph (e);

301 2. However, in the first year of the plan, a total of \$10  
 302 million shall be remitted to such governing board, agency, or  
 303 authority, to be used solely for the purpose of funding the plan  
 304 for indigent health care services provided for in paragraph (e),  
 305 and in the second year of the plan, a total of \$15 million shall  
 306 be so remitted and used.

307 (e) A governing board, agency, or authority shall be  
 308 chartered by the county commission upon this act becoming law.  
 309 The governing board, agency, or authority shall adopt and  
 310 implement a health care plan for indigent health care services.  
 311 The governing board, agency, or authority shall consist of no  
 312 more than seven and no fewer than five members appointed by the  
 313 county commission. The members of the governing board, agency,  
 314 or authority shall be at least 18 years of age and residents of  
 315 the county. No member may be employed by or affiliated with a  
 316 health care provider or the public health trust, agency, or  
 317 authority responsible for the county public general hospital.  
 318 The following community organizations shall each appoint a  
 319 representative to a nominating committee: the South Florida

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320 Hospital and Healthcare Association, the Miami-Dade County  
 321 Public Health Trust, the Dade County Medical Association, the  
 322 Miami-Dade County Homeless Trust, and the Mayor of Miami-Dade  
 323 County. This committee shall nominate between 10 and 14 county  
 324 citizens for the governing board, agency, or authority. The  
 325 slate shall be presented to the county commission and the county  
 326 commission shall confirm the top five to seven nominees,  
 327 depending on the size of the governing board. Until such time as  
 328 the governing board, agency, or authority is created, the funds  
 329 provided for in subparagraph (d)2. shall be placed in a  
 330 restricted account set aside from other county funds and not  
 331 disbursed by the county for any other purpose.

332 1. The plan shall divide the county into a minimum of four  
 333 and maximum of six service areas, with no more than one  
 334 participant hospital per service area. The county public general  
 335 hospital shall be designated as the provider for one of the  
 336 service areas. Services shall be provided through participants'  
 337 primary acute care facilities.

338 2. The plan and subsequent amendments to it shall fund a  
 339 defined range of health care services for both indigent persons  
 340 and the medically poor, including primary care, preventive care,  
 341 hospital emergency room care, and hospital care necessary to  
 342 stabilize the patient. For the purposes of this section,  
 343 "stabilization" means stabilization as defined in s.  
 344 397.311(45). Where consistent with these objectives, the plan  
 345 may include services rendered by physicians, clinics, community  
 346 hospitals, and alternative delivery sites, as well as at least  
 347 one regional referral hospital per service area. The plan shall  
 348 provide that agreements negotiated between the governing board,

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349 agency, or authority and providers shall recognize hospitals  
 350 that render a disproportionate share of indigent care, provide  
 351 other incentives to promote the delivery of charity care to draw  
 352 down federal funds where appropriate, and require cost  
 353 containment, including, but not limited to, case management.  
 354 From the funds specified in subparagraphs (d)1. and 2. for  
 355 indigent health care services, service providers shall receive  
 356 reimbursement at a Medicaid rate to be determined by the  
 357 governing board, agency, or authority created pursuant to this  
 358 paragraph for the initial emergency room visit, and a per-member  
 359 per-month fee or capitation for those members enrolled in their  
 360 service area, as compensation for the services rendered  
 361 following the initial emergency visit. Except for provisions of  
 362 emergency services, upon determination of eligibility,  
 363 enrollment shall be deemed to have occurred at the time services  
 364 were rendered. The provisions for specific reimbursement of  
 365 emergency services shall be repealed on July 1, 2001, unless  
 366 otherwise reenacted by the Legislature. The capitation amount or  
 367 rate shall be determined before program implementation by an  
 368 independent actuarial consultant. In no event shall such  
 369 reimbursement rates exceed the Medicaid rate. The plan must also  
 370 provide that any hospitals owned and operated by government  
 371 entities on or after the effective date of this act must, as a  
 372 condition of receiving funds under this subsection, afford  
 373 public access equal to that provided under s. 286.011 as to any  
 374 meeting of the governing board, agency, or authority the subject  
 375 of which is budgeting resources for the retention of charity  
 376 care, as that term is defined in the rules of the Agency for  
 377 Health Care Administration. The plan shall also include

