

<b>Tab 2</b>	<b>SJR 204</b> by <b>Brandes</b> ; (Identical to H 01179) Abolishing the Constitution Revision Commission
<b>Tab 3</b>	<b>SB 306</b> by <b>Passidomo</b> ; Florida Statutes
<b>Tab 4</b>	<b>SB 308</b> by <b>Passidomo</b> ; Florida Statutes
<b>Tab 5</b>	<b>SB 310</b> by <b>Passidomo</b> ; Florida Statutes
<b>Tab 6</b>	<b>SB 312</b> by <b>Passidomo</b> ; Florida Statutes
<b>Tab 7</b>	<b>CS/SB 416</b> by <b>MS, Burgess (CO-INTRODUCERS) Hooper, Bean, Harrell, Perry, Rodriguez, Gruters, Torres, Stewart, Gibson</b> ; (Similar to H 00163) POW-MIA Vietnam Veterans Bracelet Memorial
<b>Tab 8</b>	<b>SB 530</b> by <b>Perry</b> ; (Similar to H 00725) Nonopioid Alternatives

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

**RULES**

**Senator Passidomo, Chair**  
**Senator Garcia, Vice Chair**

**MEETING DATE:** Thursday, February 18, 2021

**TIME:** 9:00—11:00 a.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

**MEMBERS:** Senator Passidomo, Chair; Senator Garcia, Vice Chair; Senators Albritton, Baxley, Bean, Book, Bracy, Brandes, Diaz, Farmer, Gibson, Gruters, Hutson, Mayfield, Powell, Stargel, and Thurston

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
PUBLIC TESTIMONY WILL BE RECEIVED FROM ROOM A3 AT THE DONALD L. TUCKER CIVIC CENTER, 505 W PENSACOLA STREET, TALLAHASSEE, FL 32301			
1	<b>CS/SB 78</b> Judiciary / Rodrigues (Identical H 947)  (If Received)	Dues and Uniform Assessments; Requiring that a public employee who desires to join an employee organization sign a membership authorization form; requiring an employee organization to revoke an employee's membership upon receipt of the employee's request for revocation; providing that certain deductions commence upon the employer's receipt and confirmation of the employee's signed deduction authorization form; specifying the time period that an employee's authorization to deduct dues and uniform assessments remains in effect, etc.  GO 01/27/2021 Favorable JU 02/01/2021 Temporarily Postponed JU 02/10/2021 Fav/CS RC 02/18/2021 Not Received	Not Received
2	<b>SJR 204</b> Brandes	Abolishing the Constitution Revision Commission; Proposing amendments to the State Constitution to abolish the Constitution Revision Commission, etc.  GO 01/27/2021 Favorable RC 02/18/2021 Favorable	Favorable Yeas 12 Nays 3
3	<b>SB 306</b> Passidomo	Florida Statutes; Adopting the Florida Statutes 2021 and designating the portions thereof that are to constitute the official law of the state, etc.  RC 02/18/2021 Favorable	Favorable Yeas 15 Nays 0
4	<b>SB 308</b> Passidomo	Florida Statutes; Deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded, etc.  RC 02/18/2021 Favorable	Favorable Yeas 15 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Rules

Thursday, February 18, 2021, 9:00—11:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
5	<b>SB 310</b> Passidomo	Florida Statutes; Deleting provisions which have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), F.S., may be omitted from the 2021 Florida Statutes only through a reviser's bill duly enacted by the Legislature, etc.  RC 02/18/2021 Favorable	Favorable Yeas 15 Nays 0
6	<b>SB 312</b> Passidomo	Florida Statutes; Amending and repealing provisions to conform to the directive of the Legislature in section 9 of chapter 2012-116, Laws of Florida, codified as section 11.242(5)(j), Florida Statutes, to prepare a reviser's bill to omit all statutes and laws, or parts thereof, which grant duplicative, redundant, or unused rulemaking authority, etc.  RC 02/18/2021 Favorable	Favorable Yeas 15 Nays 0
7	<b>CS/SB 416</b> Military and Veterans Affairs, Space, and Domestic Security / Burgess (Similar H 163)	POW-MIA Vietnam Veterans Bracelet Memorial; Establishing the POW-MIA Vietnam Veterans Bracelet Memorial; directing the Department of Management Services to designate space for the memorial's construction and placement by a specified date; requiring the department to consider recommendations of, and coordinate with, specified entities regarding the memorial's placement and design, etc.  MS 02/02/2021 Fav/CS RC 02/18/2021 Favorable	Favorable Yeas 15 Nays 0
8	<b>SB 530</b> Perry (Similar H 725)	Nonopioid Alternatives; Authorizing certain health care practitioners to provide a specified educational pamphlet to patients in an electronic format, etc.  HP 02/04/2021 Favorable RC 02/18/2021 Favorable	Favorable Yeas 15 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.)

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Prepared By: The Professional Staff of the Committee on Rules

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BILL: SJR 204

INTRODUCER: Senator Brandes

SUBJECT: Abolishing the Constitution Revision Commission

DATE: February 16, 2021

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	McVaney	McVaney	GO	<b>Favorable</b>
2.	McVaney	Phelps	RC	<b>Favorable</b>

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## **I. Summary:**

SJR 204 abolishes the Constitution Revision Commission by repealing provisions establishing it in the State Constitution. Currently, the State Constitution requires that a constitution revision commission be convened once every 20 years to examine the State Constitution and propose any amendments that it deems appropriate.

If this joint resolution is agreed to by three-fifths of the membership of each house of the legislature, the constitutional amendment proposed in the resolution will be placed on the 2022 General Election ballot or at an earlier special election specifically authorized by law for that purpose. If approved by at least 60 percent of the votes cast on the measure, the proposed amendment will take effect January 3, 2023.

## **II. Present Situation:**

### **Overview**

The State Constitution requires that a constitution revision commission (commission) be established every 20 years and that it have the authority to propose to voters a revision of all or any part of the State Constitution. The most recent commission convened in 2017-2018, and proposed seven amendments to the State Constitution which appeared on the 2018 General Election ballot.

### **Constitution Revision Commission**

#### ***Origin and History***

The State Constitution was revised extensively in 1968 by way of three joint resolutions proposed by the legislature and approved by the voters. The revisions included the establishment of a constitution revision commission as a means of proposing constitutional revisions to the

voters, and the requirement that it convene once every 20 years, beginning in 1977. Accordingly, three Commissions have convened: in 1977-1978, 1997-1998, and most recently in 2017-2018.<sup>1</sup>

### ***Members***

The State Constitution requires that the commission be comprised of 37 members, and it provides guidelines for the selection of these members. The Attorney General must serve on the commission, and the rest of the members must be chosen by the Governor (15), Speaker of the House (9), President of the Senate (9), and the Chief Justice of the Florida Supreme Court (3). Additionally, the Governor must appoint a chair from among the 37 members.<sup>2</sup>

### ***Task, Procedures, and Authority***

The commission's task is to examine the State Constitution and decide which, if any, amendments to propose to the voters. The amendments must be submitted to the Secretary of State at least 180 days before the next general election.<sup>3</sup> In turn, the amendments must be submitted to the voters at the next general election held more than 90 days after submission to the Secretary of State. To become effective, an amendment must be approved by at least 60 percent of the votes cast on the measure.<sup>4</sup>

The constitutional provision giving rise to the commission does little to prescribe how a commission must go about its task. Indeed, it says only that the commission must convene at the call of its chair, adopt rules of procedure, and "hold [an unspecified number of] public hearings."<sup>5</sup>

### **The State Constitution May Be Amended Only through the Processes it Prescribes**

The State Constitution provides that it may be amended if the voters approve an amendment originating from one of five sources: the legislature, a constitution revision commission, a citizen initiative, a constitutional convention, or a taxation and budget reform commission.<sup>6</sup>

The Florida Supreme Court has stated that these processes are the *only* ways by which it may be amended:

The Constitution is the charter of our liberties. It cannot be changed, modified or amended by [governmental] fiat. It provides within itself the only method for its amendment, and . . . When a constitution directs how a thing shall be done, that is in effect a prohibition to its being done in any other way.<sup>7</sup>

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<sup>1</sup> Constitution Revision Commission, *History*, <https://crc.law.fsu.edu/about/history.html> (last visited Sept. 11, 2019).

<sup>2</sup> FLA. CONST. art. XI, s. 2.

<sup>3</sup> FLA. CONST. art. XI, s. 2.

<sup>4</sup> FLA. CONST. art. XI, s. 5.

<sup>5</sup> FLA. CONST. art. XI, s. 2.

<sup>6</sup> FLA. CONST. art. XI.

<sup>7</sup> *Browning v. Florida Hometown Democracy, Inc., PAC*, 29 So. 3d 1053, 1064 (Fla. 2010) (internal citations and quotations omitted); *accord State v. Florida State Imp. Com'n*, 60 So. 2d 747, 754 (Fla. 1952) (Terrell, J., and Adams, C.J., concurring) *abrogated on other grounds by Boschen v. City of Clearwater*, 777 So. 2d 958 (Fla. 2001).

## **Joint Resolution**

A joint resolution by the legislature is one of the ways in which an amendment to the State Constitution may originate.<sup>8</sup> Like a bill, it may begin in either house of the legislature.

To be submitted to the voters, a joint resolution must be agreed to by three-fifths of the membership of each house.<sup>9</sup> Unless expedited by the legislature, the joint resolution is then submitted to the voters at the next general election. If the amendment proposed in the resolution is approved by at least 60 percent of the votes cast on the measure, it becomes effective in the January following the election unless otherwise specified in the amendment or in a revision of the constitution.<sup>10</sup>

### **III. Effect of Proposed Changes:**

SJR 204 proposes to amend the State Constitution to repeal the provisions that establish a constitution revision commission. The joint resolution also amends other constitutional provisions that reference a constitution revision commission. These changes effectively abolish the constitution revision commission and a commission's authority to propose constitutional amendments to be placed on the ballot for approval by the voters.

### **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.

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<sup>8</sup> FLA. CONST. art. XI. An amendment or revision may originate as a proposal by the legislature, a constitution revision commission, a constitutional convention, a taxation and budget reform commission, or the people directly, by way of an initiative.

<sup>9</sup> FLA. CONST. art. XI, s. 1.

<sup>10</sup> FLA. CONST. art XI, s. 5.

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

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The Department of State, Division of Elections, provided the following information regarding the cost of advertising the proposed amendment contained in the resolution:

The statewide average cost for the Division of Elections to advertise constitutional amendments, in English and Spanish, in newspapers for the 2020 election cycle was **\$86.85** per English word of the originating document. This cost does not reflect the cost of the initial Spanish translation. This cost also does not include the cost of printing and distributing required by [section 101.71](#), Fla. Stat., to provide a sufficient number of copies in poster or booklet form of the constitutional amendments for each of the 67 Supervisors of Elections to post or make available at each polling room or each voting site. Again the state law requirement has historically been implemented to print and distribute booklets which include the ballot title, ballot summary, the full text of the constitutional amendment, and if applicable the financial impact statement.

With the 2019 legislative change in section [100.371](#)(13)(e)4., Fla. Stat., the summary of the initiative financial information statement (distinct from the financial impact statement) was also included as part of the booklets but not the newspaper advertising for 2020 and thereafter. This did increase costs of printing/distributing the booklets and the cost of Spanish translation, as required by law, including the Voting Rights Act.

Accurate cost estimates for the next constitutional amendment advertising cannot be determined until the total number of amendments to be advertised is known and updated quotes are obtained from the newspapers.<sup>11</sup>

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<sup>11</sup> Email from W. Pierce Schuessler, Director of Policy and Budget, Florida Department of State (Jan. 20, 2021) (on file with the Senate Committee on Governmental Oversight and Accountability).

**VI. Technical Deficiencies:**

Considering that a taxation and budget reform commission (TBRC) is substantially similar to a constitution revision commission, the Legislature may wish to consider proposing an amendment to the State Constitution to abolish the TBRC.

The TBRC, created by Article VI, s. 6 of the State Constitution, is comprised of appointees who have the power to propose constitutional amendments directly to the electors. These amendments may include a “revision of this constitution or any part of it dealing with taxation or the state budgetary process.”<sup>12</sup>

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

None.

**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.

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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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<sup>12</sup> FLA. CONST. art. XI, s. 6(e).



By Senator Brandes

24-00044-21

2021204\_\_

Senate Joint Resolution

A joint resolution proposing amendments to Section 5 of Article II and Section 5 of Article XI and the repeal of Section 2 of Article XI of the State Constitution to abolish the Constitution Revision Commission.

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

That the following amendments to Section 5 of Article II and Section 5 of Article XI and the repeal of Section 2 of Article XI of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE II

GENERAL PROVISIONS

SECTION 5. Public officers.—

(a) No person holding any office of emolument under any foreign government, or civil office of emolument under the United States or any other state, shall hold any office of honor or of emolument under the government of this state. No person shall hold at the same time more than one office under the government of the state and the counties and municipalities therein, except that a notary public or military officer may hold another office, and any officer may be a member of the a constitution-revision-commission, taxation and budget reform commission, a constitutional convention, or a statutory body having only advisory powers.

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

24-00044-21

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(b) Each state and county officer, before entering upon the duties of the office, shall give bond as required by law, and shall swear or affirm:

"I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the state; and that I will well and faithfully perform the duties of ... (title of office) ... on which I am now about to enter. So help me God.",

and thereafter shall devote personal attention to the duties of the office, and continue in office until a successor qualifies.

(c) The powers, duties, compensation and method of payment of state and county officers shall be fixed by law.

ARTICLE XI

AMENDMENTS

SECTION 5. Amendment or revision election.—

(a) A proposed amendment to or revision of this constitution, or any part of it, shall be submitted to the electors at the next general election held more than ninety days after the joint resolution or report of ~~a revision commission~~, constitutional convention or the taxation and budget reform commission proposing it is filed with the custodian of state records, unless, pursuant to law enacted by the affirmative vote of three-fourths of the membership of each house of the legislature and limited to a single amendment or revision, it is submitted at an earlier special election held more than ninety

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59 days after such filing.

60 (b) A proposed amendment or revision of this constitution,  
61 or any part of it, by initiative shall be submitted to the  
62 electors at the general election provided the initiative  
63 petition is filed with the custodian of state records no later  
64 than February 1 of the year in which the general election is  
65 held.

66 (c) The legislature shall provide by general law, prior to  
67 the holding of an election pursuant to this section, for the  
68 provision of a statement to the public regarding the probable  
69 financial impact of any amendment proposed by initiative  
70 pursuant to section 3.

71 (d) Once in the tenth week, and once in the sixth week  
72 immediately preceding the week in which the election is held,  
73 the proposed amendment or revision, with notice of the date of  
74 election at which it will be submitted to the electors, shall be  
75 published in one newspaper of general circulation in each county  
76 in which a newspaper is published.

77 (e) Unless otherwise specifically provided for elsewhere in  
78 this constitution, if the proposed amendment or revision is  
79 approved by vote of at least sixty percent of the electors  
80 voting on the measure, it shall be effective as an amendment to  
81 or revision of the constitution of the state on the first  
82 Tuesday after the first Monday in January following the  
83 election, or on such other date as may be specified in the  
84 amendment or revision.

85 BE IT FURTHER RESOLVED that the following statement be  
86 placed on the ballot:

87 CONSTITUTIONAL AMENDMENT

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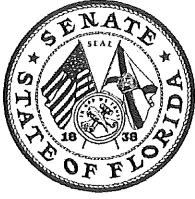
88 ARTICLE II, SECTION 5

89 ARTICLE XI, SECTIONS 2 AND 5

90 ABOLISHING THE CONSTITUTION REVISION COMMISSION.—Proposing  
91 an amendment to the State Constitution to abolish the  
92 Constitution Revision Commission, which meets at 20-year  
93 intervals and is scheduled to next convene in 2037, as a method  
94 of submitting proposed amendments or revisions to the State  
95 Constitution to electors of the state for approval. This  
96 amendment does not affect the ability to revise or amend the  
97 State Constitution through citizen initiative, constitutional  
98 convention, the Taxation and Budget Reform Commission, or  
99 legislative joint resolution.

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The Florida Senate

## Committee Agenda Request

**To:** Senator Kathleen Passidomo, Chair  
Rules Committee

**Subject:** Committee Agenda Request

**Date:** February 2, 2021

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I respectfully request that **Senate Bill # 204**, relating to Abolishing the Constitution Revision Commission, 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", with a long horizontal flourish extending to the right.

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Senator Jeff Brandes  
Florida Senate, District 24

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

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

2/18/21

Meeting Date

SR 204

Bill Number (if applicable)

Topic Abolishing the Constitution Revision Commission

Amendment Barcode (if applicable)

Name Phillip Suderman

Job Title Policy Director

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City

State

Zip

Email \_\_\_\_\_

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Americans for Prosperity

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.**

This card not read into the record.

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 Rules

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BILL: SB 306

INTRODUCER: Senator Passidomo

SUBJECT: Florida Statutes

DATE: February 16, 2021

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

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Pollitz (DLR)	Phelps	RC	<b>Favorable</b>

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**I. Summary:**

This bill is drafted by the Division of Law Revision of the Office of Legislative Services to adopt the Florida Statutes 2021 and designate the portions thereof that are to constitute the official statutory law of the state. This adoption act amends ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida Statutes, and provides a 1-year window for finding errors and making changes before statutory material becomes the best evidence of the law.

This bill substantially amends, creates, or repeals the following sections of the Florida Statutes: amends ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.

**II. Present Situation:**

The 2021 adoption act will adopt all statutes material passed through the 2020 Regular Session and printed in the 2020 edition. Material passed in a session occurring since publication of the 2020 edition must wait 1 more year before being adopted, and the session law form of that material will remain the best evidence of the law for that material.

**III. Effect of Proposed Changes:**

The adoption act amends ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida Statutes, and provides a 1-year window for finding errors and making changes before statutory material becomes the best evidence of the law. The 2021 adoption act adopts as the official statute law of the state those portions of the 2021 Florida Statutes edition that are carried forward unchanged from the edition published 1 year previously (2020). Portions carried forward from the 2020 edition are the official law of the state and, therefore, constitute the best evidence of the law. The portions resulting from sessions occurring subsequent to the publication of the 2020 edition are prima facie evidence of the law in all courts of the state; for this material, the enrolled acts stand as the best evidence of the law. Any “statute of a general and permanent nature” enacted before publication of the 2020 Florida Statutes that does not appear in the 2020 edition, or is not recognized and continued in force by reference therein or in s. 11.2423 or s. 11.2424, Florida

Statutes, stands repealed, both by the logic of the system and by operation of s. 11.2422, Florida Statutes. *See National Bank v. Williams*, 28 Fla. 305, 20 So. 931 (1896).

**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:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.

This bill creates the following sections of the Florida Statutes: None.

This bill repeals the following sections of the Florida Statutes: None.

**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.

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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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By Senator Passidomo

28-00879-21

2021306\_\_

A bill to be entitled

An act relating to the Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2021 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2021 shall be effective immediately upon publication; providing that general laws enacted during the 2020 regular session and prior thereto and not included in the Florida Statutes 2021 are repealed; providing that general laws enacted after the 2020 regular session are not repealed by this adoption act; providing an effective date.

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

Section 1. Section 11.2421, Florida Statutes, is amended to read:

11.2421 Florida Statutes 2021 ~~2020~~ adopted.—The accompanying revision, consolidation, and compilation of the public statutes of 2020 ~~2019~~ of a general and permanent nature, excepting tables, rules, indexes, and other related matter contained therein, prepared by the Office of Legislative Services under the provisions of s. 11.242, together with corrections, changes, and amendments to and repeals of provisions of Florida Statutes 2020 ~~2019~~ enacted in additional reviser's bill or bills by the 2021 ~~2020~~ Legislature, is adopted and enacted as the official statute law of the state under the title of "Florida Statutes 2021 ~~2020~~" and shall take effect

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28-00879-21

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immediately upon publication. Said statutes may be cited as "Florida Statutes 2021 ~~2020~~," "Florida Statutes," or "F.S. 2021 ~~2020~~."

Section 2. Section 11.2422, Florida Statutes, is amended to read:

11.2422 Statutes repealed.—Every statute of a general and permanent nature enacted by the State or by the Territory of Florida at or prior to the 2020 ~~2019~~ regular legislative session, and every part of such statute, not included in Florida Statutes 2021 ~~2020~~, as adopted by s. 11.2421, as amended, or recognized and continued in force by reference therein or in ss. 11.2423 and 11.2424, as amended, is repealed.

Section 3. Section 11.2424, Florida Statutes, is amended to read:

11.2424 Laws not repealed.—Laws enacted after the 2020 ~~2019~~ regular session are not repealed by the adoption and enactment of the Florida Statutes 2021 ~~2020~~ by s. 11.2421, as amended, but shall have full effect as if enacted after its said adoption and enactment.

Section 4. Section 11.2425, Florida Statutes, is amended to read:

11.2425 Rights reserved under repealed statutes.—The repeal of any statute by the adoption and enactment of Florida Statutes 2021 ~~2020~~, by s. 11.2421, as amended, shall not affect any right accrued before such repeal or any civil remedy where a suit is pending.

Section 5. This act shall take effect on the 60th day after adjournment sine die of the session of the Legislature in which enacted.

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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.)

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Prepared By: The Professional Staff of the Committee on Rules

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BILL: SB 308

INTRODUCER: Senator Passidomo

SUBJECT: Florida Statutes

DATE: February 16, 2021

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

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Pollitz (DLR)	Phelps	RC	<b>Favorable</b>

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## **I. Summary:**

The Division of Law Revision of the Office of Legislative Services is required, by statute, to conduct a systematic and continuing study of the Florida Statutes. The purpose of this study is to recommend to the Legislature changes that will remove inconsistencies, redundancies, and unnecessary repetition from the statutes; improve clarity and facilitate correct interpretation; correct grammatical and typographical errors; delete obsolete, repealed, or superseded provisions; and revise statutory provisions to conform to directives of the Legislature. These recommendations are submitted to the Legislature in the form of technical, nonsubstantive reviser's bills.

This is a general reviser's bill to delete expired or obsolete language; correct cross-references and grammatical or typographical errors; remove inconsistencies and redundancies from the statutes; improve the clarity of the statutes and facilitate their correct interpretation; confirm the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process; and revise statutory provisions to conform to directives of the Legislature. A reviser's bill cannot be amended except to delete a bill section.

This bill substantially amends, creates, or repeals the following sections of the Florida Statutes: amends ss. 20.058, 20.2551, 39.01, 39.302, 39.3065, 39.521, 39.6012, 45.035, 70.001, 215.555, 215.985, 220.03, 220.183, 252.355, 253.0341, 258.3991, 288.9619, 324.021, 364.336, 365.179, 373.41492, 379.2426, 381.925, 393.066, 400.462, 400.962, 401.45, 402.402, 403.726, 409.165, 409.973, 420.628, 420.9071, 420.9072, 420.9075, 420.9076, 429.02, 456.053, 481.203, 552.30, 556.102, 624.307, 624.5105, 625.091, 627.6387, 627.6648, 631.54, 641.31076, 647.02, 647.05, 723.079, 784.046, 943.059, 960.28, 1004.6499, 1007.33, 1009.24, 1009.50, 1009.51, 1009.52, 1009.65, 1009.986, and 1011.62, F.S.

## **II. Present Situation:**

The Division of Law Revision, under the authority and requirements of s. 11.242, Florida Statutes, submits reviser's bills to the rules committees of both houses as needed. General reviser's bills to clean up obsolete language, update cross-references, correct grammatical and

typographical errors, and revise statutory provisions to conform to directives of the Legislature are submitted every year.

**III. Effect of Proposed Changes:**

The effect of this bill is of a technical nature only; reviser's bills do not contain substantive changes. The bill will clean up grammatical and similar errors in the Florida Statutes.

**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:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: ss. 20.058, 20.2551, 39.01, 39.302, 39.3065, 39.521, 39.6012, 45.035, 70.001, 215.555, 215.985, 220.03, 220.183, 252.355, 253.0341, 258.3991, 288.9619, 324.021, 364.336, 365.179, 373.41492, 379.2426, 381.925, 393.066, 400.462, 400.962, 401.45, 402.402, 403.726, 409.165, 409.973, 420.628, 420.9071, 420.9072, 420.9075, 420.9076, 429.02, 456.053, 481.203, 552.30, 556.102, 624.307, 624.5105, 625.091, 627.6387, 627.6648, 631.54, 641.31076, 647.02, 647.05, 723.079, 784.046, 943.059, 960.28, 1004.6499, 1007.33, 1009.24, 1009.50, 1009.51, 1009.52, 1009.65, 1009.986, and 1011.62, F.S.

This bill reenacts and amends the following sections of the Florida Statutes: None.

This bill creates the following sections of the Florida Statutes: None.

This bill repeals the following sections of the Florida Statutes: None.

**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 Passidomo

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1 A reviser's bill to be entitled  
 2 An act relating to the Florida Statutes; amending ss.  
 3 20.058, 20.2551, 39.01, 39.302, 39.3065, 39.521,  
 4 39.6012, 45.035, 70.001, 215.555, 215.985, 220.03,  
 5 220.183, 252.355, 253.0341, 258.3991, 288.9619,  
 6 324.021, 364.336, 365.179, 373.41492, 379.2426,  
 7 381.925, 393.066, 400.462, 400.962, 401.45, 402.402,  
 8 403.726, 409.165, 409.973, 420.628, 420.9071,  
 9 420.9072, 420.9075, 420.9076, 429.02, 456.053,  
 10 481.203, 552.30, 556.102, 624.307, 624.5105, 625.091,  
 11 627.6387, 627.6648, 631.54, 641.31076, 647.02, 647.05,  
 12 723.079, 784.046, 943.059, 960.28, 1004.6499, 1007.33,  
 13 1009.24, 1009.50, 1009.51, 1009.52, 1009.65, 1009.986,  
 14 and 1011.62, F.S.; reenacting s. 408.036, F.S.;  
 15 deleting provisions that have expired, have become  
 16 obsolete, have had their effect, have served their  
 17 purpose, or have been impliedly repealed or  
 18 superseded; replacing incorrect cross-references and  
 19 citations; correcting grammatical, typographical, and  
 20 like errors; removing inconsistencies, redundancies,  
 21 and unnecessary repetition in the statutes; improving  
 22 the clarity of the statutes and facilitating their  
 23 correct interpretation; and revising a statutory  
 24 provision to conform to a directive of the  
 25 Legislature; providing an effective date.

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

27 Section 1. Subsection (5) of section 20.058, Florida  
 28  
 29

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30 Statutes, is amended to read:  
 31 20.058 Citizen support and direct-support organizations.—  
 32 (5) A law creating, or authorizing the creation of, a  
 33 citizen support organization or a direct-support organization  
 34 must state that the creation of or authorization for the  
 35 organization is repealed on October 1 of the 5th year after  
 36 enactment, unless reviewed and saved from repeal through  
 37 reenactment by the Legislature. ~~Citizen support organizations~~  
 38 ~~and direct-support organizations in existence on July 1, 2014,~~  
 39 ~~must be reviewed by the Legislature by July 1, 2019.~~  
 40 Reviser's note.—Amended to delete obsolete language.  
 41 Section 2. Subsection (6) of section 20.2551, Florida  
 42 Statutes, is amended to read:  
 43 20.2551 Citizen support organizations; use of property;  
 44 audit; public records; partnerships.—  
 45 (6) REPORT. ~~By December 1, 2019, the department shall~~  
 46 ~~submit a report to the President of the Senate and the Speaker~~  
 47 ~~of the House of Representatives which examines the financial~~  
 48 ~~transparency, accountability, and ethics of its citizen support~~  
 49 ~~organizations. The report must:~~  
 50 (a) ~~Include audits for the most recent 3 fiscal years for~~  
 51 ~~its citizen support organizations that are subject to audit~~  
 52 ~~requirements under s. 215.981. An audit conducted after March 1,~~  
 53 ~~2019, must be conducted in accordance with government auditing~~  
 54 ~~standards.~~  
 55 (b) ~~Demonstrate that its citizen support organizations~~  
 56 ~~within the Office of Resilience and Coastal Protection, as of~~  
 57 ~~November 1, 2018, are in compliance with s. 20.058 and this~~  
 58 ~~section.~~

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~~(c) Identify any citizen support organization under paragraph (a) or paragraph (b) that is not in compliance with s. 20.058 and this section and describe whether the department has terminated a contract with such organization.~~

~~(d) Demonstrate how the contracts between the department and its citizen support organizations have been revised to comply with all relevant provisions of law.~~

Reviser's note.—Amended to delete an obsolete provision. The Citizen Support Organizations Direct-Service Organizations 2019 Audit Report was submitted by the Division of Recreation and Parks, Office of Resilience and Coastal Protection, Florida Department of Environmental Regulation on December 1, 2019.

Section 3. Subsections (8) through (38) of section 39.01, Florida Statutes, are redesignated as subsections (7) through (37), respectively, and present subsections (5), (6), and (7) of that section are reordered and amended, to read:

39.01 Definitions.—When used in this chapter, unless the context otherwise requires:

(6)~~(5)~~ "Adult" means any natural person other than a child.

(5)~~(6)~~ "Adoption" means the act of creating the legal relationship between parent and child where it did not exist, thereby declaring the child to be legally the child of the adoptive parents and their heir at law, and entitled to all the rights and privileges and subject to all the obligations of a child born to the adoptive parents in lawful wedlock.

(38)~~(7)~~ "Juvenile sexual abuse" means any sexual behavior by a child which occurs without consent, without equality, or as a result of coercion. For purposes of this subsection, the

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following definitions apply:

(a) "Coercion" means the exploitation of authority or the use of bribes, threats of force, or intimidation to gain cooperation or compliance.

(b)~~(e)~~ "Consent" means an agreement, including all of the following:

1. Understanding what is proposed based on age, maturity, developmental level, functioning, and experience.

2. Knowledge of societal standards for what is being proposed.

3. Awareness of potential consequences and alternatives.

4. Assumption that agreement or disagreement will be accepted equally.

5. Voluntary decision.

6. Mental competence.

(c)~~(b)~~ "Equality" means two participants operating with the same level of power in a relationship, neither being controlled nor coerced by the other.

Juvenile sexual behavior ranges from noncontact sexual behavior such as making obscene phone calls, exhibitionism, voyeurism, and the showing or taking of lewd photographs to varying degrees of direct sexual contact, such as frottage, fondling, digital penetration, rape, fellatio, sodomy, and various other sexually aggressive acts.

Reviser's note.—Amended to conform with the alphabetical ordering of the defined terms elsewhere in the section.

Section 4. Subsection (1) of section 39.302, Florida Statutes, is amended to read:

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117 39.302 Protective investigations of institutional child  
 118 abuse, abandonment, or neglect.—  
 119 (1) The department shall conduct a child protective  
 120 investigation of each report of institutional child abuse,  
 121 abandonment, or neglect. Upon receipt of a report that alleges  
 122 that an employee or agent of the department, or any other entity  
 123 or person covered by s. 39.01(36) or (54) ~~39.01(37) or (54)~~,  
 124 acting in an official capacity, has committed an act of child  
 125 abuse, abandonment, or neglect, the department shall initiate a  
 126 child protective investigation within the timeframe established  
 127 under s. 39.201(5) and notify the appropriate state attorney,  
 128 law enforcement agency, and licensing agency, which shall  
 129 immediately conduct a joint investigation, unless independent  
 130 investigations are more feasible. When conducting investigations  
 131 or having face-to-face interviews with the child, investigation  
 132 visits shall be unannounced unless it is determined by the  
 133 department or its agent that unannounced visits threaten the  
 134 safety of the child. If a facility is exempt from licensing, the  
 135 department shall inform the owner or operator of the facility of  
 136 the report. Each agency conducting a joint investigation is  
 137 entitled to full access to the information gathered by the  
 138 department in the course of the investigation. A protective  
 139 investigation must include an interview with the child's parent  
 140 or legal guardian. The department shall make a full written  
 141 report to the state attorney within 3 working days after making  
 142 the oral report. A criminal investigation shall be coordinated,  
 143 whenever possible, with the child protective investigation of  
 144 the department. Any interested person who has information  
 145 regarding the offenses described in this subsection may forward

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146 a statement to the state attorney as to whether prosecution is  
 147 warranted and appropriate. Within 15 days after the completion  
 148 of the investigation, the state attorney shall report the  
 149 findings to the department and shall include in the report a  
 150 determination of whether or not prosecution is justified and  
 151 appropriate in view of the circumstances of the specific case.  
 152 Reviser's note.—Amended to conform to the reordering of  
 153 subsections in s. 39.01 by this act.  
 154 Section 5. Paragraph (f) of subsection (3) of section  
 155 39.3065, Florida Statutes, is amended to read:  
 156 39.3065 Sheriffs of certain counties to provide child  
 157 protective investigative services; procedures; funding.—  
 158 (3)  
 159 (f) The department shall produce an annual report  
 160 regarding, at a minimum, performance quality, outcome-measure  
 161 attainment, and cost efficiency of the services provided by all  
 162 sheriffs providing child protective investigative services. The  
 163 annual report shall include data and information on both the  
 164 sheriffs' and the department's performance of protective  
 165 investigations. The department shall submit the annual report to  
 166 the President of the Senate, the Speaker of the House of  
 167 Representatives, and ~~to~~ the Governor no later than November 1 of  
 168 each year the sheriffs are receiving general appropriations to  
 169 provide child protective investigations.  
 170 Reviser's note.—Amended to confirm the editorial deletion of the  
 171 word "to."  
 172 Section 6. Paragraph (c) of subsection (1) of section  
 173 39.521, Florida Statutes, is amended to read:  
 174 39.521 Disposition hearings; powers of disposition.—

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175 (1) A disposition hearing shall be conducted by the court,  
 176 if the court finds that the facts alleged in the petition for  
 177 dependency were proven in the adjudicatory hearing, or if the  
 178 parents or legal custodians have consented to the finding of  
 179 dependency or admitted the allegations in the petition, have  
 180 failed to appear for the arraignment hearing after proper  
 181 notice, or have not been located despite a diligent search  
 182 having been conducted.

183 (c) When any child is adjudicated by a court to be  
 184 dependent, the court having jurisdiction of the child has the  
 185 power by order to:

186 1. Require the parent and, when appropriate, the legal  
 187 guardian or the child to participate in treatment and services  
 188 identified as necessary. The court may require the person who  
 189 has custody or who is requesting custody of the child to submit  
 190 to a mental health or substance abuse disorder assessment or  
 191 evaluation. The order may be made only upon good cause shown and  
 192 pursuant to notice and procedural requirements provided under  
 193 the Florida Rules of Juvenile Procedure. The mental health  
 194 assessment or evaluation must be administered by a qualified  
 195 professional as defined in s. 39.01, and the substance abuse  
 196 assessment or evaluation must be administered by a qualified  
 197 professional as defined in s. 397.311. The court may also  
 198 require such person to participate in and comply with treatment  
 199 and services identified as necessary, including, when  
 200 appropriate and available, participation in and compliance with  
 201 a mental health court program established under chapter 394 or a  
 202 treatment-based drug court program established under s. 397.334.  
 203 Adjudication of a child as dependent based upon evidence of harm

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204 as defined in s. 39.01(34)(g) ~~39.01(35)(g)~~ demonstrates good  
 205 cause, and the court shall require the parent whose actions  
 206 caused the harm to submit to a substance abuse disorder  
 207 assessment or evaluation and to participate and comply with  
 208 treatment and services identified in the assessment or  
 209 evaluation as being necessary. In addition to supervision by the  
 210 department, the court, including the mental health court program  
 211 or the treatment-based drug court program, may oversee the  
 212 progress and compliance with treatment by a person who has  
 213 custody or is requesting custody of the child. The court may  
 214 impose appropriate available sanctions for noncompliance upon a  
 215 person who has custody or is requesting custody of the child or  
 216 make a finding of noncompliance for consideration in determining  
 217 whether an alternative placement of the child is in the child's  
 218 best interests. Any order entered under this subparagraph may be  
 219 made only upon good cause shown. This subparagraph does not  
 220 authorize placement of a child with a person seeking custody of  
 221 the child, other than the child's parent or legal custodian, who  
 222 requires mental health or substance abuse disorder treatment.

223 2. Require, if the court deems necessary, the parties to  
 224 participate in dependency mediation.

225 3. Require placement of the child either under the  
 226 protective supervision of an authorized agent of the department  
 227 in the home of one or both of the child's parents or in the home  
 228 of a relative of the child or another adult approved by the  
 229 court, or in the custody of the department. Protective  
 230 supervision continues until the court terminates it or until the  
 231 child reaches the age of 18, whichever date is first. Protective  
 232 supervision shall be terminated by the court whenever the court

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233 determines that permanency has been achieved for the child,  
 234 whether with a parent, another relative, or a legal custodian,  
 235 and that protective supervision is no longer needed. The  
 236 termination of supervision may be with or without retaining  
 237 jurisdiction, at the court's discretion, and shall in either  
 238 case be considered a permanency option for the child. The order  
 239 terminating supervision by the department must set forth the  
 240 powers of the custodian of the child and include the powers  
 241 ordinarily granted to a guardian of the person of a minor unless  
 242 otherwise specified. Upon the court's termination of supervision  
 243 by the department, further judicial reviews are not required if  
 244 permanency has been established for the child.

245 4. Determine whether the child has a strong attachment to  
 246 the prospective permanent guardian and whether such guardian has  
 247 a strong commitment to permanently caring for the child.

248 Reviser's note.—Amended to conform to the reordering of  
 249 subsections in s. 39.01 by this act.

250 Section 7. Paragraph (c) of subsection (1) of section  
 251 39.6012, Florida Statutes, is amended to read:

252 39.6012 Case plan tasks; services.—

253 (1) The services to be provided to the parent and the tasks  
 254 that must be completed are subject to the following:

255 (c) If there is evidence of harm as defined in s.

256 39.01(34)(g) ~~39.01(35)(g)~~, the case plan must include as a  
 257 required task for the parent whose actions caused the harm that  
 258 the parent submit to a substance abuse disorder assessment or  
 259 evaluation and participate and comply with treatment and  
 260 services identified in the assessment or evaluation as being  
 261 necessary.

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262 Reviser's note.—Amended to conform to the reordering of  
 263 subsections in s. 39.01 by this act.

264 Section 8. Section 45.035, Florida Statutes, is amended to  
 265 read:

266 45.035 Clerk's fees.—In addition to other fees or service  
 267 charges authorized by law, the clerk shall receive service  
 268 charges related to the judicial sales procedure set forth in ss.  
 269 45.031-45.033 ~~45.031-45.034~~ and this section:

270 (1) The clerk shall receive a service charge of \$70, from  
 271 which the clerk shall remit \$10 to the Department of Revenue for  
 272 deposit into the General Revenue Fund, for services in making,  
 273 recording, and certifying the sale and title, which service  
 274 charge shall be assessed as costs and shall be advanced by the  
 275 plaintiff before the sale.

276 (2) If there is a surplus resulting from the sale, the  
 277 clerk may receive the following service charges, which shall be  
 278 deducted from the surplus:

279 (a) The clerk may withhold the sum of \$28 from the surplus  
 280 which may only be used for purposes of educating the public as  
 281 to the rights of homeowners regarding foreclosure proceedings.

282 (b) The clerk is entitled to a service charge of \$15 for  
 283 each disbursement of surplus proceeds, from which the clerk  
 284 shall remit \$5 to the Department of Revenue for deposit into the  
 285 General Revenue Fund.

286 (3) If the sale is conducted by electronic means, as  
 287 provided in s. 45.031(10), the clerk shall receive an additional  
 288 service charge not to exceed \$70 for services in conducting or  
 289 contracting for the electronic sale, which service charge shall  
 290 be assessed as costs and paid when filing for an electronic sale



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date. If the clerk requires advance electronic deposits to secure the right to bid, such deposits shall not be subject to the fee under s. 28.24(10). The portion of an advance deposit from a winning bidder required by s. 45.031(3) shall, upon acceptance of the winning bid, be subject to the fee under s. 28.24(10).

Reviser's note.—Amended to conform to the repeal of s. 45.034 by s. 3, ch. 2020-3, Laws of Florida.

Section 9. Paragraph (c) of subsection (4) of section 70.001, Florida Statutes, is amended to read:

70.001 Private property rights protection.—

(4)

(c) During the 90-day-notice period or the 150-day-notice period, unless extended by agreement of the parties, the governmental entity shall make a written settlement offer to effectuate:

1. An adjustment of land development or permit standards or other provisions controlling the development or use of land.

2. Increases or modifications in the density, intensity, or use of areas of development.

3. The transfer of development ~~developmental~~ rights.

4. Land swaps or exchanges.

5. Mitigation, including payments in lieu of onsite mitigation.

6. Location on the least sensitive portion of the property.

7. Conditioning the amount of development or use permitted.

8. A requirement that issues be addressed on a more comprehensive basis than a single proposed use or development.

9. Issuance of the development order, a variance, special

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exception, or other extraordinary relief.

10. Purchase of the real property, or an interest therein, by an appropriate governmental entity or payment of compensation.

11. No changes to the action of the governmental entity.

If the property owner accepts a settlement offer, either before or after filing an action, the governmental entity may implement the settlement offer by appropriate development agreement; by issuing a variance, special exception, or other extraordinary relief; or by other appropriate method, subject to paragraph (d).

Reviser's note.—Amended to conform to general usage in statutory provisions referencing development rights.

Section 10. Paragraph (b) of subsection (16) of section 215.555, Florida Statutes, is amended to read:

215.555 Florida Hurricane Catastrophe Fund.—

(16) FACILITATION OF INSURERS' PRIVATE CONTRACT NEGOTIATIONS BEFORE THE START OF THE HURRICANE SEASON.—

(b) The board shall adopt the reimbursement contract for a particular contract year by February 1 of the immediately preceding contract year. ~~However, the reimbursement contract shall be adopted as soon as possible in advance of the 2010-2011 contract year.~~

Reviser's note.—Amended to delete obsolete language.

Section 11. Subsection (7) of section 215.985, Florida Statutes, is amended to read:

215.985 Transparency in government spending.—

(7) By November 1 of each year, ~~2013, and annually~~

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thereafter, the committee shall recommend to the President of the Senate and the Speaker of the House of Representatives:

(a) Additional information to be added to a website, such as whether to expand the scope of the information provided to include state universities, Florida College System institutions, school districts, charter schools, charter technical career centers, local government units, and other governmental entities.

(b) A schedule for adding information to the website by type of information and governmental entity, including timeframes and development entity.

(c) A format for collecting and displaying the additional information.

Reviser's note.—Amended to delete obsolete language.