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378 innovative health care programs that provide cost-effective  
 379 alternatives to traditional methods of service and delivery  
 380 funding.  
 381 3. The plan's benefits shall be made available to all  
 382 county residents currently eligible to receive health care  
 383 services as indigents or medically poor as defined in paragraph  
 384 (4) (d).  
 385 4. Eligible residents who participate in the health care  
 386 plan shall receive coverage for a period of 12 months or the  
 387 period extending from the time of enrollment to the end of the  
 388 current fiscal year, per enrollment period, whichever is less.  
 389 5. At the end of each fiscal year, the governing board,  
 390 agency, or authority shall prepare an audit that reviews the  
 391 budget of the plan, delivery of services, and quality of  
 392 services, and makes recommendations to increase the plan's  
 393 efficiency. The audit shall take into account participant  
 394 hospital satisfaction with the plan and assess the amount of  
 395 poststabilization patient transfers requested, and accepted or  
 396 denied, by the county public general hospital.  
 397 (f) Notwithstanding any other provision of this section, a  
 398 county may not levy local option sales surtaxes authorized in  
 399 this subsection and subsections (2) and (3) in excess of a  
 400 combined rate of 1 percent.  
 401 (6) SCHOOL CAPITAL OUTLAY SURTAX.—  
 402 (a) The school board in each county may levy, pursuant to a  
 403 resolution conditioned to take effect only upon approval by a  
 404 ~~majority vote of~~ the electors of the county, as set forth in  
 405 subsection (10), voting in a referendum, a discretionary sales  
 406 surtax at a rate that may not exceed 0.5 percent.

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407 (7) VOTER-APPROVED INDIGENT CARE SURTAX.—

408 (a)1. The governing body in each county that has a  
409 population of fewer than 800,000 residents may levy an indigent  
410 care surtax pursuant to an ordinance conditioned to take effect  
411 only upon approval by ~~a majority vote of~~ the electors of the  
412 county, as set forth in subsection (10), voting in a referendum.  
413 The surtax may be levied at a rate not to exceed 0.5 percent,  
414 except that if a publicly supported medical school is located in  
415 the county, the rate shall not exceed 1 percent.

416 2. Notwithstanding subparagraph 1., the governing body of  
417 any county that has a population of fewer than 50,000 residents  
418 may levy an indigent care surtax pursuant to an ordinance  
419 conditioned to take effect only upon approval by ~~a majority vote~~  
420 ~~of~~ the electors of the county, as set forth in subsection (10),  
421 voting in a referendum. The surtax may be levied at a rate not  
422 to exceed 1 percent.

423 (8) EMERGENCY FIRE RESCUE SERVICES AND FACILITIES SURTAX.—

424 (b) Upon the adoption of the ordinance, the levy of the  
425 surtax must be placed on the ballot by the governing authority  
426 of the county enacting the ordinance. The ordinance will take  
427 effect if approved by ~~a majority of~~ the electors of the county,  
428 as set forth in subsection (10), voting in a referendum held for  
429 such purpose. The referendum shall be placed on the ballot of a  
430 regularly scheduled election. The ballot for the referendum must  
431 conform to the requirements of s. 101.161.

432 (9) PENSION LIABILITY SURTAX.—

433 (a) The governing body of a county may levy a pension  
434 liability surtax to fund an underfunded defined benefit  
435 retirement plan or system, pursuant to an ordinance conditioned

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436 to take effect upon approval by ~~a majority vote of~~ the electors  
437 of the county, as set forth in subsection (10), voting in a  
438 referendum, at a rate that may not exceed 0.5 percent. The  
439 county may not impose a pension liability surtax unless the  
440 underfunded defined benefit retirement plan or system is below  
441 80 percent of actuarial funding at the time the ordinance or  
442 referendum is passed. The most recent actuarial report submitted  
443 to the Department of Management Services pursuant to s. 112.63  
444 must be used to establish the level of actuarial funding for  
445 purposes of determining eligibility to impose the surtax. The  
446 governing body of a county may only impose the surtax if:

447 1. An employee, including a police officer or firefighter,  
448 who enters employment on or after the date when the local  
449 government certifies that the defined benefit retirement plan or  
450 system formerly available to such an employee has been closed  
451 may not enroll in a defined benefit retirement plan or system  
452 that will receive surtax proceeds.