Section 12. Paragraph (t) of subsection (1) of section 220.03, Florida Statutes, is amended to read:

220.03 Definitions.—

(1) SPECIFIC TERMS.—When used in this code, and when not otherwise distinctly expressed or manifestly incompatible with the intent thereof, the following terms shall have the following meanings:

(t) "Project" means any activity undertaken by an eligible sponsor, as defined in s. 220.183(2)(c), which is designed to construct, improve, or substantially rehabilitate housing that is affordable to low-income or very-low-income households as defined in s. 420.9071(20) and (30) ~~420.9071(19) and (28)~~; designed to provide housing opportunities for persons with special needs as defined in s. 420.0004; designed to provide commercial, industrial, or public resources and facilities; or

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designed to improve entrepreneurial and job-development opportunities for low-income persons. A project may be the investment necessary to increase access to high-speed broadband capability in a rural community that had an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, including projects that result in improvements to communications assets that are owned by a business. A project may include the provision of museum educational programs and materials that are directly related to any project approved between January 1, 1996, and December 31, 1999, and located in an area that was in an enterprise zone designated pursuant to s. 290.0065 as of May 1, 2015. This paragraph does not preclude projects that propose to construct or rehabilitate low-income or very-low-income housing on scattered sites or housing opportunities for persons with special needs as defined in s. 420.0004. With respect to housing, contributions may be used to pay the following eligible project-related activities:

1. Project development, impact, and management fees for special needs, low-income, or very-low-income housing projects;

2. Down payment and closing costs for eligible persons, as defined in s. 420.9071(20) and (30) ~~420.9071(19) and (28)~~;

3. Administrative costs, including housing counseling and marketing fees, not to exceed 10 percent of the community contribution, directly related to special needs, low-income, or very-low-income projects; and

4. Removal of liens recorded against residential property by municipal, county, or special-district local governments when satisfaction of the lien is a necessary precedent to the transfer of the property to an eligible person, as defined in s.

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407 420.9071(20) and (30) ~~420.9071(19) and (28)~~, for the purpose of  
 408 promoting home ownership. Contributions for lien removal must be  
 409 received from a nonrelated third party.

410 Reviser's note.—Amended to conform to the reordering of  
 411 definitions in s. 420.9071 by this act.

412 Section 13. Paragraphs (b) and (d) of subsection (2) of  
 413 section 220.183, Florida Statutes, are amended to read:

414 220.183 Community contribution tax credit.—

415 (2) ELIGIBILITY REQUIREMENTS.—

416 (b)1. All community contributions must be reserved  
 417 exclusively for use in projects as defined in s. 220.03(1)(t).

418 2. If, during the first 10 business days of the state  
 419 fiscal year, eligible tax credit applications for projects that  
 420 provide housing opportunities for persons with special needs as  
 421 defined in s. 420.0004 or homeownership opportunities for low-  
 422 income or very-low-income households as defined in s.  
 423 420.9071(20) and (30) ~~420.9071(19) and (28)~~ are received for  
 424 less than the annual tax credits available for those projects,  
 425 the Department of Economic Opportunity shall grant tax credits  
 426 for those applications and shall grant remaining tax credits on  
 427 a first-come, first-served basis for any subsequent eligible  
 428 applications received before the end of the state fiscal year.

429 If, during the first 10 business days of the state fiscal year,  
 430 eligible tax credit applications for projects that provide  
 431 housing opportunities for persons with special needs as defined  
 432 in s. 420.0004 or homeownership opportunities for low-income or  
 433 very-low-income households as defined in s. 420.9071(20) and  
 434 (30) ~~420.9071(19) and (28)~~ are received for more than the annual  
 435 tax credits available for those projects, the Department of

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436 Economic Opportunity shall grant the tax credits for those  
 437 applications as follows:

438 a. If tax credit applications submitted for approved  
 439 projects of an eligible sponsor do not exceed \$200,000 in total,  
 440 the credit shall be granted in full if the tax credit  
 441 applications are approved.

442 b. If tax credit applications submitted for approved  
 443 projects of an eligible sponsor exceed \$200,000 in total, the  
 444 amount of tax credits granted under sub-subparagraph a. shall be  
 445 subtracted from the amount of available tax credits, and the  
 446 remaining credits shall be granted to each approved tax credit  
 447 application on a pro rata basis.

448 3. If, during the first 10 business days of the state  
 449 fiscal year, eligible tax credit applications for projects other  
 450 than those that provide housing opportunities for persons with  
 451 special needs as defined in s. 420.0004 or homeownership  
 452 opportunities for low-income or very-low-income households as  
 453 defined in s. 420.9071(20) and (30) ~~420.9071(19) and (28)~~ are  
 454 received for less than the annual tax credits available for  
 455 those projects, the Department of Economic Opportunity shall  
 456 grant tax credits for those applications and shall grant  
 457 remaining tax credits on a first-come, first-served basis for  
 458 any subsequent eligible applications received before the end of  
 459 the state fiscal year. If, during the first 10 business days of  
 460 the state fiscal year, eligible tax credit applications for  
 461 projects other than those that provide housing opportunities for  
 462 persons with special needs as defined in s. 420.0004 or  
 463 homeownership opportunities for low-income or very-low-income  
 464 households as defined in s. 420.9071(20) and (30) ~~420.9071(19)~~

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465 ~~and (28)~~ are received for more than the annual tax credits  
 466 available for those projects, the Department of Economic  
 467 Opportunity shall grant the tax credits for those applications  
 468 on a pro rata basis.

469 (d) The project shall be located in an area that was  
 470 designated as an enterprise zone pursuant to chapter 290 as of  
 471 May 1, 2015, or a Front Porch Florida Community. Any project  
 472 designed to construct or rehabilitate housing for low-income or  
 473 very-low-income households as defined in s. 420.9071(20) and  
 474 (30) 420.9071(19) and (28) or provide housing opportunities for  
 475 persons with special needs as defined in s. 420.0004 is exempt  
 476 from the area requirement of this paragraph. This section does  
 477 not preclude projects that propose to construct or rehabilitate  
 478 housing for low-income or very-low-income households on  
 479 scattered sites or provide housing opportunities for persons  
 480 with special needs. Any project designed to provide increased  
 481 access to high-speed broadband capabilities which includes  
 482 coverage of a rural enterprise zone may locate the project's  
 483 infrastructure in any area of a rural county.

484 Reviser's note.—Amended to conform to the reordering of  
 485 definitions in s. 420.9071 by this act.

486 Section 14. Subsection (2) of section 252.355, Florida  
 487 Statutes, is amended to read:

488 252.355 Registry of persons with special needs; notice;  
 489 registration program.—

490 (2) In order to ensure that all persons with special needs  
 491 may register, the division shall develop and maintain a special  
 492 needs shelter registration program. ~~The registration program~~  
 493 ~~must be developed by January 1, 2015, and fully implemented by~~

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494 ~~March 1, 2015.~~

495 (a) The registration program shall include, at a minimum, a  
 496 uniform electronic registration form and a database for  
 497 uploading and storing submitted registration forms that may be  
 498 accessed by the appropriate local emergency management agency.  
 499 The link to the registration form shall be easily accessible on  
 500 each local emergency management agency's website. Upon receipt  
 501 of a paper registration form, the local emergency management  
 502 agency shall enter the person's registration information into  
 503 the database.

504 (b) To assist in identifying persons with special needs,  
 505 home health agencies, hospices, nurse registries, home medical  
 506 equipment providers, the Department of Children and Families,  
 507 the Department of Health, the Agency for Health Care  
 508 Administration, the Department of Education, the Agency for  
 509 Persons with Disabilities, the Department of Elderly Affairs,  
 510 and memory disorder clinics shall, and any physician licensed  
 511 under chapter 458 or chapter 459 and any pharmacy licensed under  
 512 chapter 465 may, annually provide registration information to  
 513 all of their special needs clients or their caregivers. The  
 514 division shall develop a brochure that provides information  
 515 regarding special needs shelter registration procedures. The  
 516 brochure must be easily accessible on the division's website.  
 517 All appropriate agencies and community-based service providers,  
 518 including aging and disability resource centers, memory disorder  
 519 clinics, home health care providers, hospices, nurse registries,  
 520 and home medical equipment providers, shall, and any physician  
 521 licensed under chapter 458 or chapter 459 may, assist emergency  
 522 management agencies by annually registering persons with special

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523 needs for special needs shelters, collecting registration  
 524 information for persons with special needs as part of the  
 525 program intake process, and establishing programs to educate  
 526 clients about the registration process and disaster preparedness  
 527 safety procedures. A client of a state-funded or federally  
 528 funded service program who has a physical, mental, or cognitive  
 529 impairment or sensory disability and who needs assistance in  
 530 evacuating, or when in a shelter, must register as a person with  
 531 special needs. The registration program shall give persons with  
 532 special needs the option of preauthorizing emergency response  
 533 personnel to enter their homes during search and rescue  
 534 operations if necessary to ensure their safety and welfare  
 535 following disasters.

536 (c) The division shall be the designated lead agency  
 537 responsible for community education and outreach to the public,  
 538 including special needs clients, regarding registration and  
 539 special needs shelters and general information regarding shelter  
 540 stays.

541 (d) On or before May 31 of each year, each electric utility  
 542 in the state shall annually notify residential customers in its  
 543 service area of the availability of the registration program  
 544 available through their local emergency management agency by:

545 1. An initial notification upon the activation of new  
 546 residential service with the electric utility, followed by one  
 547 annual notification between January 1 and May 31; or

548 2. Two separate annual notifications between January 1 and  
 549 May 31.

550

551 The notification may be made by any available means, including,

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552 but not limited to, written, electronic, or verbal notification,  
 553 and may be made concurrently with any other notification to  
 554 residential customers required by law or rule.

555 Reviser's note.—Amended to delete obsolete language.

556 Section 15. Subsection (8) of section 253.0341, Florida  
 557 Statutes, is amended to read:

558 253.0341 Surplus of state-owned lands.—

559 (8) The sale price of lands determined to be surplus  
 560 pursuant to this section and s. 253.82 shall be determined by  
 561 the Division of State Lands, which shall consider an appraisal  
 562 of the property or, if the estimated value of the land is  
 563 \$500,000 or less, a comparable sales analysis or a broker's  
 564 opinion of value. The value must be based on the highest and  
 565 best use of the property, considering all applicable development  
 566 ~~developmental~~ rights, to ensure the maximum benefit and use to  
 567 the state as provided in s. 253.03(7)(a). The division may  
 568 require a second appraisal. The individual or entity that  
 569 requests to purchase the surplus parcel shall pay all costs  
 570 associated with determining the property's value, if any. As  
 571 used in this subsection, the term "highest and best use" means  
 572 the reasonable, probable, and legal use of vacant land or an  
 573 improved property which is physically possible, appropriately  
 574 supported, financially feasible, and results in the highest  
 575 value.

576 (a) A written valuation of land determined to be surplus  
 577 pursuant to this section and s. 253.82, and related documents  
 578 used to form the valuation or which pertain to the valuation,  
 579 are confidential and exempt from s. 119.07(1) and s. 24(a), Art.  
 580 I of the State Constitution.

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581 1. The exemption expires 2 weeks before the contract or  
 582 agreement regarding the purchase, exchange, or disposal of the  
 583 surplus land is first considered for approval by the board of  
 584 trustees.

585 2. Before expiration of the exemption, the Division of  
 586 State Lands may disclose confidential and exempt appraisals,  
 587 valuations, or valuation information regarding surplus land:

588 a. During negotiations for the sale or exchange of the  
 589 land;

590 b. During the marketing effort or bidding process  
 591 associated with the sale, disposal, or exchange of the land to  
 592 facilitate closure of such effort or process;

593 c. When the passage of time has made the conclusions of  
 594 value invalid; or

595 d. When negotiations or marketing efforts concerning the  
 596 land are concluded.

597 (b) A unit of government that acquires title to lands  
 598 pursuant to this section for less than appraised value may not  
 599 sell or transfer title to all or any portion of the lands to any  
 600 private owner for 10 years. A unit of government seeking to  
 601 transfer or sell lands pursuant to this paragraph must first  
 602 allow the board of trustees to reacquire such lands for the  
 603 price at which the board of trustees sold such lands.

604 Reviser's note.—Amended to conform to general usage in statutory  
 605 provisions referencing development rights.

606 Section 16. Subsection (1) of section 258.3991, Florida  
 607 Statutes, is amended to read:

608 258.3991 Nature Coast Aquatic Preserve.—

609 (1) DESIGNATION.—The area described in subsection (2) which

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610 lies within Citrus, Hernando, and Pasco Counties is designated  
 611 by the Legislature for inclusion in the aquatic preserve system  
 612 under the Florida Aquatic Preserve Act of 1975 and as an  
 613 Outstanding Florida Water pursuant to s. 403.061(28) ~~403.061(27)~~  
 614 and shall be known as the "Nature Coast Aquatic Preserve." It is  
 615 the intent of the Legislature that the Nature Coast Aquatic  
 616 Preserve be preserved in an essentially natural condition so  
 617 that its biological and aesthetic values may endure for the  
 618 enjoyment of future generations. This section may not be  
 619 construed to impose additional permitting requirements for  
 620 county or state projects under the Resources and Ecosystems  
 621 Sustainability, Tourist Opportunities, and Revived Economies of  
 622 the Gulf Coast Act of 2012 (RESTORE Act) that are funded  
 623 pursuant to 33 U.S.C. s. 1321(t)(3).

624 Reviser's note.—Amended to conform to the redesignation of  
 625 subsections in s. 403.061 by s. 10, ch. 2020-150, Laws of  
 626 Florida; s. 403.061(28) relates to Outstanding Florida  
 627 Waters.

628 Section 17. Section 288.9619, Florida Statutes, is amended  
 629 to read:

630 288.9619 Conflicts of interest.—If any director has a  
 631 direct or indirect interest associated with any party to an  
 632 application on which the corporation has taken or will take  
 633 action in exercising its power for the issuance of revenue bonds  
 634 or other evidences of indebtedness, such interest must be  
 635 publicly disclosed to the corporation and set forth in the  
 636 minutes of the corporation. The director who ~~that~~ has such  
 637 interest may not participate in any action by the corporation  
 638 with respect to such party and application.

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639 Reviser's note.—Amended to confirm the editorial substitution of  
 640 the word "who" for the word "that" to conform to context.

641 Section 18. Paragraph (c) of subsection (9) of section  
 642 324.021, Florida Statutes, is amended to read:

643 324.021 Definitions; minimum insurance required.—The  
 644 following words and phrases when used in this chapter shall, for  
 645 the purpose of this chapter, have the meanings respectively  
 646 ascribed to them in this section, except in those instances  
 647 where the context clearly indicates a different meaning:

648 (9) OWNER; OWNER/LESSOR.—

649 (c) *Application*.—

650 1. The limits on liability in subparagraphs (b)2. and 3. do  
 651 not apply to an owner of motor vehicles that are used for  
 652 commercial activity in the owner's ordinary course of business,  
 653 other than a rental company that rents or leases motor vehicles.  
 654 For purposes of this paragraph, the term "rental company"  
 655 includes only an entity that is engaged in the business of  
 656 renting or leasing motor vehicles to the general public and that  
 657 rents or leases a majority of its motor vehicles to persons with  
 658 no direct or indirect affiliation with the rental company. The  
 659 term "rental company" also includes:

660 a. A related rental or leasing company that is a subsidiary  
 661 of the same parent company as that of the renting or leasing  
 662 company that rented or leased the vehicle.

663 b. The holder of a motor vehicle title or an equity  
 664 interest in a motor vehicle title if the title or equity  
 665 interest is held pursuant to or to facilitate an asset-backed  
 666 securitization of a fleet of motor vehicles used solely in the  
 667 business of renting or leasing motor vehicles to the general

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668 public and under the dominion and control of a rental company,  
 669 as described in this subparagraph, in the operation of such  
 670 rental company's business.

671 2. Furthermore, with respect to commercial motor vehicles  
 672 as defined in s. 627.732, the limits on liability in  
 673 subparagraphs (b)2. and 3. do not apply if, at the time of the  
 674 incident, the commercial motor vehicle is being used in the  
 675 transportation of materials found to be hazardous for the  
 676 purposes of the Hazardous Materials Transportation Authorization  
 677 Act of 1994, as amended, 49 U.S.C. ss. 5101 et seq., and that is  
 678 required pursuant to such act to carry placards warning others  
 679 of the hazardous cargo, unless at the time of lease or rental  
 680 either:

681 a. The lessee indicates in writing that the vehicle will  
 682 not be used to transport materials found to be hazardous for the  
 683 purposes of the Hazardous Materials Transportation Authorization  
 684 Act of 1994, as amended, 49 U.S.C. ss. 5101 et seq.; or

685 b. The lessee or other operator of the commercial motor  
 686 vehicle has in effect insurance with limits of at least  
 687 \$5,000,000 combined property damage and bodily injury liability.

688 3.a. A motor vehicle dealer, or a motor vehicle dealer's  
 689 leasing or rental affiliate, that provides a temporary  
 690 replacement vehicle at no charge or at a reasonable daily charge  
 691 to a service customer whose vehicle is being held for repair,  
 692 service, or adjustment by the motor vehicle dealer is immune  
 693 from any cause of action and is not liable, vicariously or  
 694 directly, under general law solely by reason of being the owner  
 695 of the temporary replacement vehicle for harm to persons or  
 696 property that arises out of the use, or operation, of the

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697 temporary replacement vehicle by any person during the period  
 698 the temporary replacement vehicle has been entrusted to the  
 699 motor vehicle dealer's service customer if there is no  
 700 negligence or criminal wrongdoing on the part of the motor  
 701 vehicle owner, or its leasing or rental affiliate.

702       b. For purposes of this section, and notwithstanding any  
 703 other provision of general law, a motor vehicle dealer, or a  
 704 motor vehicle dealer's leasing or rental affiliate, that gives  
 705 possession, control, or use of a temporary replacement vehicle  
 706 to a motor vehicle dealer's service customer may not be adjudged  
 707 liable in a civil proceeding absent negligence or criminal  
 708 wrongdoing on the part of the motor vehicle dealer, or the motor  
 709 vehicle dealer's leasing or rental affiliate, if the motor  
 710 vehicle dealer or the motor vehicle dealer's leasing or rental  
 711 affiliate executes a written rental or use agreement and obtains  
 712 from the person receiving the temporary replacement vehicle a  
 713 copy of the person's driver license and insurance information  
 714 reflecting at least the minimum motor vehicle insurance coverage  
 715 required in the state. Any subsequent determination that the  
 716 driver license or insurance information provided to the motor  
 717 vehicle dealer, or the motor vehicle dealer's leasing or rental  
 718 affiliate, was in any way false, fraudulent, misleading,  
 719 nonexistent, canceled, not in effect, or invalid does not alter  
 720 or diminish the protections provided by this section, unless the  
 721 motor vehicle dealer, or the motor vehicle dealer's leasing or  
 722 rental affiliate, had actual knowledge thereof at the time  
 723 possession of the temporary replacement vehicle was provided.

724       c. For purposes of this subparagraph, the term "service  
 725 customer" does not include an agent or a principal of a motor

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726 vehicle dealer or a motor vehicle dealer's leasing or rental  
 727 affiliate, and does not include an employee of a motor vehicle  
 728 dealer or a motor vehicle dealer's leasing or rental affiliate  
 729 unless the employee was provided a temporary replacement  
 730 vehicle:

731       (I) While the employee's personal vehicle was being held  
 732 for repair, service, or adjustment by the motor vehicle dealer;

733       (II) In the same manner as other customers who are provided  
 734 a temporary replacement vehicle while the customer's vehicle is  
 735 being held for repair, service, or adjustment; and

736       (III) The employee was not acting within the course and  
 737 scope of his or her ~~their~~ employment.

738 Reviser's note.—Amended to conform to the immediately preceding  
 739 context.

740       Section 19. Subsection (3) of section 364.336, Florida  
 741 Statutes, is amended to read:

742       364.336 Regulatory assessment fees.—

743       (3) By January 15 of each year, ~~2012, and annually~~  
 744 ~~thereafter~~, the commission must report to the Governor, the  
 745 President of the Senate, and the Speaker of the House of  
 746 Representatives, providing a detailed description of its efforts  
 747 to reduce the regulatory assessment fee for telecommunications  
 748 companies, including a detailed description of the regulatory  
 749 activities that are no longer required; the commensurate  
 750 reduction in costs associated with this reduction in regulation;  
 751 the regulatory activities that continue to be required under  
 752 this chapter; and the costs associated with those regulatory  
 753 activities.

754 Reviser's note.—Amended to delete obsolete language.

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755 Section 20. Subsection (6) of section 365.179, Florida  
756 Statutes, is amended to read:

757 365.179 Direct radio communication between 911 public  
758 safety answering points and first responders.—

759 ~~(6) By January 1, 2020, each sheriff shall provide to the~~  
760 ~~Department of Law Enforcement:~~

761 ~~(a) A copy of each interlocal agreement made between the~~  
762 ~~primary first responder agencies within his or her county~~  
763 ~~pursuant to this section; and~~

764 ~~(b) Written certification that all PSAPs in his or her~~  
765 ~~county are in compliance with this section.~~

766 Reviser's note.—Amended to delete an obsolete provision.

767 Section 21. Paragraphs (b) and (c) of subsection (3) of  
768 section 373.41492, Florida Statutes, are amended to read:

769 373.41492 Miami-Dade County Lake Belt Mitigation Plan;  
770 mitigation for mining activities within the Miami-Dade County  
771 Lake Belt.—

772 (3) The mitigation fee and the water treatment plant  
773 upgrade fee imposed by this section must be reported to the  
774 Department of Revenue. Payment of the mitigation and the water  
775 treatment plant upgrade fees must be accompanied by a form  
776 prescribed by the Department of Revenue.

777 (b) The proceeds of the water treatment plant upgrade fee,  
778 less administrative costs ~~and less 2 cents per ton transferred~~  
779 ~~pursuant to paragraph (c),~~ must be transferred by the Department  
780 of Revenue to a trust fund established by Miami-Dade County, for  
781 the sole purpose authorized by paragraph (6) (a).

782 ~~(c) Until December 1, 2016, or until funding for the study~~  
783 ~~is complete, whichever comes earlier, 2 cents per ton, not to~~

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784 ~~exceed \$300,000, shall be transferred by the Department of~~  
785 ~~Revenue to the State Fire Marshal to be used to fund the study~~  
786 ~~required under s. 552.30 to review the established statewide~~  
787 ~~ground vibration limits for construction materials mining~~  
788 ~~activities and to review any legitimate claims paid for damages~~  
789 ~~caused by such mining activities. Any amount not used to fund~~  
790 ~~the study shall be transferred to the trust fund established by~~  
791 ~~Miami-Dade County, for the sole purpose authorized by paragraph~~  
792 ~~(6) (a).~~

793 Reviser's note.—Amended to conform to the repeal of s. 552.30(3)  
794 relating to the referenced study by this act; the final  
795 study was submitted to the Division of State Fire Marshal  
796 in July 2018.

797 Section 22. Paragraph (a) of subsection (4) of section  
798 379.2426, Florida Statutes, is amended to read:

799 379.2426 Regulation of shark fins; penalties.—

800 (4) The prohibitions under subsection (3) do not apply to  
801 any of the following:

802 (a) The sale of shark fins by any commercial fisher  
803 ~~fisherman~~ who harvested sharks from a vessel holding a valid  
804 federal shark fishing permit on January 1, 2020.

805 Reviser's note.—Amended to conform to usage in the Florida  
806 Statutes and to the directive of the Legislature to remove  
807 gender-specific references from the Florida Statutes by s.  
808 1, ch. 93-199, Laws of Florida.

809 Section 23. Subsection (9) of section 381.925, Florida  
810 Statutes, is amended to read:

811 381.925 Cancer Center of Excellence Award.—

812 (9) The State Surgeon General shall report to the President

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813 of the Senate and the Speaker of the House of Representatives ~~by~~  
 814 ~~January 31, 2014, the status of implementing the Cancer Center~~  
 815 ~~of Excellence Award program, and by December 15 of each year~~  
 816 ~~annually thereafter~~, the number of applications received, the  
 817 number of award recipients by application cycle, a list of award  
 818 recipients, and recommendations to strengthen the Cancer Center  
 819 of Excellence Award program.

820 Reviser's note.—Amended to delete obsolete language. The Cancer  
 821 Center of Excellence Award Implementation Report was  
 822 submitted by the State Surgeon General on January 31, 2014.

823 Section 24. Effective July 1, 2021, subsection (2) of  
 824 section 393.066, Florida Statutes, as amended by section 2 of  
 825 chapter 2020-71, Laws of Florida, effective July 1, 2021, is  
 826 amended to read:

827 393.066 Community services and treatment.—

828 (2) Necessary services shall be purchased, rather than  
 829 provided directly by the agency, when the purchase of services  
 830 is more cost-efficient than providing them directly. All  
 831 purchased services must be approved by the agency. As a  
 832 condition of payment and before billing, persons or entities  
 833 under contract with the agency to provide services shall use  
 834 agency data management systems to document service provision to  
 835 clients and shall use such systems to bill for services.  
 836 Contracted persons and entities shall meet the minimum hardware  
 837 and software technical requirements established by the agency  
 838 for the use of such systems. Such persons or entities shall also  
 839 meet any requirements established by the agency for training and  
 840 professional development of staff providing direct services to  
 841 clients.

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842 Reviser's note.—Amended, effective July 1, 2021, as amended by  
 843 s. 2, ch. 2020-71, Laws of Florida, effective July 1, 2021,  
 844 to confirm the editorial insertion of the word "and" to  
 845 improve clarity.

846 Section 25. Subsections (14), (15), (16), and (18) of  
 847 section 400.462, Florida Statutes, are reordered and amended to  
 848 read:

849 400.462 Definitions.—As used in this part, the term:

850 (14)~~(15)~~ "Home health aide" means a person who is trained  
 851 or qualified, as provided by rule, and who provides hands-on  
 852 personal care, performs simple procedures as an extension of  
 853 therapy or nursing services, assists in ambulation or exercises,  
 854 assists in administering medications as permitted in rule and  
 855 for which the person has received training established by the  
 856 agency under this part, or performs tasks delegated to him or  
 857 her under chapter 464.

858 (15)~~(14)~~ "Home health services" means health and medical  
 859 services and medical supplies furnished to an individual in the  
 860 individual's home or place of residence. The term includes the  
 861 following:

- 862 (a) Nursing care.
- 863 (b) Physical, occupational, respiratory, or speech therapy.
- 864 (c) Home health aide services.
- 865 (d) Dietetics and nutrition practice and nutrition
- 866 counseling.
- 867 (e) Medical supplies, restricted to drugs and biologicals
- 868 prescribed by a physician.

869 (16)~~(18)~~ "Home infusion therapy" means the administration  
 870 of intravenous pharmacological or nutritional products to a

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871 patient in his or her home.

872 (18)~~(16)~~ "Homemaker" means a person who performs household  
873 chores that include housekeeping, meal planning and preparation,  
874 shopping assistance, and routine household activities for an  
875 elderly, handicapped, or convalescent individual. A homemaker  
876 may not provide hands-on personal care to a client.

877 Reviser's note.—Amended to conform with the alphabetical  
878 ordering of the defined terms elsewhere in the section.

879 Section 26. Effective July 1, 2021, subsection (6) of  
880 section 400.962, Florida Statutes, is amended to read:

881 400.962 License required; license application.—

882 (6) An applicant that has been granted a certificate-of-  
883 need exemption under s. 408.036(3)(n) ~~408.036(3)(e)~~ must also  
884 demonstrate and maintain compliance with the following criteria:

885 (a) The total number of beds per home within the facility  
886 may not exceed eight, with each resident having his or her own  
887 bedroom and bathroom. Each eight-bed home must be colocated on  
888 the same property with two other eight-bed homes and must serve  
889 individuals with severe maladaptive behaviors and co-occurring  
890 psychiatric diagnoses.

891 (b) A minimum of 16 beds within the facility must be  
892 designated for individuals with severe maladaptive behaviors who  
893 have been assessed using the Agency for Persons with  
894 Disabilities' Global Behavioral Service Need Matrix with a score  
895 of at least Level 4 and up to Level 6, or assessed using the  
896 criteria deemed appropriate by the Agency for Health Care  
897 Administration regarding the need for a specialized placement in  
898 an intermediate care facility for the developmentally disabled.  
899 For home and community-based Medicaid waiver clients under

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900 chapter 393, the Agency for Persons with Disabilities shall  
901 offer choice counseling to clients regarding appropriate  
902 residential placement based on the needs of the individual.

903 (c) The applicant has not had a facility license denied,  
904 revoked, or suspended within the 36 months preceding the request  
905 for exemption.

906 (d) The applicant must have at least 10 years of experience  
907 serving individuals with severe maladaptive behaviors in the  
908 state.

909 (e) The applicant must implement a state-approved staff  
910 training curriculum and monitoring requirements specific to the  
911 individuals whose behaviors require higher intensity, frequency,  
912 and duration of services.

913 (f) The applicant must make available medical and nursing  
914 services 24 hours per day, 7 days per week.

915 (g) The applicant must demonstrate a history of using  
916 interventions that are least restrictive and that follow a  
917 behavioral hierarchy.

918 (h) The applicant must maintain a policy prohibiting the  
919 use of mechanical restraints.

920 Reviser's note.—Amended effective July 1, 2021, to conform to  
921 the repeal of current paragraph (3)(l) by s. 14, ch. 2019-  
922 136, Laws of Florida, effective July 1, 2021.

923 Section 27. Subsection (4) of section 401.45, Florida  
924 Statutes, is amended to read:

925 401.45 Denial of emergency treatment; civil liability.—

926 (4) Any licensee or emergency medical technician or  
927 paramedic who in good faith provides emergency medical care or  
928 treatment within the scope of ~~their~~ employment and pursuant to

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929 oral or written instructions of a medical director shall be  
 930 deemed to be providing emergency medical care or treatment for  
 931 the purposes of s. 768.13(2)(b).  
 932 Reviser's note.—Amended to conform to the immediately preceding  
 933 context.  
 934 Section 28. Subsection (1) of section 402.402, Florida  
 935 Statutes, is amended to read:  
 936 402.402 Child protection and child welfare personnel;  
 937 attorneys employed by the department.—  
 938 (1) CHILD PROTECTIVE INVESTIGATION PROFESSIONAL STAFF  
 939 REQUIREMENTS.—The department is responsible for recruitment of  
 940 qualified professional staff to serve as child protective  
 941 investigators and child protective investigation supervisors.  
 942 The department shall make every effort to recruit and hire  
 943 persons qualified by their education and experience to perform  
 944 social work functions. The department's efforts shall be guided  
 945 by the goal that at least half of all child protective  
 946 investigators and supervisors will have a bachelor's degree or a  
 947 master's degree in social work from a college or university  
 948 social work program accredited by the Council on Social Work  
 949 Education. The department, in collaboration with the lead  
 950 agencies, subcontracted provider organizations, the Florida  
 951 Institute for Child Welfare created pursuant to s. 1004.615, and  
 952 other partners in the child welfare system, shall develop a  
 953 protocol for screening candidates for child protective positions  
 954 which reflects the preferences specified in paragraphs (a)-(c)  
 955 ~~paragraphs (a)-(f)~~. The following persons shall be given  
 956 preference in the recruitment of qualified professional staff,  
 957 but the preferences serve only as guidance and do not limit the

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958 department's discretion to select the best available candidates:  
 959 (a) Individuals with baccalaureate degrees in social work  
 960 and child protective investigation supervisors with master's  
 961 degrees in social work from a college or university social work  
 962 program accredited by the Council on Social Work Education.  
 963 (b) Individuals with baccalaureate or master's degrees in  
 964 psychology, sociology, counseling, special education, education,  
 965 human development, child development, family development,  
 966 marriage and family therapy, and nursing.  
 967 (c) Individuals with baccalaureate degrees who have a  
 968 combination of directly relevant work and volunteer experience,  
 969 preferably in a public service field related to children's  
 970 services, demonstrating critical thinking skills, formal  
 971 assessment processes, communication skills, problem solving, and  
 972 empathy; a commitment to helping children and families; a  
 973 capacity to work as part of a team; an interest in continuous  
 974 development of skills and knowledge; and personal strength and  
 975 resilience to manage competing demands and handle workplace  
 976 stresses.  
 977 Reviser's note.—Amended to confirm the editorial substitution of  
 978 a reference to paragraphs (a)-(c) for a reference to  
 979 paragraphs (a)-(f). Amendment 292200 to C.S. for S.B. 1666,  
 980 2014 Regular Session, combined the subjects of paragraphs  
 981 (d)-(f) relating to preference in recruitment of child  
 982 protective investigation professional staff in paragraph  
 983 (c) but failed to update the cross-reference in the  
 984 introductory paragraph of subsection (1). Committee  
 985 Substitute for S.B. 1666 became ch. 2014-224, Laws of  
 986 Florida.

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987 Section 29. Subsection (3) of section 403.726, Florida  
 988 Statutes, is amended to read:  
 989 403.726 Abatement of imminent hazard caused by hazardous  
 990 substance.—  
 991 (3) An imminent hazard exists if any hazardous substance  
 992 creates an immediate and substantial danger to human health,  
 993 safety, or welfare or to the environment. The department may  
 994 institute action in its own name, using the procedures and  
 995 remedies of s. 403.121 or s. 403.131, to abate an imminent  
 996 hazard. However, the department is authorized to recover a civil  
 997 penalty of not more than \$37,500 for each day of continued  
 998 violation. Whenever serious harm to human health, safety, and  
 999 welfare; the environment; or private or public property may  
 1000 occur before completion of an administrative hearing or other  
 1001 formal proceeding that ~~which~~ might be initiated to abate the  
 1002 risk of serious harm, the department may obtain, ex parte, an  
 1003 injunction without paying filing and service fees before the  
 1004 filing and service of process.  
 1005 Reviser's note.—Amended to confirm the editorial deletion of the  
 1006 word "which" to correct an apparent error.  
 1007 Section 30. Effective July 1, 2021, subsection (2) and  
 1008 paragraphs (l) and (m) of subsection (3) of section 408.036,  
 1009 Florida Statutes, as amended by s. 14, ch. 2019-136, Laws of  
 1010 Florida, effective July 1, 2021, are reenacted to read:  
 1011 408.036 Projects subject to review; exemptions.—  
 1012 (2) PROJECTS SUBJECT TO EXPEDITED REVIEW.—Unless exempt  
 1013 pursuant to subsection (3), the following projects are subject  
 1014 to expedited review:  
 1015 (a) Transfer of a certificate of need.

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1016 (b) Replacement of a nursing home, if the proposed project  
 1017 site is within a 30-mile radius of the replaced nursing home. If  
 1018 the proposed project site is outside the subdistrict where the  
 1019 replaced nursing home is located, the prior 6-month occupancy  
 1020 rate for licensed community nursing homes in the proposed  
 1021 subdistrict must be at least 85 percent in accordance with the  
 1022 agency's most recently published inventory.  
 1023 (c) Replacement of a nursing home within the same district,  
 1024 if the proposed project site is outside a 30-mile radius of the  
 1025 replaced nursing home but within the same subdistrict or a  
 1026 geographically contiguous subdistrict. If the proposed project  
 1027 site is in the geographically contiguous subdistrict, the prior  
 1028 6-month occupancy rate for licensed community nursing homes for  
 1029 that subdistrict must be at least 85 percent in accordance with  
 1030 the agency's most recently published inventory.  
 1031 (d) Relocation of a portion of a nursing home's licensed  
 1032 beds to another facility or to establish a new facility within  
 1033 the same district or within a geographically contiguous  
 1034 district, if the relocation is within a 30-mile radius of the  
 1035 existing facility and the total number of nursing home beds in  
 1036 the state does not increase.  
 1037 (e) New construction of a community nursing home in a  
 1038 retirement community as further provided in this paragraph.  
 1039 1. Expedited review under this paragraph is available if  
 1040 all of the following criteria are met:  
 1041 a. The residential use area of the retirement community is  
 1042 deed-restricted as housing for older persons as defined in s.  
 1043 760.29(4)(b).  
 1044 b. The retirement community is located in a county in which

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1045 25 percent or more of its population is age 65 and older.

1046 c. The retirement community is located in a county that has  
1047 a rate of no more than 16.1 beds per 1,000 persons age 65 years  
1048 or older. The rate shall be determined by using the current  
1049 number of licensed and approved community nursing home beds in  
1050 the county per the agency's most recent published inventory.

1051 d. The retirement community has a population of at least  
1052 8,000 residents within the county, based on a population data  
1053 source accepted by the agency.

1054 e. The number of proposed community nursing home beds in an  
1055 application does not exceed the projected bed need after  
1056 applying the rate of 16.1 beds per 1,000 persons aged 65 years  
1057 and older projected for the county 3 years into the future using  
1058 the estimates adopted by the agency reduced by the agency's most  
1059 recently published inventory of licensed and approved community  
1060 nursing home beds in the county.

1061 2. No more than 120 community nursing home beds shall be  
1062 approved for a qualified retirement community under each request  
1063 for expedited review. Subsequent requests for expedited review  
1064 under this process may not be made until 2 years after  
1065 construction of the facility has commenced or 1 year after the  
1066 beds approved through the initial request are licensed,  
1067 whichever occurs first.

1068 3. The total number of community nursing home beds which  
1069 may be approved for any single deed-restricted community  
1070 pursuant to this paragraph may not exceed 240, regardless of  
1071 whether the retirement community is located in more than one  
1072 qualifying county.

1073 4. Each nursing home facility approved under this paragraph

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1074 must be dually certified for participation in the Medicare and  
1075 Medicaid programs.

1076 5. Each nursing home facility approved under this paragraph  
1077 must be at least 1 mile, as measured over publicly owned  
1078 roadways, from an existing approved and licensed community  
1079 nursing home.

1080 6. A retirement community requesting expedited review under  
1081 this paragraph shall submit a written request to the agency for  
1082 expedited review. The request must include the number of beds to  
1083 be added and provide evidence of compliance with the criteria  
1084 specified in subparagraph 1.

1085 7. After verifying that the retirement community meets the  
1086 criteria for expedited review specified in subparagraph 1., the  
1087 agency shall publicly notice in the Florida Administrative  
1088 Register that a request for an expedited review has been  
1089 submitted by a qualifying retirement community and that the  
1090 qualifying retirement community intends to make land available  
1091 for the construction and operation of a community nursing home.  
1092 The agency's notice must identify where potential applicants can  
1093 obtain information describing the sales price of, or terms of  
1094 the land lease for, the property on which the project will be  
1095 located and the requirements established by the retirement  
1096 community. The agency notice must also specify the deadline for  
1097 submission of the certificate-of-need application, which may not  
1098 be earlier than the 91st day or later than the 125th day after  
1099 the date the notice appears in the Florida Administrative  
1100 Register.

1101 8. The qualified retirement community shall make land  
1102 available to applicants it deems to have met its requirements

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1103 for the construction and operation of a community nursing home  
 1104 but may sell or lease the land only to the applicant that is  
 1105 issued a certificate of need by the agency under this paragraph.

1106 a. A certificate-of-need application submitted under this  
 1107 paragraph must identify the intended site for the project within  
 1108 the retirement community and the anticipated costs for the  
 1109 project based on that site. The application must also include  
 1110 written evidence that the retirement community has determined  
 1111 that both the provider submitting the application and the  
 1112 project satisfy its requirements for the project.

1113 b. If the retirement community determines that more than  
 1114 one provider satisfies its requirements for the project, it may  
 1115 notify the agency of the provider it prefers.

1116 9. The agency shall review each submitted application. If  
 1117 multiple applications are submitted for a project published  
 1118 pursuant to subparagraph 7., the agency shall review the  
 1119 competing applications.

1120

1121 The agency shall develop rules to implement the expedited review  
 1122 process, including time schedule, application content that may  
 1123 be reduced from the full requirements of s. 408.037(1), and  
 1124 application processing.

1125 (3) EXEMPTIONS.—Upon request, the following projects are  
 1126 subject to exemption from subsection (1):

1127 (1) For beds in state developmental disabilities centers as  
 1128 defined in s. 393.063.

1129 (m) For the establishment of a health care facility or  
 1130 project that meets all of the following criteria:

1131 1. The applicant was previously licensed within the past 21

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1132 days as a health care facility or provider that is subject to  
 1133 subsection (1).

1134 2. The applicant failed to submit a renewal application and  
 1135 the license expired on or after January 1, 2015.

1136 3. The applicant does not have a license denial or  
 1137 revocation action pending with the agency at the time of the  
 1138 request.

1139 4. The applicant's request is for the same service type,  
 1140 district, service area, and site for which the applicant was  
 1141 previously licensed.

1142 5. The applicant's request, if applicable, includes the  
 1143 same number and type of beds as were previously licensed.

1144 6. The applicant agrees to the same conditions that were  
 1145 previously imposed on the certificate of need or on an exemption  
 1146 related to the applicant's previously licensed health care  
 1147 facility or project.

1148 7. The applicant applies for initial licensure as required  
 1149 under s. 408.806 within 21 days after the agency approves the  
 1150 exemption request. If the applicant fails to apply in a timely  
 1151 manner, the exemption expires on the 22nd day following the  
 1152 agency's approval of the exemption.

1153 Reviser's note.—Section 14, ch. 2019-136, Laws of Florida,  
 1154 purported to amend subsection (2), effective July 1, 2021,  
 1155 but did not publish paragraphs (b)-(e). Absent affirmative  
 1156 evidence of legislative intent to repeal paragraphs (b)-  
 1157 (e), subsection (2) is reenacted to confirm the omission  
 1158 was not intended. Paragraphs (3)(1) and (m) are  
 1159 redesignated from paragraphs (3)(m) and (n) to conform to  
 1160 the repeal of paragraph (3)(1), as amended by s. 14, ch.

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1161 2019-136, effective July 1, 2021; the paragraphs were  
 1162 erroneously referenced as if they were in subsection (1) by  
 1163 Amendment 485034 to C.S. for H.B. 21, 2019 Regular Session,  
 1164 which became ch. 2019-136.

1165 Section 31. Paragraph (g) of subsection (4) of section  
 1166 409.165, Florida Statutes, is amended to read:

1167 409.165 Alternate care for children.—

1168 (4) With the written consent of parents, custodians, or  
 1169 guardians, or in accordance with those provisions in chapter 39  
 1170 that relate to dependent children, the department, under rules  
 1171 properly adopted, may place a child:

1172 (g) In a subsidized independent living situation, subject  
 1173 to the provisions of s. 409.1451(4)(c),

1174  
 1175 under such conditions as are determined to be for the best  
 1176 interests or the welfare of the child. Any child placed in an  
 1177 institution or in a family home by the department or its agency  
 1178 may be removed by the department or its agency, and such other  
 1179 disposition may be made as is for the best interest of the  
 1180 child, including transfer of the child to another institution,  
 1181 another home, or the home of the child. Expenditure of funds  
 1182 appropriated for out-of-home care can be used to meet the needs  
 1183 of a child in the child's own home or the home of a relative if  
 1184 the child can be safely served in the child's own home or that  
 1185 of a relative if placement can be avoided by the expenditure of  
 1186 such funds, and if the expenditure of such funds in this manner  
 1187 is equal to or less than the cost of out-of-home placement.

1188 Reviser's note.—Amended to conform to the substantial rewording  
 1189 of s. 409.1451 by s. 8, ch. 2013-178, Laws of Florida; the

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1190 section no longer contains text that equates to material  
 1191 formerly in s. 409.1451(4)(c).