453 2. The local government and the collective bargaining  
454 representative for the members of the underfunded defined  
455 benefit retirement plan or system or, if there is no  
456 representative, a majority of the members of the plan or system,  
457 mutually consent to requiring each member to make an employee  
458 retirement contribution of at least 10 percent of each member's  
459 salary for each pay period beginning with the first pay period  
460 after the plan or system is closed.

461 3. The pension board of trustees for the underfunded  
462 defined benefit retirement plan or system, if such board exists,  
463 is prohibited from participating in the collective bargaining  
464 process and engaging in the determination of pension benefits.

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465 4. The county currently levies a local government  
466 infrastructure surtax pursuant to subsection (2) which is  
467 scheduled to terminate and is not subject to renewal.

468 5. The pension liability surtax does not take effect until  
469 the local government infrastructure surtax described in  
470 subparagraph 4. is terminated.

471 (10) VOTER APPROVAL THRESHOLDS.—A referendum to adopt or  
472 amend a local government discretionary sales surtax under this  
473 section which is held at any date other than a general election  
474 as defined by s. 97.021 requires the approval of at least 60  
475 percent of the electors voting on the ballot question. A  
476 referendum under this section which is held at a general  
477 election as defined by s. 97.021 requires the approval of a  
478 majority of the electors voting on the ballot question.

479 Section 3. This act shall take effect July 1, 2018.

# CourtSmart Tag Report

Room: SB 301

Caption: Community Affairs Committee

Case No.:

Judge:

Type:

Started: 10/24/2017 9:06:00 AM

Ends: 10/24/2017 10:28:15 AM Length: 01:22:16

9:06:01 AM Meeting Called To Order  
9:06:05 AM Roll Call  
9:06:16 AM Quorum Present  
9:06:32 AM Tab 2 - SB 192  
9:06:35 AM Senator Baxley is recognized to explain SB 192  
9:08:57 AM Any Questions?  
9:09:04 AM Appearance forms  
9:09:07 AM Brian Sullivan waives in support  
9:09:13 AM David Cruz waives in support  
9:09:20 AM Debate?  
9:09:29 AM Waive close  
9:09:33 AM Roll Call  
9:09:47 AM SB 192 reported favorably  
9:09:51 AM Tab 1 - continuation of workshop on vacation rentals  
9:10:23 AM Patricia Detwiler, Florida Bed and Breakfast Inns Association  
9:17:26 AM Question?  
9:17:53 AM Greg Hansen, County Commissioner of Flagler County  
9:20:12 AM Rick Bhula, Hotel Industry  
9:22:11 AM Travis Moore, representing Community Associations Institute  
9:24:48 AM Sen Brandes Question  
9:29:44 AM Discussion between Senators and Travis Moore  
9:37:00 AM Heather Beaven  
9:40:09 AM Sen Simmons  
9:43:25 AM Jennifer Green waives  
9:43:38 AM Douglas Beaven  
9:46:21 AM Sen Simmons  
9:47:34 AM Annette Massey, vacation rental host  
9:52:09 AM Sen Simmons  
9:55:35 AM Lisa Robertson, AirBnB host  
10:01:08 AM Mark Robertson, homestead property owner/ Airbnb host  
10:08:46 AM Sen Simmons  
10:10:27 AM Stephanie Herdisty, short term rental owner  
10:16:04 AM Christopher Emmanuel, FL Chamber of Commerce  
10:16:56 AM Sen Simmons  
10:19:20 AM David Brightbill, AirBnB host and traveler  
10:23:20 AM Tab 3- SB 272  
10:23:25 AM Sen Brandes to explain SB 272  
10:24:25 AM Amendment 524224  
10:24:40 AM FL League of Cities waives in support  
10:24:50 AM Amendment adopted  
10:25:24 AM Brian Pitts  
10:26:12 AM Sen Brandes responds  
10:27:11 AM Debate?  
10:27:14 AM Sen Clemens  
10:27:30 AM Waive close  
10:27:32 AM Roll Call  
10:27:47 AM SB 272 reported favorably  
10:28:07 AM Meeting Adjourned