1192 Section 32. Subsection (5) of section 409.973, Florida  
 1193 Statutes, is amended to read:

1194 409.973 Benefits.—

1195 (5) PROVISION OF DENTAL SERVICES.—

1196 (a) ~~The Office of Program Policy Analysis and Government~~

1197 ~~Accountability shall provide a comprehensive report on the~~  
 1198 ~~provision of dental services under this part to the Governor,~~  
 1199 ~~the President of the Senate, and the Speaker of the House of~~  
 1200 ~~Representatives by December 1, 2016. The Office of Program~~  
 1201 ~~Policy Analysis and Government Accountability is authorized to~~  
 1202 ~~contract with an independent third party to assist in the~~  
 1203 ~~preparation of the report required by this paragraph.~~

1204 1. The report must examine the effectiveness of medical  
 1205 managed care plans in increasing patient access to dental care,  
 1206 improving dental health, achieving satisfactory outcomes for  
 1207 Medicaid recipients and the dental provider community, providing  
 1208 outreach to Medicaid recipients, and delivering value and  
 1209 transparency to the state's taxpayers regarding the dollars  
 1210 intended for, and spent on, actual dental services.  
 1211 Additionally, the report must examine, by plan and in the  
 1212 aggregate, the historical trends of rates paid to dental  
 1213 providers and to dental plan subcontractors, dental provider  
 1214 participation in plan networks, and provider willingness to  
 1215 treat Medicaid recipients. The report must also compare current  
 1216 and historical efforts and trends and the experiences of other  
 1217 states in delivering dental services, increasing patient access  
 1218 to dental care, and improving dental health.



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1219 2- The Legislature may use the findings of the Office of  
 1220 Program Policy Analysis and Government Accountability's report  
 1221 no. 16-07, December 2016, this report in setting the scope of  
 1222 minimum benefits set forth in this section for future  
 1223 procurements of eligible plans as described in s. 409.966.  
 1224 Specifically, the decision to include dental services as a  
 1225 minimum benefit under this section, or to provide Medicaid  
 1226 recipients with dental benefits separate from the Medicaid  
 1227 managed medical assistance program described in this part, may  
 1228 take into consideration the data and findings of the report.  
 1229 (b) In the event the Legislature takes no action before  
 1230 July 1, 2017, with respect to the report findings required under  
 1231 paragraph (a) subparagraph (a)2-, the agency shall implement a  
 1232 statewide Medicaid prepaid dental health program for children  
 1233 and adults with a choice of at least two licensed dental managed  
 1234 care providers who must have substantial experience in providing  
 1235 dental care to Medicaid enrollees and children eligible for  
 1236 medical assistance under Title XXI of the Social Security Act  
 1237 and who meet all agency standards and requirements. To qualify  
 1238 as a provider under the prepaid dental health program, the  
 1239 entity must be licensed as a prepaid limited health service  
 1240 organization under part I of chapter 636 or as a health  
 1241 maintenance organization under part I of chapter 641. The  
 1242 contracts for program providers shall be awarded through a  
 1243 competitive procurement process. Beginning with the contract  
 1244 procurement process initiated during the 2023 calendar year, the  
 1245 contracts must be for 6 years and may not be renewed; however,  
 1246 the agency may extend the term of a plan contract to cover  
 1247 delays during a transition to a new plan provider. The agency

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1248 shall include in the contracts a medical loss ratio provision  
 1249 consistent with s. 409.967(4). The agency is authorized to seek  
 1250 any necessary state plan amendment or federal waiver to commence  
 1251 enrollment in the Medicaid prepaid dental health program no  
 1252 later than March 1, 2019. The agency shall extend until December  
 1253 31, 2024, the term of existing plan contracts awarded pursuant  
 1254 to the invitation to negotiate published in October 2017.  
 1255 Reviser's note.—Amended to conform the fact that the referenced  
 1256 report was completed and submitted.  
 1257 Section 33. Subsection (2) of section 420.628, Florida  
 1258 Statutes, is amended to read:  
 1259 420.628 Affordable housing for children and young adults  
 1260 leaving foster care; legislative findings and intent.—  
 1261 (2) Young adults who leave the child welfare system meet  
 1262 the definition of eligible persons under ss. 420.503(17) and  
 1263 420.9071(11) ~~420.9071(10)~~ for affordable housing, and are  
 1264 encouraged to participate in federal, state, and local  
 1265 affordable housing programs. Students deemed to be eligible  
 1266 occupants under 26 U.S.C. s. 42(i)(3)(D) shall be considered  
 1267 eligible persons for purposes of all projects funded under this  
 1268 chapter.  
 1269 Reviser's note.—Amended to conform to the reordering of  
 1270 definitions in s. 420.9071 by this act.  
 1271 Section 34. Section 420.9071, Florida Statutes, is  
 1272 reordered and amended to read:  
 1273 420.9071 Definitions.—As used in ss. 420.907-420.9079, the  
 1274 term:  
 1275 (1) "Adjusted for family size" means adjusted in a manner  
 1276 that results in an income eligibility level that is lower for

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1277 households having fewer than four people, or higher for  
 1278 households having more than four people, than the base income  
 1279 eligibility determined as provided in subsection (20) ~~(19)~~,  
 1280 subsection (21) ~~(20)~~, or subsection (30) ~~(28)~~, based upon a  
 1281 formula established by the United States Department of Housing  
 1282 and Urban Development.

1283 (2) "Affordable" means that monthly rents or monthly  
 1284 mortgage payments including taxes and insurance do not exceed 30  
 1285 percent of that amount which represents the percentage of the  
 1286 median annual gross income for the households as indicated in  
 1287 subsection (20) ~~(19)~~, subsection (21) ~~(20)~~, or subsection (30)  
 1288 ~~(28)~~. However, it is not the intent to limit an individual  
 1289 household's ability to devote more than 30 percent of its income  
 1290 for housing, and housing for which a household devotes more than  
 1291 30 percent of its income shall be deemed affordable if the first  
 1292 institutional mortgage lender is satisfied that the household  
 1293 can afford mortgage payments in excess of the 30 percent  
 1294 benchmark. The term also includes housing provided by a not-for-  
 1295 profit corporation that derives at least 75 percent of its  
 1296 annual revenues from contracts or services provided to a state  
 1297 or federal agency for low-income persons and low-income  
 1298 households; that provides supportive housing for persons who  
 1299 suffer from mental health issues, substance abuse, or domestic  
 1300 violence; and that provides on-premises social and community  
 1301 support services relating to job training, life skills training,  
 1302 alcohol and substance abuse disorders, child care, and client  
 1303 case management.

1304 (3) "Affordable housing advisory committee" means the  
 1305 committee appointed by the governing body of a county or

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1306 eligible municipality for the purpose of recommending specific  
 1307 initiatives and incentives to encourage or facilitate affordable  
 1308 housing as provided in s. 420.9076.

1309 (4) "Annual gross income" means annual income as defined  
 1310 under the Section 8 housing assistance payments programs in 24  
 1311 C.F.R. part 5; annual income as reported under the census long  
 1312 form for the recent available decennial census; or adjusted  
 1313 gross income as defined for purposes of reporting under Internal  
 1314 Revenue Service Form 1040 for individual federal annual income  
 1315 tax purposes or as defined by standard practices used in the  
 1316 lending industry as detailed in the local housing assistance  
 1317 plan and approved by the corporation. Counties and eligible  
 1318 municipalities shall calculate income by annualizing verified  
 1319 sources of income for the household as the amount of income to  
 1320 be received in a household during the 12 months following the  
 1321 effective date of the determination.

1322 (5) ~~(29)~~ "Assisted housing" or "assisted housing  
 1323 development" means a rental housing development, including  
 1324 rental housing in a mixed-use development, that received or  
 1325 currently receives funding from any federal or state housing  
 1326 program.

1327 (6) ~~(5)~~ "Award" means a loan, grant, or subsidy funded  
 1328 wholly or partially by the local housing assistance trust fund.

1329 (7) ~~(6)~~ "Community-based organization" means a nonprofit  
 1330 organization that has among its purposes the provision of  
 1331 affordable housing to persons who have special needs or have  
 1332 very low income, low income, or moderate income within a  
 1333 designated area, which may include a municipality, a county, or  
 1334 more than one municipality or county, and maintains, through a

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1335 minimum of one-third representation on the organization's  
 1336 governing board, accountability to housing program beneficiaries  
 1337 and residents of the designated area.

1338 (8)~~(7)~~ "Corporation" means the Florida Housing Finance  
 1339 Corporation.

1340 (9)~~(8)~~ "Eligible housing" means any real and personal  
 1341 property located within the county or the eligible municipality  
 1342 which is designed and intended for the primary purpose of  
 1343 providing decent, safe, and sanitary residential units that are  
 1344 designed to meet the standards of the Florida Building Code or  
 1345 previous building codes adopted under chapter 553, or  
 1346 manufactured housing constructed after June 1994 and installed  
 1347 in accordance with the installation standards for mobile or  
 1348 manufactured homes contained in rules of the Department of  
 1349 Highway Safety and Motor Vehicles, for home ownership or rental  
 1350 for eligible persons as designated by each county or eligible  
 1351 municipality participating in the State Housing Initiatives  
 1352 Partnership Program.

1353 (10)~~(9)~~ "Eligible municipality" means a municipality that  
 1354 is eligible for federal community development block grant  
 1355 entitlement moneys as an entitlement community identified in 24  
 1356 C.F.R. s. 570, subpart D, Entitlement Grants, or a  
 1357 nonentitlement municipality that is receiving local housing  
 1358 distribution funds under an interlocal agreement that provides  
 1359 for possession and administrative control of funds to be  
 1360 transferred to the nonentitlement municipality. An eligible  
 1361 municipality that defers its participation in community  
 1362 development block grants does not affect its eligibility for  
 1363 participation in the State Housing Initiatives Partnership

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1364 Program.

1365 (11)~~(10)~~ "Eligible person" or "eligible household" means  
 1366 one or more natural persons or a family determined by the county  
 1367 or eligible municipality to be of very low income, low income,  
 1368 or moderate income according to the income limits adjusted to  
 1369 family size published annually by the United States Department  
 1370 of Housing and Urban Development based upon the annual gross  
 1371 income of the household.

1372 (12)~~(11)~~ "Eligible sponsor" means a person or a private or  
 1373 public for-profit or not-for-profit entity that applies for an  
 1374 award under the local housing assistance plan for the purpose of  
 1375 providing eligible housing for eligible persons.

1376 (13)~~(12)~~ "Grant" means an award from the local housing  
 1377 assistance trust fund to an eligible sponsor or eligible person  
 1378 to partially assist in the construction, rehabilitation, or  
 1379 financing of eligible housing or to provide the cost of tenant  
 1380 or ownership qualifications without requirement for repayment as  
 1381 long as the condition of award is maintained.

1382 (14)~~(13)~~ "Loan" means an award from the local housing  
 1383 assistance trust fund to an eligible sponsor or eligible person  
 1384 to partially finance the acquisition, construction, or  
 1385 rehabilitation of eligible housing with requirement for  
 1386 repayment or provision for forgiveness of repayment if the  
 1387 condition of the award is maintained.

1388 (15)~~(14)~~ "Local housing assistance plan" means a concise  
 1389 description of the local housing assistance strategies and local  
 1390 housing incentive strategies adopted by local government  
 1391 resolution with an explanation of the way in which the program  
 1392 meets the requirements of ss. 420.907-420.9079 and corporation

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1393 rule.

1394 (16)~~(15)~~ "Local housing assistance strategies" means the  
 1395 housing construction, rehabilitation, repair, or finance program  
 1396 implemented by a participating county or eligible municipality  
 1397 with the local housing distribution or other funds deposited  
 1398 into the local housing assistance trust fund.

1399 (17) "Local housing distributions" means the proceeds of  
 1400 the taxes collected under chapter 201 deposited into the Local  
 1401 Government Housing Trust Fund and distributed to counties and  
 1402 eligible municipalities participating in the State Housing  
 1403 Initiatives Partnership Program pursuant to s. 420.9073.

1404 (18)~~(16)~~ "Local housing incentive strategies" means local  
 1405 regulatory reform or incentive programs to encourage or  
 1406 facilitate affordable housing production, which include at a  
 1407 minimum, assurance that permits for affordable housing projects  
 1408 are expedited to a greater degree than other projects, as  
 1409 provided in s. 163.3177(6)(f)3.; an ongoing process for review  
 1410 of local policies, ordinances, regulations, and plan provisions  
 1411 that increase the cost of housing prior to their adoption; and a  
 1412 schedule for implementing the incentive strategies. Local  
 1413 housing incentive strategies may also include other regulatory  
 1414 reforms, such as those enumerated in s. 420.9076 or those  
 1415 recommended by the affordable housing advisory committee in its  
 1416 triennial evaluation of the implementation of affordable housing  
 1417 incentives, and adopted by the local governing body.

1418 (19)~~(18)~~ "Local housing partnership" means the  
 1419 implementation of the local housing assistance plan in a manner  
 1420 that involves the applicable county or eligible municipality,  
 1421 lending institutions, housing builders and developers, real

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1422 estate professionals, advocates for low-income persons,  
 1423 community-based housing and service organizations, and providers  
 1424 of professional services relating to affordable housing. The  
 1425 term includes initiatives to provide support services for  
 1426 housing program beneficiaries such as training to prepare  
 1427 persons for the responsibility of homeownership, counseling of  
 1428 tenants, and the establishing of support services such as day  
 1429 care, health care, and transportation.

1430 (20)~~(19)~~ "Low-income person" or "low-income household"  
 1431 means one or more natural persons or a family that has a total  
 1432 annual gross household income that does not exceed 80 percent of  
 1433 the median annual income adjusted for family size for households  
 1434 within the metropolitan statistical area, the county, or the  
 1435 nonmetropolitan median for the state, whichever amount is  
 1436 greatest. With respect to rental units, the low-income  
 1437 household's annual income at the time of initial occupancy may  
 1438 not exceed 80 percent of the area's median income adjusted for  
 1439 family size. While occupying the rental unit, a low-income  
 1440 household's annual income may increase to an amount not to  
 1441 exceed 140 percent of 80 percent of the area's median income  
 1442 adjusted for family size.

1443 (21)~~(20)~~ "Moderate-income person" or "moderate-income  
 1444 household" means one or more natural persons or a family that  
 1445 has a total annual gross household income that does not exceed  
 1446 120 percent of the median annual income adjusted for family size  
 1447 for households within the metropolitan statistical area, the  
 1448 county, or the nonmetropolitan median for the state, whichever  
 1449 is greatest. With respect to rental units, the moderate-income  
 1450 household's annual income at the time of initial occupancy may

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1451 not exceed 120 percent of the area's median income adjusted for  
 1452 family size. While occupying the rental unit, a moderate-income  
 1453 household's annual income may increase to an amount not to  
 1454 exceed 140 percent of 120 percent of the area's median income  
 1455 adjusted for family size.

1456 (22)~~(21)~~ "Personal property" means major appliances,  
 1457 including a freestanding refrigerator or stove, to be identified  
 1458 on the encumbering documents.

1459 (23)~~(22)~~ "Plan amendment" means the addition or deletion of  
 1460 a local housing assistance strategy or local housing incentive  
 1461 strategy. Plan amendments must at all times maintain consistency  
 1462 with program requirements and must be submitted to the  
 1463 corporation for review pursuant to s. 420.9072(3). Technical or  
 1464 clarifying revisions may not be considered plan amendments but  
 1465 must be transmitted to the corporation for purposes of  
 1466 notification.

1467 (24)~~(23)~~ "Population" means the latest official state  
 1468 estimate of population certified pursuant to s. 186.901 prior to  
 1469 the beginning of the state fiscal year.

1470 (25)~~(30)~~ "Preservation" means actions taken to keep rents  
 1471 in existing assisted housing affordable for extremely-low-  
 1472 income, very-low-income, low-income, and moderate-income  
 1473 households while ensuring that the property stays in good  
 1474 physical and financial condition for an extended period.

1475 (26)~~(24)~~ "Program income" means the proceeds derived from  
 1476 interest earned on or investment of the local housing  
 1477 distribution and other funds deposited into the local housing  
 1478 assistance trust fund, proceeds from loan repayments, recycled  
 1479 funds, and all other income derived from use of funds deposited

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1480 in the local housing assistance trust fund. It does not include  
 1481 recaptured funds as defined in subsection (27) ~~(25)~~.

1482 (27)~~(25)~~ "Recaptured funds" means funds that are recouped  
 1483 by a county or eligible municipality in accordance with the  
 1484 recapture provisions of its local housing assistance plan  
 1485 pursuant to s. 420.9075(5)(j) from eligible persons or eligible  
 1486 sponsors, which funds were not used for assistance to an  
 1487 eligible household for an eligible activity, when there is a  
 1488 default on the terms of a grant award or loan award.

1489 (28)~~(26)~~ "Rent subsidies" means ongoing monthly rental  
 1490 assistance.

1491 (29)~~(27)~~ "Sales price" or "value" means, in the case of  
 1492 acquisition of an existing or newly constructed unit, the amount  
 1493 on the executed sales contract. For eligible persons who are  
 1494 building a unit on land that they own, the sales price is  
 1495 determined by an appraisal performed by a state-certified  
 1496 appraiser. The appraisal must include the value of the land and  
 1497 the improvements using the after-construction value of the  
 1498 property and must be dated within 12 months of the date  
 1499 construction is to commence. The sales price of any unit must  
 1500 include the value of the land in order to qualify as eligible  
 1501 housing as defined in subsection (9) ~~(8)~~. In the case of  
 1502 rehabilitation or emergency repair of an existing unit that does  
 1503 not create additional living space, sales price or value means  
 1504 the value of the real property, as determined by an appraisal  
 1505 performed by a state-certified appraiser and dated within 12  
 1506 months of the date construction is to commence or the assessed  
 1507 value of the real property as determined by the county property  
 1508 appraiser. In the case of rehabilitation of an existing unit

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that includes the addition of new living space, sales price or value means the value of the real property, as determined by an appraisal performed by a state-certified appraiser and dated within 12 months of the date construction is to commence or the assessed value of the real property as determined by the county property appraiser, plus the cost of the improvements in either case.

~~(30)-(28)~~ "Very-low-income person" or "very-low-income household" means one or more natural persons or a family that has a total annual gross household income that does not exceed 50 percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the county, or the nonmetropolitan median for the state, whichever is greatest. With respect to rental units, the very-low-income household's annual income at the time of initial occupancy may not exceed 50 percent of the area's median income adjusted for family size. While occupying the rental unit, a very-low-income household's annual income may increase to an amount not to exceed 140 percent of 50 percent of the area's median income adjusted for family size.

Reviser's note.—Amended to conform with the alphabetic ordering of the defined terms elsewhere in the section, and to conform internal cross-references to the reordering.

Section 35. Subsection (2) of section 420.9072, Florida Statutes, is amended to read:

420.9072 State Housing Initiatives Partnership Program.—The State Housing Initiatives Partnership Program is created for the purpose of providing funds to counties and eligible municipalities as an incentive for the creation of local housing

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partnerships, to expand production of and preserve affordable housing, to further the housing element of the local government comprehensive plan specific to affordable housing, and to increase housing-related employment.

(2) (a) To be eligible to receive funds under the program, a county or eligible municipality must:

1. Submit to the corporation its local housing assistance plan describing the local housing assistance strategies established pursuant to s. 420.9075;

2. Within 12 months after adopting the local housing assistance plan, amend the plan to incorporate the local housing incentive strategies defined in s. 420.9071(18) ~~420.9071(16)~~ and described in s. 420.9076; and

3. Within 24 months after adopting the amended local housing assistance plan to incorporate the local housing incentive strategies, amend its land development regulations or establish local policies and procedures, as necessary, to implement the local housing incentive strategies adopted by the local governing body. A county or an eligible municipality that has adopted a housing incentive strategy pursuant to s. 420.9076 before the effective date of this act shall review the status of implementation of the plan according to its adopted schedule for implementation and report its findings in the annual report required by s. 420.9075(10). If, as a result of the review, a county or an eligible municipality determines that the implementation is complete and in accordance with its schedule, no further action is necessary. If a county or an eligible municipality determines that implementation according to its schedule is not complete, it must amend its land development

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1567 regulations or establish local policies and procedures, as  
 1568 necessary, to implement the housing incentive plan within 12  
 1569 months after the effective date of this act, or if extenuating  
 1570 circumstances prevent implementation within 12 months, pursuant  
 1571 to s. 420.9075(13), enter into an extension agreement with the  
 1572 corporation.

1573 (b) A county or an eligible municipality seeking approval  
 1574 to receive its share of the local housing distribution must  
 1575 adopt an ordinance containing the following provisions:

1576 1. Creation of a local housing assistance trust fund as  
 1577 described in s. 420.9075(6).

1578 2. Adoption by resolution of a local housing assistance  
 1579 plan as defined in s. 420.9071(15) ~~420.9071(14)~~ to be  
 1580 implemented through a local housing partnership as defined in s.  
 1581 420.9071(19) ~~420.9071(18)~~.

1582 3. Designation of the responsibility for the administration  
 1583 of the local housing assistance plan. Such ordinance may also  
 1584 provide for the contracting of all or part of the administrative  
 1585 or other functions of the program to a third person or entity.

1586 4. Creation of the affordable housing advisory committee as  
 1587 provided in s. 420.9076.

1588 The ordinance must not take effect until at least 30 days after  
 1589 the date of formal adoption. Ordinances in effect prior to the  
 1590 effective date of amendments to this section shall be amended as  
 1591 needed to conform to new provisions.

1592 Reviser's note.—Amended to conform to the reordering of  
 1593 definitions in s. 420.9071 by this act.

1594 Section 36. Paragraph (n) of subsection (5) of section  
 1595

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1596 420.9075, Florida Statutes, is amended to read:

1597 420.9075 Local housing assistance plans; partnerships.—

1598 (5) The following criteria apply to awards made to eligible  
 1599 sponsors or eligible persons for the purpose of providing  
 1600 eligible housing:

1601 (n) Funds from the local housing distribution not used to  
 1602 meet the criteria established in paragraph (a) or paragraph (c)  
 1603 or not used for the administration of a local housing assistance  
 1604 plan must be used for housing production and finance activities,  
 1605 including, but not limited to, financing preconstruction  
 1606 activities or the purchase of existing units, providing rental  
 1607 housing, and providing home ownership training to prospective  
 1608 home buyers and owners of homes assisted through the local  
 1609 housing assistance plan.

1610 1. Notwithstanding the provisions of paragraphs (a) and  
 1611 (c), program income as defined in s. 420.9071(26) ~~420.9071(24)~~  
 1612 may also be used to fund activities described in this paragraph.

1613 2. When preconstruction due-diligence activities conducted  
 1614 as part of a preservation strategy show that preservation of the  
 1615 units is not feasible and will not result in the production of  
 1616 an eligible unit, such costs shall be deemed a program expense  
 1617 rather than an administrative expense if such program expenses  
 1618 do not exceed 3 percent of the annual local housing  
 1619 distribution.

1620 3. If both an award under the local housing assistance plan  
 1621 and federal low-income housing tax credits are used to assist a  
 1622 project and there is a conflict between the criteria prescribed  
 1623 in this subsection and the requirements of s. 42 of the Internal  
 1624 Revenue Code of 1986, as amended, the county or eligible

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1625 municipality may resolve the conflict by giving precedence to  
 1626 the requirements of s. 42 of the Internal Revenue Code of 1986,  
 1627 as amended, in lieu of following the criteria prescribed in this  
 1628 subsection with the exception of paragraphs (a) and (g) of this  
 1629 subsection.

1630 4. Each county and each eligible municipality may award  
 1631 funds as a grant for construction, rehabilitation, or repair as  
 1632 part of disaster recovery or emergency repairs or to remedy  
 1633 accessibility or health and safety deficiencies. Any other  
 1634 grants must be approved as part of the local housing assistance  
 1635 plan.

1636 Reviser's note.—Amended to conform to the reordering of  
 1637 definitions in s. 420.9071 by this act.

1638 Section 37. Subsections (1) and (6) of section 420.9076,  
 1639 Florida Statutes, are amended to read:

1640 420.9076 Adoption of affordable housing incentive  
 1641 strategies; committees.—

1642 (1) Each county or eligible municipality participating in  
 1643 the State Housing Initiatives Partnership Program, including a  
 1644 municipality receiving program funds through the county, or an  
 1645 eligible municipality must, within 12 months after the original  
 1646 adoption of the local housing assistance plan, amend the plan to  
 1647 include local housing incentive strategies as defined in s.  
 1648 420.9071(18) ~~420.9071(16)~~.

1649 (6) Within 90 days after the date of receipt of the  
 1650 evaluation and local housing incentive strategies  
 1651 recommendations from the advisory committee, the governing body  
 1652 of the appointing local government shall adopt an amendment to  
 1653 its local housing assistance plan to incorporate the local

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1654 housing incentive strategies it will implement within its  
 1655 jurisdiction. The amendment must include, at a minimum, the  
 1656 local housing incentive strategies required under s.  
 1657 420.9071(18) ~~420.9071(16)~~. The local government must consider  
 1658 the strategies specified in paragraphs (4)(a)-(k) as recommended  
 1659 by the advisory committee.

1660 Reviser's note.—Amended to conform to the reordering of  
 1661 definitions in s. 420.9071 by this act.

1662 Section 38. Subsections (6) and (7) of section 429.02,  
 1663 Florida Statutes, are reordered and amended to read:

1664 429.02 Definitions.—When used in this part, the term:  
 1665 ~~(7)(6)~~ "Chemical restraint" means a pharmacologic drug that  
 1666 physically limits, restricts, or deprives an individual of  
 1667 movement or mobility, and is used for discipline or convenience  
 1668 and not required for the treatment of medical symptoms.

1669 ~~(6)(7)~~ "Assistive device" means any device designed or  
 1670 adapted to help a resident perform an action, a task, an  
 1671 activity of daily living, or a transfer; prevent a fall; or  
 1672 recover from a fall. The term does not include a total body lift  
 1673 or a motorized sit-to-stand lift, with the exception of a chair  
 1674 lift or recliner lift that a resident is able to operate  
 1675 independently.

1676 Reviser's note.—Amended to conform with the alphabetic ordering  
 1677 of the defined terms elsewhere in the section.

1678 Section 39. Paragraphs (o) and (p) of subsection (3) of  
 1679 section 456.053, Florida Statutes, are reordered and amended, to  
 1680 read:

1681 456.053 Financial arrangements between referring health  
 1682 care providers and providers of health care services.—



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1683 (3) DEFINITIONS.—For the purpose of this section, the word,  
1684 phrase, or term:

1685 (p)~~(e)~~ "Referral" means any referral of a patient by a  
1686 health care provider for health care services, including,  
1687 without limitation:

1688 1. The forwarding of a patient by a health care provider to  
1689 another health care provider or to an entity which provides or  
1690 supplies designated health services or any other health care  
1691 item or service; or

1692 2. The request or establishment of a plan of care by a  
1693 health care provider, which includes the provision of designated  
1694 health services or other health care item or service.

1695 3. The following orders, recommendations, or plans of care  
1696 shall not constitute a referral by a health care provider:

1697 a. By a radiologist for diagnostic-imaging services.

1698 b. By a physician specializing in the provision of  
1699 radiation therapy services for such services.

1700 c. By a medical oncologist for drugs and solutions to be  
1701 prepared and administered intravenously to such oncologist's  
1702 patient, as well as for the supplies and equipment used in  
1703 connection therewith to treat such patient for cancer and the  
1704 complications thereof.

1705 d. By a cardiologist for cardiac catheterization services.

1706 e. By a pathologist for diagnostic clinical laboratory  
1707 tests and pathological examination services, if furnished by or  
1708 under the supervision of such pathologist pursuant to a  
1709 consultation requested by another physician.

1710 f. By a health care provider who is the sole provider or  
1711 member of a group practice for designated health services or

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1712 other health care items or services that are prescribed or  
1713 provided solely for such referring health care provider's or  
1714 group practice's own patients, and that are provided or  
1715 performed by or under the direct supervision of such referring  
1716 health care provider or group practice; provided, however, a  
1717 physician licensed pursuant to chapter 458, chapter 459, chapter  
1718 460, or chapter 461 or an advanced practice registered nurse  
1719 registered under s. 464.0123 may refer a patient to a sole  
1720 provider or group practice for diagnostic imaging services,  
1721 excluding radiation therapy services, for which the sole  
1722 provider or group practice billed both the technical and the  
1723 professional fee for or on behalf of the patient, if the  
1724 referring physician or advanced practice registered nurse  
1725 registered under s. 464.0123 has no investment interest in the  
1726 practice. The diagnostic imaging service referred to a group  
1727 practice or sole provider must be a diagnostic imaging service  
1728 normally provided within the scope of practice to the patients  
1729 of the group practice or sole provider. The group practice or  
1730 sole provider may accept no more than 15 percent of their  
1731 patients receiving diagnostic imaging services from outside  
1732 referrals, excluding radiation therapy services. However, the 15  
1733 percent limitation of this sub-subparagraph and the requirements  
1734 of subparagraph (4)(a)2. do not apply to a group practice entity  
1735 that owns an accountable care organization or an entity  
1736 operating under an advanced alternative payment model according  
1737 to federal regulations if such entity provides diagnostic  
1738 imaging services and has more than 30,000 patients enrolled per  
1739 year.

1740 g. By a health care provider for services provided by an

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1741 ambulatory surgical center licensed under chapter 395.  
 1742 h. By a urologist for lithotripsy services.  
 1743 i. By a dentist for dental services performed by an  
 1744 employee of or health care provider who is an independent  
 1745 contractor with the dentist or group practice of which the  
 1746 dentist is a member.  
 1747 j. By a physician for infusion therapy services to a  
 1748 patient of that physician or a member of that physician's group  
 1749 practice.  
 1750 k. By a nephrologist for renal dialysis services and  
 1751 supplies, except laboratory services.  
 1752 l. By a health care provider whose principal professional  
 1753 practice consists of treating patients in their private  
 1754 residences for services to be rendered in such private  
 1755 residences, except for services rendered by a home health agency  
 1756 licensed under chapter 400. For purposes of this sub-  
 1757 subparagraph, the term "private residences" includes patients'  
 1758 private homes, independent living centers, and assisted living  
 1759 facilities, but does not include skilled nursing facilities.  
 1760 m. By a health care provider for sleep-related testing.  
 1761 (o) ~~(p)~~ "Present in the office suite" means that the  
 1762 physician is actually physically present; provided, however,  
 1763 that the health care provider is considered physically present  
 1764 during brief unexpected absences as well as during routine  
 1765 absences of a short duration if the absences occur during time  
 1766 periods in which the health care provider is otherwise scheduled  
 1767 and ordinarily expected to be present and the absences do not  
 1768 conflict with any other requirement in the Medicare program for  
 1769 a particular level of health care provider supervision.

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1770 Reviser's note.—Amended to conform with the alphabetic ordering  
 1771 of the defined terms elsewhere in the section.  
 1772 Section 40. Subsection (16) of section 481.203, Florida  
 1773 Statutes, is amended to read:  
 1774 481.203 Definitions.—As used in this part, the term:  
 1775 (16) "Townhouse" means ~~is~~ a single-family dwelling unit not  
 1776 exceeding three stories in height which is constructed in a  
 1777 series or group of attached units with property lines separating  
 1778 such units. Each townhouse shall be considered a separate  
 1779 building and shall be separated from adjoining townhouses by the  
 1780 use of separate exterior walls meeting the requirements for zero  
 1781 clearance from property lines as required by the type of  
 1782 construction and fire protection requirements; or shall be  
 1783 separated by a party wall; or may be separated by a single wall  
 1784 meeting the following requirements:  
 1785 (a) Such wall shall provide not less than 2 hours of fire  
 1786 resistance. Plumbing, piping, ducts, or electrical or other  
 1787 building services shall not be installed within or through the  
 1788 2-hour wall unless such materials and methods of penetration  
 1789 have been tested in accordance with the Standard Building Code.  
 1790 (b) Such wall shall extend from the foundation to the  
 1791 underside of the roof sheathing, and the underside of the roof  
 1792 shall have at least 1 hour of fire resistance for a width not  
 1793 less than 4 feet on each side of the wall.  
 1794 (c) Each dwelling unit sharing such wall shall be designed  
 1795 and constructed to maintain its structural integrity independent  
 1796 of the unit on the opposite side of the wall.  
 1797 Reviser's note.—Amended to conform to context.  
 1798 Section 41. Subsection (3) of section 552.30, Florida

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1799 Statutes, is amended to read:

1800 552.30 Construction materials mining activities.—

1801 ~~(3) The State Fire Marshal is directed to conduct or~~  
 1802 ~~contract for a study to review whether the established statewide~~  
 1803 ~~ground vibration limits for construction materials mining~~  
 1804 ~~activities are still appropriate and to review any legitimate~~  
 1805 ~~claims paid for damages caused by such mining activities. The~~  
 1806 ~~study must include a review of measured vibration amplitudes and~~  
 1807 ~~frequencies, structure responses, theoretical analyses of~~  
 1808 ~~material strength and strains, and assessments of home damages.~~

1809 ~~(a) The study shall be funded using the specified portion~~  
 1810 ~~of revenues received from the water treatment plant upgrade fee~~  
 1811 ~~pursuant to s. 373.41492.~~

1812 ~~(b) The State Fire Marshal shall submit a report to the~~  
 1813 ~~Governor, the President of the Senate, and the Speaker of the~~  
 1814 ~~House of Representatives by December 1, 2016, which contains the~~  
 1815 ~~findings of the study and any recommendations.~~

1816 Reviser's note.—Amended to delete an obsolete provision. The  
 1817 final study was submitted to the Division of State Fire  
 1818 Marshal in July 2018.

1819 Section 42. Subsection (8) of section 556.102, Florida  
 1820 Statutes, is amended to read:

1821 556.102 Definitions.—As used in this act:

1822 (8) "High-priority subsurface installation" means an  
 1823 underground gas transmission or gas distribution pipeline, or an  
 1824 underground pipeline used to transport gasoline, jet fuel, or  
 1825 any other refined petroleum product or hazardous or highly  
 1826 volatile liquid, such as anhydrous ammonia or carbon dioxide, if  
 1827 the pipeline is deemed to be critical by the operator of the

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1828 pipeline and is identified as a high-priority subsurface  
 1829 installation to an excavator who has provided a notice of intent  
 1830 to excavate under ~~to~~ s. 556.105(1), or would have been  
 1831 identified as a high-priority subsurface installation except for  
 1832 the excavator's failure to give proper notice of intent to  
 1833 excavate.

1834 Reviser's note.—Amended to confirm the editorial deletion of the  
 1835 word "to" to improve clarity.

1836 Section 43. Subsection (6) of section 624.307, Florida  
 1837 Statutes, is amended to read:

1838 624.307 General powers; duties.—

1839 (6) The department and office may each employ actuaries who  
 1840 shall be at-will employees and who shall serve at the pleasure  
 1841 of the Chief Financial Officer, in the case of department  
 1842 employees, or at the pleasure of the director of the office, in  
 1843 the case of office employees. Actuaries employed pursuant to  
 1844 this paragraph shall be members of the Society of Actuaries or  
 1845 the Casualty Actuarial Society and shall be exempt from the  
 1846 Career Service System established under chapter 110. The  
 1847 salaries of the actuaries employed pursuant to this paragraph  
 1848 ~~shall be set in accordance with s. 216.251(2)(a)5. and~~ shall be  
 1849 set at levels which are commensurate with salary levels paid to  
 1850 actuaries by the insurance industry.

1851 Reviser's note.—Amended to conform to the fact that s.

1852 216.251(2)(a)5. was redesignated as s. 216.251(2)(a)6. by  
 1853 s. 67, ch. 92-142, Laws of Florida, and subsequently  
 1854 repealed by s. 36, ch. 2005-152, Laws of Florida.

1855 Section 44. Paragraphs (d) and (e) of subsection (2) of  
 1856 section 624.5105, Florida Statutes, are amended to read:

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1857 624.5105 Community contribution tax credit; authorization;  
 1858 limitations; eligibility and application requirements;  
 1859 administration; definitions; expiration.—

1860 (2) ELIGIBILITY REQUIREMENTS.—

1861 (d) The project shall be located in an area that was  
 1862 designated as an enterprise zone pursuant to chapter 290 as of  
 1863 May 1, 2015, or a Front Porch Florida Community. Any project  
 1864 designed to provide housing opportunities for persons with  
 1865 special needs as defined in s. 420.0004 or to construct or  
 1866 rehabilitate housing for low-income or very-low-income  
 1867 households as defined in s. 420.9071(20) and (30) ~~420.9071(19)~~  
 1868 ~~and (28)~~ is exempt from the area requirement of this paragraph.

1869 (e)1. If, during the first 10 business days of the state  
 1870 fiscal year, eligible tax credit applications for projects that  
 1871 provide housing opportunities for persons with special needs as  
 1872 defined in s. 420.0004 or homeownership opportunities for low-  
 1873 income or very-low-income households as defined in s.  
 1874 420.9071(20) and (30) ~~420.9071(19) and (28)~~ are received for  
 1875 less than the annual tax credits available for those projects,  
 1876 the Department of Economic Opportunity shall grant tax credits  
 1877 for those applications and shall grant remaining tax credits on  
 1878 a first-come, first-served basis for any subsequent eligible  
 1879 applications received before the end of the state fiscal year.  
 1880 If, during the first 10 business days of the state fiscal year,  
 1881 eligible tax credit applications for projects that provide  
 1882 housing opportunities for persons with special needs as defined  
 1883 in s. 420.0004 or homeownership opportunities for low-income or  
 1884 very-low-income households as defined in s. 420.9071(20) and  
 1885 (30) ~~420.9071(19) and (28)~~ are received for more than the annual

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1886 tax credits available for those projects, the Department of  
 1887 Economic Opportunity shall grant the tax credits for those  
 1888 applications as follows:

1889 a. If tax credit applications submitted for approved  
 1890 projects of an eligible sponsor do not exceed \$200,000 in total,  
 1891 the credits shall be granted in full if the tax credit  
 1892 applications are approved.

1893 b. If tax credit applications submitted for approved  
 1894 projects of an eligible sponsor exceed \$200,000 in total, the  
 1895 amount of tax credits granted under sub-subparagraph a. shall be  
 1896 subtracted from the amount of available tax credits, and the  
 1897 remaining credits shall be granted to each approved tax credit  
 1898 application on a pro rata basis.

1899 2. If, during the first 10 business days of the state  
 1900 fiscal year, eligible tax credit applications for projects other  
 1901 than those that provide housing opportunities for persons with  
 1902 special needs as defined in s. 420.0004 or homeownership  
 1903 opportunities for low-income or very-low-income households as  
 1904 defined in s. 420.9071(20) and (30) ~~420.9071(19) and (28)~~ are  
 1905 received for less than the annual tax credits available for  
 1906 those projects, the Department of Economic Opportunity shall  
 1907 grant tax credits for those applications and shall grant  
 1908 remaining tax credits on a first-come, first-served basis for  
 1909 any subsequent eligible applications received before the end of  
 1910 the state fiscal year. If, during the first 10 business days of  
 1911 the state fiscal year, eligible tax credit applications for  
 1912 projects other than those that provide housing opportunities for  
 1913 persons with special needs as defined in s. 420.0004 or  
 1914 homeownership opportunities for low-income or very-low-income

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1915 households as defined in s. 420.9071(20) and (30) ~~420.9071(19)~~  
 1916 ~~and (28)~~ are received for more than the annual tax credits  
 1917 available for those projects, the Department of Economic  
 1918 Opportunity shall grant the tax credits for those applications  
 1919 on a pro rata basis.  
 1920 Reviser's note.—Amended to conform to the reordering of  
 1921 definitions in s. 420.9071 by this act.  
 1922 Section 45. Section 625.091, Florida Statutes, is amended  
 1923 to read:  
 1924 625.091 Losses and loss adjustment expense reserves;  
 1925 liability insurance and workers' compensation insurance.—The  
 1926 reserve liabilities recorded in the insurer's annual statement  
 1927 and financial statements for unpaid ~~u~~ losses and loss adjustment  
 1928 expenses shall be the estimated value of its claims when  
 1929 ultimately settled and shall be computed as follows:  
 1930 (1) For all liability and workers' compensation claims, the  
 1931 statement and statutory reserves and loss adjustment expenses  
 1932 shall be in accordance with the form of the annual statement as  
 1933 required in s. 624.424, and shall include the computed,  
 1934 determined, or estimated value of the unpaid reported claims and  
 1935 loss adjustment expenses, allocated and unallocated, and a  
 1936 provision for loss and loss adjustment expenses, allocated and  
 1937 unallocated, that are incurred but not reported. For claims  
 1938 under liability policies, the reserve for reported claims shall  
 1939 not be less than \$1,000 for each outstanding liability suit.  
 1940 (2) (a) Workers' compensation tabular reserves and long-term  
 1941 disability claims including death claims may be reserved at the  
 1942 present value at 4 percent interest of the determined and the  
 1943 estimated future payments.

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1944 (b) If workers' compensation reserves are discounted in  
 1945 accordance with paragraph (a), discounted loss and loss expense  
 1946 reserves shall be used in the computation of excess statutory  
 1947 reserves over statement reserves.  
 1948 (3) Structured settlements may be used to reduce reserves  
 1949 if:  
 1950 (a) There is the purchase of an annuity by the insurer to  
 1951 fund future payments that are fixed or determined by settlement  
 1952 provisions or statutes wherein the claimant is the payee, the  
 1953 transaction may be treated as a paid claim and the reserve taken  
 1954 down accordingly. The appropriate disclosure of the contingent  
 1955 liability for such amount must be disclosed in notes to the  
 1956 financial statements of the annual statement; or  
 1957 (b) The insurer assigns the obligation to make periodic  
 1958 payments to a third party and obtains a full and complete  
 1959 release from the claimant, the claim may be treated as a paid  
 1960 claim without additional disclosure.  
 1961 (4) (a) Accounting credit for anticipated recoveries from  
 1962 the Special Disability Trust Fund may only be taken in the  
 1963 determination of loss reserves and may not be reflected on the  
 1964 financial statements in any manner other than that allowed  
 1965 pursuant to this subsection.  
 1966 (b) An insurer may only take accounting credit for  
 1967 anticipated recoveries from the Special Disability Trust Fund  
 1968 for each proof of claim which the fund has reviewed, determined  
 1969 to be a valid claim and so notified the carrier, and extended a  
 1970 payment offer; or a reimbursement request audited and approved  
 1971 for payment or paid by the fund.  
 1972 (c) 1. Each insurer shall separately identify anticipated

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1973 recoveries from the Special Disability Trust Fund on the annual  
 1974 statement required to be filed pursuant to s. 624.424.

1975 2. For all financial statements filed with the office, each  
 1976 insurer shall disclose in the notes to the financial statements  
 1977 of any financial statement required to be filed pursuant to s.  
 1978 624.424 any credit in loss reserves taken for anticipated  
 1979 recoveries from the Special Disability Trust Fund. That  
 1980 disclosure shall include:

1981 a. The amount of credit taken by the insurer in the  
 1982 determination of its loss reserves for the prior calendar year  
 1983 and the current reporting period on a year-to-date basis.

1984 b. The amount of payments received by the insurer from the  
 1985 Special Disability Trust Fund during the prior calendar year and  
 1986 the year-to-date recoveries for the current year.

1987 c. The amount the insurer was assessed by the Special  
 1988 Disability Trust Fund during the prior calendar year and during  
 1989 the current calendar year.

1990 Reviser's note.—Amended to confirm the editorial substitution of  
 1991 the word "unpaid" for the letter "u" to correct a drafting  
 1992 error.

1993 Section 46. Paragraph (e) of subsection (2) of section  
 1994 627.6387, Florida Statutes, is amended to read:

1995 627.6387 Shared savings incentive program.—

1996 (2) As used in this section, the term:

1997 (e) "Shoppable health care service" means a lower-cost,  
 1998 high-quality nonemergency health care service for which a shared  
 1999 savings incentive is available for insureds under a health  
 2000 insurer's shared savings incentive program. Shoppable health  
 2001 care services may be provided within or outside this state and

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2002 include, but are not limited to:

2003 1. Clinical laboratory services.

2004 2. Infusion therapy.

2005 3. Inpatient and outpatient surgical procedures.

2006 4. Obstetrical and gynecological services.

2007 5. Inpatient and outpatient nonsurgical diagnostic tests  
 2008 and procedures.

2009 6. Physical and occupational therapy services.

2010 7. Radiology and imaging services.

2011 8. Prescription drugs.

2012 9. Services provided through telehealth.

2013 10. Any additional services published by the Agency for  
 2014 Health Care Administration that have the most significant price  
 2015 variation pursuant to s. 408.05(3)(m) ~~408.05(3)(1)~~.

2016 Reviser's note.—Amended to confirm the editorial substitution of  
 2017 the reference to s. 408.05(3)(m) for a reference to s.  
 2018 408.05(3)(1) as added by s. 52, ch. 2020-156, Laws of  
 2019 Florida, to conform to the redesignation of paragraphs  
 2020 within subsection (3) by s. 3, ch. 2020-134, Laws of  
 2021 Florida.

2022 Section 47. Paragraph (e) of subsection (2) of section  
 2023 627.6648, Florida Statutes, is amended to read:

2024 627.6648 Shared savings incentive program.—

2025 (2) As used in this section, the term:

2026 (e) "Shoppable health care service" means a lower-cost,  
 2027 high-quality nonemergency health care service for which a shared  
 2028 savings incentive is available for insureds under a health  
 2029 insurer's shared savings incentive program. Shoppable health  
 2030 care services may be provided within or outside this state and

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2031 include, but are not limited to:

2032 1. Clinical laboratory services.

2033 2. Infusion therapy.

2034 3. Inpatient and outpatient surgical procedures.

2035 4. Obstetrical and gynecological services.

2036 5. Inpatient and outpatient nonsurgical diagnostic tests

2037 and procedures.

2038 6. Physical and occupational therapy services.

2039 7. Radiology and imaging services.

2040 8. Prescription drugs.

2041 9. Services provided through telehealth.

2042 10. Any additional services published by the Agency for

2043 Health Care Administration that have the most significant price

2044 variation pursuant to s. 408.05(3)(m) ~~408.05(3)(l)~~.

2045 Reviser's note.—Amended to confirm the editorial substitution of

2046 the reference to s. 408.05(3)(m) for a reference to s.

2047 408.05(3)(l) as added by s. 52, ch. 2020-156, Laws of

2048 Florida, to conform to the redesignation of paragraphs

2049 within subsection (3) by s. 3, ch. 2020-134, Laws of

2050 Florida.

2051 Section 48. Subsections (5) through (8) of section 631.54,

2052 Florida Statutes, are renumbered as subsections (6) through (9),

2053 respectively, and present subsection (9) is amended to read:

2054 631.54 Definitions.—As used in this part:

2055 (5)(9) "Direct written premiums" means direct gross

2056 premiums written in this state on insurance policies to which

2057 this part applies, less return premiums thereon on such direct

2058 business. The term does not include premiums on contracts

2059 between insurers or reinsurers.

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2060 Reviser's note.—Amended to conform with the alphabetic ordering

2061 of the defined terms elsewhere in the section.

2062 Section 49. Paragraph (e) of subsection (2) of section

2063 641.31076, Florida Statutes, is amended to read:

2064 641.31076 Shared savings incentive program.—

2065 (2) As used in this section, the term:

2066 (e) "Shoppable health care service" means a lower-cost,

2067 high-quality nonemergency health care service for which a shared

2068 savings incentive is available for subscribers under a health

2069 maintenance organization's shared savings incentive program.

2070 Shoppable health care services may be provided within or outside

2071 this state and include, but are not limited to:

2072 1. Clinical laboratory services.

2073 2. Infusion therapy.

2074 3. Inpatient and outpatient surgical procedures.

2075 4. Obstetrical and gynecological services.

2076 5. Inpatient and outpatient nonsurgical diagnostic tests

2077 and procedures.

2078 6. Physical and occupational therapy services.

2079 7. Radiology and imaging services.

2080 8. Prescription drugs.

2081 9. Services provided through telehealth.

2082 10. Any additional services published by the Agency for

2083 Health Care Administration that have the most significant price

2084 variation pursuant to s. 408.05(3)(m) ~~408.05(3)(l)~~.

2085 Reviser's note.—Amended to confirm the editorial substitution of

2086 a reference to s. 408.05(3)(m) for a reference to s.

2087 408.05(3)(l) to conform to the redesignation of s.

2088 408.05(3)(l) as added by s. 52, ch. 2020-156, Laws of

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2089 Florida, to conform to the redesignation of paragraphs  
 2090 within subsection (3) by s. 3, ch. 2020-134, Laws of  
 2091 Florida.  
 2092 Section 50. Paragraph (c) of subsection (9) of section  
 2093 647.02, Florida Statutes, is amended to read:  
 2094 647.02 Definitions.—As used in this chapter, the term:  
 2095 (9) "Travel administrator" means a person who directly or  
 2096 indirectly underwrites policies for; collects charges,  
 2097 collateral, or premiums from; or adjusts or settles claims made  
 2098 by residents of this state in connection with travel insurance,  
 2099 except that a person is not considered a travel administrator if  
 2100 the person is:  
 2101 (c) A travel retailer, as defined in s. 626.321(1)(c)2.,  
 2102 offering and disseminating travel insurance and registered under  
 2103 the license of a limited lines travel insurance producer in  
 2104 accordance with s. 626.321(1)(c);  
 2105 Reviser's note.—Amended to confirm the editorial insertion of  
 2106 the word "in" to improve clarity.  
 2107 Section 51. Paragraph (a) of subsection (3) of section  
 2108 647.05, Florida Statutes, is amended to read:  
 2109 647.05 Sales practices.—  
 2110 (3) If a consumer's destination jurisdiction requires  
 2111 insurance coverage, it is not an unfair trade practice to  
 2112 require that the consumer choose between the following options  
 2113 as a condition of purchasing a trip or travel package:  
 2114 (a) Purchasing the coverage required by the destination  
 2115 jurisdiction through the travel retailer, as defined in s.  
 2116 626.321(1)(c)2., or limited lines travel insurance producer  
 2117 supplying the trip or travel package; or

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2118 Reviser's note.—Amended to confirm the editorial insertion of  
 2119 the word "in" to improve clarity.  
 2120 Section 52. Paragraph (h) of subsection (4) of section  
 2121 723.079, Florida Statutes, is amended to read:  
 2122 723.079 Powers and duties of homeowners' association.—  
 2123 (4) The association shall maintain the following items,  
 2124 when applicable, which constitute the official records of the  
 2125 association:  
 2126 (h) The financial and accounting records of the  
 2127 association, kept according to good accounting practices. All  
 2128 financial and accounting records must be maintained within this  
 2129 state for ~~a~~ at least 5 years. The financial and accounting  
 2130 records must include:  
 2131 1. Accurate, itemized, and detailed records of all receipts  
 2132 and expenditures.  
 2133 2. A current account and a periodic statement of the  
 2134 account for each member, designating the name and current  
 2135 address of each member who is obligated to pay dues or  
 2136 assessments, the due date and amount of each assessment or other  
 2137 charge against the member, the date and amount of each payment  
 2138 on the account, and the balance due.  
 2139 3. All tax returns, financial statements, and financial  
 2140 reports of the association.  
 2141 4. Any other records that identify, measure, record, or  
 2142 communicate financial information.  
 2143 Reviser's note.—Amended to confirm the editorial deletion of the  
 2144 word "a" to improve clarity.  
 2145 Section 53. Paragraph (a) of subsection (4) of section  
 2146 784.046, Florida Statutes, is amended to read:

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2147 784.046 Action by victim of repeat violence, sexual  
 2148 violence, or dating violence for protective injunction; dating  
 2149 violence investigations, notice to victims, and reporting;  
 2150 pretrial release violations; public records exemption.—

2151 (4) (a) The sworn petition shall allege the incidents of  
 2152 repeat violence, sexual violence, or dating violence and shall  
 2153 include the specific facts and circumstances that form the basis  
 2154 upon which relief is sought. With respect to a minor child who  
 2155 is living at home, the parent or legal guardian seeking the  
 2156 protective injunction on behalf of the minor child must:

2157 1. Have been an eyewitness to, or have direct physical  
 2158 evidence or affidavits from eyewitnesses of, the specific facts  
 2159 and circumstances that form the basis upon which relief is  
 2160 sought, if the party against whom the protective injunction is  
 2161 sought is also a parent, stepparent, or legal guardian of the  
 2162 minor child; or

2163 2. Have reasonable cause to believe that the minor child is  
 2164 a victim of repeat violence, sexual violence, or dating violence  
 2165 to form the basis upon which relief is sought, if the party  
 2166 against whom the protective injunction is sought is a person  
 2167 other than a parent, stepparent, or legal guardian of the minor  
 2168 child.

2169 Reviser's note.—Amended to correct an editorial error made  
 2170 during the compilation of the 2005 Florida Statutes.

2171 Section 54. Paragraph (b) of subsection (1) of section  
 2172 943.059, Florida Statutes, is amended to read:

2173 943.059 Court-ordered sealing of criminal history records.—

2174 (1) ELIGIBILITY.—A person is eligible to petition a court  
 2175 to seal a criminal history record when:

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2176 (b) The person has never, before the date the application  
 2177 for a certificate of eligibility is filed, been adjudicated  
 2178 guilty in this state of a criminal offense, or been adjudicated  
 2179 delinquent in this state for committing any felony or any of the  
 2180 following misdemeanor offenses, unless the record of such  
 2181 adjudication of delinquency has been expunged pursuant to s.  
 2182 943.0515:

2183 1. Assault, as defined in s. 784.011;

2184 2. Battery, as defined in s. 784.03;

2185 3. Assault on a law enforcement officer, a firefighter, or  
 2186 other specified officers, as defined in s. 784.07(2)(a);

2187 4. Carrying a concealed weapon, as defined in s. 790.01(1);

2188 5. Open carrying of a weapon, as defined in s. 790.053;

2189 6. Unlawful possession or discharge of a weapon or firearm  
 2190 at a school-sponsored event or on school property, as defined in  
 2191 s. 790.115;

2192 7. Unlawful use of destructive devices or bombs, as defined  
 2193 in s. 790.1615(1);

2194 8. Unlawful possession of a firearm by a minor, as defined  
 2195 in s. 790.22(5);

2196 9. Exposure of sexual organs, as defined in s. 800.03;

2197 10. Arson, as defined in s. 806.031(1);

2198 11. Petit theft, as defined in s. 812.014(3);

2199 12. Neglect of a child, as defined in s. 827.03(1)(e); or

2200 13. Cruelty to animals, as defined in s. 828.12(1)

2201 ~~828.12(10)~~.

2202 Reviser's note.—Amended to correct an erroneous cross-reference.

2203 Section 828.12 does not contain a subsection (10);

2204 subsection (1) describes cruelty to animals.

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2205 Section 55. Subsection (2) of section 960.28, Florida  
 2206 Statutes, is amended to read:  
 2207 960.28 Payment for victims' initial forensic physical  
 2208 examinations.—  
 2209 (2) The Crime Victims' Services Office of the department  
 2210 shall pay for medical expenses connected with an initial  
 2211 forensic physical examination of a victim of sexual battery as  
 2212 defined in chapter 794 or a lewd or lascivious offense as  
 2213 defined in chapter 800. Such payment shall be made regardless of  
 2214 whether the victim is covered by health or disability insurance  
 2215 and whether the victim participates in the criminal justice  
 2216 system or cooperates with law enforcement. The payment shall be  
 2217 made only out of moneys allocated to the Crime Victims' Services  
 2218 Office for the purposes of this section, and the payment may not  
 2219 exceed \$1,000 with respect to any violation. The department  
 2220 shall develop and maintain separate protocols for the initial  
 2221 forensic physical examination of adults and children. Payment  
 2222 under this section is limited to medical expenses connected with  
 2223 the initial forensic physical examination, and payment may be  
 2224 made to a medical provider using an examiner qualified under  
 2225 part I of chapter 464, excluding s. 464.003(15) ~~464.003(14)~~;  
 2226 chapter 458; or chapter 459. Payment made to the medical  
 2227 provider by the department shall be considered by the provider  
 2228 as payment in full for the initial forensic physical examination  
 2229 associated with the collection of evidence. The victim may not  
 2230 be required to pay, directly or indirectly, the cost of an  
 2231 initial forensic physical examination performed in accordance  
 2232 with this section.  
 2233 Reviser's note.—Amended to conform to the redesignation of s.

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2234 464.003(14) as s. 464.003(15) by s. 22, ch. 2020-9, Laws of  
 2235 Florida.  
 2236 Section 56. Paragraph (c) of subsection (2) of section  
 2237 1004.6499, Florida Statutes, is amended to read:  
 2238 1004.6499 Florida Institute of Politics.—  
 2239 (2) The goals of the institute are to:  
 2240 (c) Nurture a greater awareness of and passion for public  
 2241 service and politics.  
 2242 Reviser's note.—Amended to confirm the editorial insertion of  
 2243 the word "of" to improve clarity.  
 2244 Section 57. Subsection (4) of section 1007.33, Florida  
 2245 Statutes, is amended to read:  
 2246 1007.33 Site-determined baccalaureate degree access.—  
 2247 (4) A Florida College System institution may:  
 2248 (a) Offer specified baccalaureate degree programs through  
 2249 formal agreements between the Florida College System institution  
 2250 and other regionally accredited postsecondary educational  
 2251 institutions pursuant to s. 1007.22.  
 2252 (b) Offer baccalaureate degree programs that were  
 2253 authorized by law prior to July 1, 2009.  
 2254 (c) ~~Beginning July 1, 2009,~~ Establish a first or subsequent  
 2255 baccalaureate degree program for purposes of meeting district,  
 2256 regional, or statewide workforce needs if approved by the State  
 2257 Board of Education under this section.  
 2258 ~~Beginning July 1, 2009,~~ The Board of Trustees of St. Petersburg  
 2259 College is authorized to establish one or more bachelor of  
 2260 applied science degree programs based on an analysis of  
 2261 workforce needs in Pinellas, Pasco, and Hernando Counties and  
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2263 other counties approved by the Department of Education. For each  
 2264 program selected, St. Petersburg College must offer a related  
 2265 associate in science or associate in applied science degree  
 2266 program, and the baccalaureate degree level program must be  
 2267 designed to articulate fully with at least one associate in  
 2268 science degree program. The college is encouraged to develop  
 2269 articulation agreements for enrollment of graduates of related  
 2270 associate in applied science degree programs. The Board of  
 2271 Trustees of St. Petersburg College is authorized to establish  
 2272 additional baccalaureate degree programs if it determines a  
 2273 program is warranted and feasible based on each of the factors  
 2274 in paragraph (5) (d). ~~However, the Board of Trustees of St.~~  
 2275 ~~Petersburg College may not establish any new baccalaureate~~  
 2276 ~~degree programs from March 31, 2014, through May 31, 2015.~~ Prior  
 2277 to developing or proposing a new baccalaureate degree program,  
 2278 St. Petersburg College shall engage in need, demand, and impact  
 2279 discussions with the state university in its service district  
 2280 and other local and regional, accredited postsecondary providers  
 2281 in its region. Documentation, data, and other information from  
 2282 inter-institutional discussions regarding program need, demand,  
 2283 and impact shall be provided to the college's board of trustees  
 2284 to inform the program approval process. Employment at St.  
 2285 Petersburg College is governed by the same laws that govern  
 2286 Florida College System institutions, except that upper-division  
 2287 faculty are eligible for continuing contracts upon the  
 2288 completion of the fifth year of teaching. Employee records for  
 2289 all personnel shall be maintained as required by s. 1012.81.  
 2290 Reviser's note.—Amended to delete obsolete language.  
 2291 Section 58. Paragraph (b) of subsection (16) of section

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2292 1009.24, Florida Statutes, is amended to read:  
 2293 1009.24 State university student fees.—  
 2294 (16) Each university board of trustees may establish a  
 2295 tuition differential for undergraduate courses upon receipt of  
 2296 approval from the Board of Governors. However, beginning July 1,  
 2297 2014, the Board of Governors may only approve the establishment  
 2298 of or an increase in tuition differential for a state research  
 2299 university designated as a preeminent state research university  
 2300 pursuant to s. 1001.7065(3). The tuition differential shall  
 2301 promote improvements in the quality of undergraduate education  
 2302 and shall provide financial aid to undergraduate students who  
 2303 exhibit financial need.  
 2304 (b) Each tuition differential is subject to the following  
 2305 conditions:  
 2306 1. The tuition differential may be assessed on one or more  
 2307 undergraduate courses or on all undergraduate courses at a state  
 2308 university.  
 2309 2. The tuition differential may vary by course or courses,  
 2310 by campus or center location, and by institution. Each  
 2311 university board of trustees shall strive to maintain and  
 2312 increase enrollment in degree programs related to math, science,  
 2313 high technology, and other state or regional high-need fields  
 2314 when establishing tuition differentials by course.  
 2315 3. For each state university that is designated as a  
 2316 preeminent state research university by the Board of Governors,  
 2317 pursuant to s. 1001.7065, the aggregate sum of tuition and the  
 2318 tuition differential may be increased by no more than 6 percent  
 2319 of the total charged for the aggregate sum of these fees in the  
 2320 preceding fiscal year. The tuition differential may be increased

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2321 if the university meets or exceeds performance standard targets  
 2322 for that university established annually by the Board of  
 2323 Governors for the following performance standards, amounting to  
 2324 no more than a 2-percent increase in the tuition differential  
 2325 for each performance standard:

2326 a. An increase in the 4-year graduation rate for full-time,  
 2327 first-time-in-college students, as reported annually to the  
 2328 Integrated Postsecondary Education Data System.

2329 b. An increase in the total annual research expenditures.

2330 c. An increase in the total patents awarded by the United  
 2331 States Patent and Trademark Office for the most recent years.

2332 4. The aggregate sum of undergraduate tuition and fees per  
 2333 credit hour, including the tuition differential, may not exceed  
 2334 the national average of undergraduate tuition and fees at 4-year  
 2335 degree-granting public postsecondary educational institutions.

2336 5. Beneficiaries having prepaid tuition contracts pursuant  
 2337 to s. 1009.98(2)(b) which were in effect on July 1, 2007, and  
 2338 which remain in effect, are exempt from the payment of the  
 2339 tuition differential.

2340 6. The tuition differential may not be charged to any  
 2341 student who was in attendance at the university before July 1,  
 2342 2007, and who maintains continuous enrollment.

2343 7. The tuition differential may be waived by the university  
 2344 for students who meet the eligibility requirements for the  
 2345 Florida Public Student Assistance Grant Program established in  
 2346 s. 1009.50.

2347 8. Subject to approval by the Board of Governors, the  
 2348 tuition differential authorized pursuant to this subsection may  
 2349 take effect with the 2009 fall term.

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2350 Reviser's note.—Amended to confirm the editorial insertion of  
 2351 the word "Program" to conform to the full name of the  
 2352 program.

2353 Section 59. Paragraph (a) of subsection (4) of section  
 2354 1009.50, Florida Statutes, is amended to read:  
 2355 1009.50 Florida Public Student Assistance Grant Program;  
 2356 eligibility for grants.—

2357 (4)(a) The funds appropriated for the Florida Public  
 2358 Student Assistance Grant Program shall be distributed to  
 2359 eligible institutions in accordance with a formula approved by  
 2360 the State Board of Education. The formula must consider at least  
 2361 the prior year's distribution of funds, the number of eligible  
 2362 applicants who did not receive awards, the standardization of  
 2363 the expected family contribution, and provisions for unused  
 2364 funds. The formula must account for changes in the number of  
 2365 eligible students across all student assistance grant programs  
 2366 established pursuant to this section and ss. 1009.505, 1009.51,  
 2367 and 1009.52.

2368 Reviser's note.—Amended to confirm the editorial insertion of  
 2369 the word "Program" to conform to the full name of the  
 2370 program.

2371 Section 60. Paragraph (a) of subsection (4) of section  
 2372 1009.51, Florida Statutes, is amended to read:  
 2373 1009.51 Florida Private Student Assistance Grant Program;  
 2374 eligibility for grants.—

2375 (4)(a) The funds appropriated for the Florida Private  
 2376 Student Assistance Grant Program shall be distributed to  
 2377 eligible institutions in accordance with a formula approved by  
 2378 the State Board of Education. The formula must consider at least

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the prior year's distribution of funds, the number of eligible applicants who did not receive awards, the standardization of the expected family contribution, and provisions for unused funds. The formula must account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.50, 1009.505, and 1009.52.

Reviser's note.—Amended to confirm the editorial insertion of the word "Program" to conform to the full name of the program.

Section 61. Paragraph (a) of subsection (4) of section 1009.52, Florida Statutes, is amended to read:

1009.52 Florida Postsecondary Student Assistance Grant Program; eligibility for grants.—

(4) (a) The funds appropriated for the Florida Postsecondary Student Assistance Grant Program shall be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula must consider at least the prior year's distribution of funds, the number of eligible applicants who did not receive awards, the standardization of the expected family contribution, and provisions for unused funds. The formula must account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.50, 1009.505, and 1009.51.

Reviser's note.—Amended to confirm the editorial insertion of the word "Program" to conform to the full name of the program.

Section 62. Paragraph (a) of subsection (1) of section

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1009.65, Florida Statutes, is amended to read:

1009.65 Medical Education Reimbursement and Loan Repayment Program.—

(1) To encourage qualified medical professionals to practice in underserved locations where there are shortages of such personnel, there is established the Medical Education Reimbursement and Loan Repayment Program. The function of the program is to make payments that offset loans and educational expenses incurred by students for studies leading to a medical or nursing degree, medical or nursing licensure, or advanced practice registered nurse licensure or physician assistant licensure. The following licensed or certified health care professionals are eligible to participate in this program:

(a) Medical doctors with primary care specialties, doctors of osteopathic medicine with primary care specialties, physician assistants, licensed practical nurses and registered nurses, and advanced practice registered nurses with primary care specialties such as certified nurse midwives. Primary care medical specialties for physicians include obstetrics, gynecology, general and family practice, internal medicine, pediatrics, and other specialties which may be identified by the Department of Health. From the funds available, the Department of Health shall make payments as follows:

1. Up to \$4,000 per year for licensed practical nurses and registered nurses, up to \$10,000 per year for advanced practice registered nurses and physician assistants, and up to \$20,000 per year for physicians. Penalties for noncompliance shall be the same as those in the National Health Services Corps Loan Repayment Program. Educational expenses include costs for

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2437 tuition, matriculation, registration, books, laboratory and  
 2438 other fees, other educational costs, and reasonable living  
 2439 expenses as determined by the Department of Health.

2440 2. All payments are contingent on continued proof of  
 2441 primary care practice in an area defined in s. 395.602(2)(b), or  
 2442 an underserved area designated by the Department of Health,  
 2443 provided the practitioner accepts Medicaid reimbursement if  
 2444 eligible for such reimbursement. Correctional facilities, state  
 2445 hospitals, and other state institutions that employ medical  
 2446 personnel shall be designated by the Department of Health as  
 2447 underserved locations. Locations with high incidences of infant  
 2448 mortality, high morbidity, or low Medicaid participation by  
 2449 health care professionals may be designated as underserved.

2450 Reviser's note.—Amended to confirm the editorial reinsertion of  
 2451 the word "and" to correct a scrivener's error in Committee  
 2452 Substitute for Committee Substitute for H.B. 607, as second  
 2453 engrossed; Committee Substitute for Committee Substitute  
 2454 for H.B. 607 became ch. 2020-9, Laws of Florida.

2455 Section 63. Paragraph (a) of subsection (9) of section  
 2456 1009.986, Florida Statutes, is amended to read:

2457 1009.986 Florida ABLE program.—

2458 (9) REPORTS.—

2459 ~~(a) On or before November 1, 2015, Florida ABLE, Inc.,~~  
 2460 ~~shall prepare a report on the status of the establishment of the~~  
 2461 ~~Florida ABLE program by Florida ABLE, Inc. The report must also~~  
 2462 ~~include, if warranted, recommendations for statutory changes to~~  
 2463 ~~enhance the effectiveness and efficiency of the program. Florida~~  
 2464 ~~ABLE, Inc., shall submit copies of the report to the Governor,~~  
 2465 ~~the President of the Senate, and the Speaker of the House of~~

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2466 ~~Representatives.~~

2467 Reviser's note.—Amended to delete an obsolete provision.

2468 Section 64. Paragraph (b) of subsection (8) and paragraphs  
 2469 (a) and (c) of subsection (17) of section 1011.62, Florida  
 2470 Statutes, are amended to read:

2471 1011.62 Funds for operation of schools.—If the annual  
 2472 allocation from the Florida Education Finance Program to each  
 2473 district for operation of schools is not determined in the  
 2474 annual appropriations act or the substantive bill implementing  
 2475 the annual appropriations act, it shall be determined as  
 2476 follows:

2477 (8) DECLINE IN FULL-TIME EQUIVALENT STUDENTS.—

2478 (b) The allocation authorized in ~~this~~ paragraph (a) is  
 2479 suspended for the 2020-2021 fiscal year and does not apply  
 2480 during such fiscal year. This paragraph expires July 1, 2021.

2481 (17) FUNDING COMPRESSION AND HOLD HARMLESS ALLOCATION.—The  
 2482 Legislature may provide an annual funding compression and hold  
 2483 harmless allocation in the General Appropriations Act. The  
 2484 allocation is created to provide additional funding to school  
 2485 districts if the school district's total funds per FTE in the  
 2486 prior year were less than the statewide average or if the school  
 2487 district's district cost differential in the current year is  
 2488 less than the prior year. The total allocation shall be  
 2489 distributed to eligible school districts as follows:

2490 (a) Using the most recent prior year FEFP calculation for  
 2491 each eligible school district, subtract the total school  
 2492 district funds per FTE from the state average funds per FTE, not  
 2493 including any adjustments made pursuant to paragraph (19)(b)  
 2494 ~~(18)(b)~~. The resulting funds per FTE difference, or a portion

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thereof, as designated in the General Appropriations Act, shall then be multiplied by the school district's total unweighted FTE.

(c) Add the amounts calculated in paragraphs (a) ~~(b)~~ and (b) ~~(e)~~ and if the amount is greater than the amount included in the General Appropriations Act, the allocation shall be prorated to the appropriation amount based on each participating school district's share. This subsection expires July 1, 2021.

Reviser's note.—Paragraph (8) (b) is amended to confirm the editorial deletion of the word "this" to provide clarity. Paragraph (17) (a) is amended to confirm the editorial substitution of a reference to paragraph (19) (b) for a reference to paragraph (18) (b) to conform to the redesignation of subsections by s. 15, ch. 2019-23, Laws of Florida. Paragraph (17) (c) is amended to confirm the editorial substitution of a reference to paragraphs (a) and (b) for a reference to paragraphs (b) and (c) to conform to the redesignation of paragraphs by the editors.

Section 65. Except as otherwise expressly provided in this act, this act shall take effect on the 60th day after adjournment sine die of the session of the Legislature in which enacted.

**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 Rules

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BILL: SB 310

INTRODUCER: Senator Passidomo

SUBJECT: Florida Statutes

DATE: February 16, 2021

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

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Pollitz (DLR)	Phelps	RC	<b>Favorable</b>

---

## **I. Summary:**

The Division of Law Revision of the Office of Legislative Services is required, by statute, to conduct a systematic and continuing study of the Florida Statutes. The purpose of this study is to recommend to the Legislature changes that will remove inconsistencies, redundancies, and unnecessary repetition from the statutes; improve clarity and facilitate correct interpretation; correct grammatical and typographical errors; and delete obsolete, repealed, or superseded provisions. These recommendations are submitted to the Legislature in the form of technical, nonsubstantive reviser's bills. A reviser's bill cannot be amended except to delete a bill section.

This bill deletes statutes provisions that have been repealed by a noncurrent (past-year) session of the Legislature where that repeal or expiration date has now occurred, rendering the provision of no effect (an example would be a repeal set for October 1, 2020, by the 2019 Regular Session of the Legislature).

This bill substantially amends, creates, or repeals the following sections of the Florida Statutes: amends ss. 119.071, 216.181, 311.101, 316.306, 339.2818, 381.986, 383.14, 464.012, 1002.3105, 1002.394, 1003.4282, and 1003.5716, F.S.; repeals ss. 267.0618 and 466.00673, F.S.

## **II. Present Situation:**

The Division of Law Revision, under the authority and requirements of s. 11.242(5)(b) and (i), Florida Statutes, must remove repealed statutory provisions from the statutes text where the repeal was voted by the Legislature sitting in the current year; sections effectively repealed but where that repeal was passed by a past-year session of the Legislature can only be omitted from the statutes text through a reviser's bill pursuant to s. 11.242(5)(i).

## **III. Effect of Proposed Changes:**

This bill will delete sections that have already been repealed by the Legislature by substantive legislation that the Division of Law Revision could not remove from the statutes text without the required inclusion in a reviser's bill.



**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:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: ss. 119.071, 216.181, 311.101, 316.306, 339.2818, 381.986, 383.14, 464.012, 1002.3105, 1002.394, 1003.4282, and 1003.5716, F.S.

This bill creates the following sections of the Florida Statutes: None.

This bill repeals the following sections of the Florida Statutes: ss. 267.0618 and 466.00673, F.S.

**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.

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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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By Senator Passidomo

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1 A reviser's bill to be entitled  
 2 An act relating to the Florida Statutes; repealing ss.  
 3 119.071(5)(k), 216.181(11)(e), 267.0618, 311.101(7),  
 4 339.2818(8), 464.012(8), 466.00673, 1002.394(15), and  
 5 1003.4282(9), F.S., and amending ss. 316.306, 381.986,  
 6 and 383.14, F.S., to delete provisions which have  
 7 become inoperative by noncurrent repeal or expiration  
 8 and, pursuant to s. 11.242(5)(b) and (i), F.S., may be  
 9 omitted from the 2021 Florida Statutes only through a  
 10 reviser's bill duly enacted by the Legislature;  
 11 amending ss. 1002.3105 and 1003.5716, F.S., to conform  
 12 to the repeal of s. 1003.4282(9), F.S., by this act;  
 13 providing an effective date.

14  
 15 Be It Enacted by the Legislature of the State of Florida:

16  
 17 Section 1. Paragraph (k) of subsection (5) of section  
 18 119.071, Florida Statutes, is repealed.

19 Reviser's note.—The cited paragraph, which relates to an  
 20 exemption from s. 119.07(1) and s. 24(a), Art. I of the  
 21 State Constitution, for identification and location  
 22 information held by an agency if a servicemember submits a  
 23 specified request and statement to the agency, expired  
 24 pursuant to its own terms, effective October 2, 2020.

25 Section 2. Paragraph (e) of subsection (11) of section  
 26 216.181, Florida Statutes, is repealed.

27 Reviser's note.—The cited paragraph, which provides that, for  
 28 the 2019-2020 fiscal year only, the Legislative Budget  
 29 Commission may increase the amounts appropriated to the

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30 Department of Environmental Protection for fixed capital  
 31 outlay projects using funds provided from a specified  
 32 environmental mitigation trust, expired pursuant to its own  
 33 terms, effective July 1, 2020.

34 Section 3. Section 267.0618, Florida Statutes, is repealed.  
 35 Reviser's note.—The cited section, which relates to the Women's  
 36 Suffrage Centennial Commission, expired pursuant to its own  
 37 terms, effective December 31, 2020.

38 Section 4. Subsection (7) of section 311.101, Florida  
 39 Statutes, is repealed.

40 Reviser's note.—The cited subsection, which relates to at least  
 41 \$5 million per year being made available from the State  
 42 Transportation Trust Fund for the Intermodal Logistics  
 43 Center Infrastructure Support Program, expired pursuant to  
 44 its own terms, effective July 1, 2020.

45 Section 5. Paragraph (a) of subsection (3) of section  
 46 316.306, Florida Statutes, is amended to read:

47 316.306 School and work zones; prohibition on the use of a  
 48 wireless communications device in a handheld manner.—

49 (3)(a)1. A person may not operate a motor vehicle while  
 50 using a wireless communications device in a handheld manner in a  
 51 designated school crossing, school zone, or work zone area as  
 52 defined in s. 316.003(105). This subparagraph shall only be  
 53 applicable to work zone areas if construction personnel are  
 54 present or are operating equipment on the road or immediately  
 55 adjacent to the work zone area. For the purposes of this  
 56 paragraph, a motor vehicle that is stationary is not being  
 57 operated and is not subject to the prohibition in this  
 58 paragraph.

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~~2.a. During the period from October 1, 2019, through December 31, 2019, a law enforcement officer may stop motor vehicles to issue verbal or written warnings to persons who are in violation of subparagraph 1. for the purposes of informing and educating such persons of this section. This subparagraph shall stand repealed on October 1, 2020.~~

~~b.~~ Effective January 1, 2020, a law enforcement officer may stop motor vehicles and issue citations to persons who are driving while using a wireless communications device in a handheld manner in violation of subparagraph 1.

Reviser's note.—Amended to conform to the repeal of subparagraph 2.a. pursuant to its own terms, effective October 1, 2020.

Section 6. Subsection (8) of section 339.2818, Florida Statutes, is repealed.

Reviser's note.—The cited subsection, which provides that a county or a municipality within a county designated in Federal Emergency Management Agency disaster declaration DR-4399 may compete for additional project funding, expired pursuant to its own terms, effective July 1, 2020.

Section 7. Paragraph (a) of subsection (8) of section 381.986, Florida Statutes, is amended to read:

381.986 Medical use of marijuana.—

(8) MEDICAL MARIJUANA TREATMENT CENTERS.—

(a) The department shall license medical marijuana treatment centers to ensure reasonable statewide accessibility and availability as necessary for qualified patients registered in the medical marijuana use registry and who are issued a physician certification under this section.

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1. As soon as practicable, but no later than July 3, 2017, the department shall license as a medical marijuana treatment center any entity that holds an active, unrestricted license to cultivate, process, transport, and dispense low-THC cannabis, medical cannabis, and cannabis delivery devices, under former s. 381.986, Florida Statutes 2016, before July 1, 2017, and which meets the requirements of this section. In addition to the authority granted under this section, these entities are authorized to dispense low-THC cannabis, medical cannabis, and cannabis delivery devices ordered pursuant to former s. 381.986, Florida Statutes 2016, which were entered into the compassionate use registry before July 1, 2017, and are authorized to begin dispensing marijuana under this section on July 3, 2017. The department may grant variances from the representations made in such an entity's original application for approval under former s. 381.986, Florida Statutes 2014, pursuant to paragraph (e).

2. The department shall license as medical marijuana treatment centers 10 applicants that meet the requirements of this section, under the following parameters:

a. As soon as practicable, but no later than August 1, 2017, the department shall license any applicant whose application was reviewed, evaluated, and scored by the department and which was denied a dispensing organization license by the department under former s. 381.986, Florida Statutes 2014; which had one or more administrative or judicial challenges pending as of January 1, 2017, or had a final ranking within one point of the highest final ranking in its region under former s. 381.986, Florida Statutes 2014; which meets the requirements of this section; and which provides documentation

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to the department that it has the existing infrastructure and technical and technological ability to begin cultivating marijuana within 30 days after registration as a medical marijuana treatment center.

b. As soon as practicable, the department shall license one applicant that is a recognized class member of *Pigford v. Glickman*, 185 F.R.D. 82 (D.D.C. 1999), or *In Re Black Farmers Litig.*, 856 F. Supp. 2d 1 (D.D.C. 2011). An applicant licensed under this sub-subparagraph is exempt from the requirement of subparagraph (b)2.

c. As soon as practicable, but no later than October 3, 2017, the department shall license applicants that meet the requirements of this section in sufficient numbers to result in 10 total licenses issued under this subparagraph, while accounting for the number of licenses issued under sub-subparagraphs a. and b.

3. For up to two of the licenses issued under subparagraph 2., the department shall give preference to applicants that demonstrate in their applications that they own one or more facilities that are, or were, used for the canning, concentrating, or otherwise processing of citrus fruit or citrus molasses and will use or convert the facility or facilities for the processing of marijuana.

4. Within 6 months after the registration of 100,000 active qualified patients in the medical marijuana use registry, the department shall license four additional medical marijuana treatment centers that meet the requirements of this section. Thereafter, the department shall license four medical marijuana treatment centers within 6 months after the registration of each

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additional 100,000 active qualified patients in the medical marijuana use registry that meet the requirements of this section.

~~5. Dispensing facilities are subject to the following requirements:~~

~~a. A medical marijuana treatment center may not establish or operate more than a statewide maximum of 25 dispensing facilities, unless the medical marijuana use registry reaches a total of 100,000 active registered qualified patients. When the medical marijuana use registry reaches 100,000 active registered qualified patients, and then upon each further instance of the total active registered qualified patients increasing by 100,000, the statewide maximum number of dispensing facilities that each licensed medical marijuana treatment center may establish and operate increases by five.~~

~~b. A medical marijuana treatment center may not establish more than the maximum number of dispensing facilities allowed in each of the Northwest, Northeast, Central, Southwest, and Southeast Regions. The department shall determine a medical marijuana treatment center's maximum number of dispensing facilities allowed in each region by calculating the percentage of the total statewide population contained within that region and multiplying that percentage by the medical marijuana treatment center's statewide maximum number of dispensing facilities established under sub-subparagraph a., rounded to the nearest whole number. The department shall ensure that such rounding does not cause a medical marijuana treatment center's total number of statewide dispensing facilities to exceed its statewide maximum. The department shall initially calculate the~~

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175 ~~maximum number of dispensing facilities allowed in each region~~  
 176 ~~for each medical marijuana treatment center using county~~  
 177 ~~population estimates from the Florida Estimates of Population~~  
 178 ~~2016, as published by the Office of Economic and Demographic~~  
 179 ~~Research, and shall perform recalculations following the~~  
 180 ~~official release of county population data resulting from each~~  
 181 ~~United States Decennial Census. For the purposes of this~~  
 182 ~~subparagraph:~~

183 ~~(I) The Northwest Region consists of Bay, Calhoun,~~  
 184 ~~Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson,~~  
 185 ~~Leon, Liberty, Madison, Okaloosa, Santa Rosa, Taylor, Wakulla,~~  
 186 ~~Walton, and Washington Counties.~~

187 ~~(II) The Northeast Region consists of Alachua, Baker,~~  
 188 ~~Bradford, Clay, Columbia, Dixie, Duval, Flagler, Gilchrist,~~  
 189 ~~Hamilton, Lafayette, Levy, Marion, Nassau, Putnam, St. Johns,~~  
 190 ~~Suwannee, and Union Counties.~~

191 ~~(III) The Central Region consists of Brevard, Citrus,~~  
 192 ~~Hardee, Hernando, Indian River, Lake, Orange, Osceola, Pasco,~~  
 193 ~~Pinellas, Polk, Seminole, St. Lucie, Sumter, and Volusia~~  
 194 ~~Counties.~~

195 ~~(IV) The Southwest Region consists of Charlotte, Collier,~~  
 196 ~~DeSoto, Glades, Hendry, Highlands, Hillsborough, Lee, Manatee,~~  
 197 ~~Okeechobee, and Sarasota Counties.~~

198 ~~(V) The Southeast Region consists of Broward, Miami-Dade,~~  
 199 ~~Martin, Monroe, and Palm Beach Counties.~~

200 ~~e. If a medical marijuana treatment center establishes a~~  
 201 ~~number of dispensing facilities within a region that is less~~  
 202 ~~than the number allowed for that region under sub-subparagraph~~  
 203 ~~b., the medical marijuana treatment center may sell one or more~~

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204 ~~of its unused dispensing facility slots to other licensed~~  
 205 ~~medical marijuana treatment centers. For each dispensing~~  
 206 ~~facility slot that a medical marijuana treatment center sells,~~  
 207 ~~that medical marijuana treatment center's statewide maximum~~  
 208 ~~number of dispensing facilities, as determined under sub-~~  
 209 ~~paragraph a., is reduced by one. The statewide maximum number~~  
 210 ~~of dispensing facilities for a medical marijuana treatment~~  
 211 ~~center that purchases an unused dispensing facility slot is~~  
 212 ~~increased by one per slot purchased. Additionally, the sale of a~~  
 213 ~~dispensing facility slot shall reduce the seller's regional~~  
 214 ~~maximum and increase the purchaser's regional maximum number of~~  
 215 ~~dispensing facilities, as determined in sub-subparagraph b., by~~  
 216 ~~one for that region. For any slot purchased under this sub-~~  
 217 ~~paragraph, the regional restriction applied to that slot's~~  
 218 ~~location under sub-subparagraph b. before the purchase shall~~  
 219 ~~remain in effect following the purchase. A medical marijuana~~  
 220 ~~treatment center that sells or purchases a dispensing facility~~  
 221 ~~slot must notify the department within 3 days of sale.~~

222 ~~d. This subparagraph shall expire on April 1, 2020.~~

223  
 224 ~~If this subparagraph or its application to any person or~~  
 225 ~~circumstance is held invalid, the invalidity does not affect~~  
 226 ~~other provisions or applications of this act which can be given~~  
 227 ~~effect without the invalid provision or application, and to this~~  
 228 ~~end, the provisions of this subparagraph are severable.~~

229 ~~Reviser's note.—Amended to conform to the repeal of subparagraph~~

230 ~~5. pursuant to its own terms, effective April 1, 2020.~~

231 ~~Section 8. Paragraph (a) of subsection (2) of section~~  
 232 ~~383.14, Florida Statutes, is amended to read:~~

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233 383.14 Screening for metabolic disorders, other hereditary  
 234 and congenital disorders, and environmental risk factors.—  
 235 (2) RULES.—  
 236 (a) After consultation with the Genetics and Newborn  
 237 Screening Advisory Council, the department shall adopt and  
 238 enforce rules requiring that every newborn in this state shall:  
 239 1. Before becoming 1 week of age, be subjected to a test  
 240 for phenylketonuria;  
 241 2. Be tested for any condition included on the federal  
 242 Recommended Uniform Screening Panel which the council advises  
 243 the department should be included under the state's screening  
 244 program. After the council recommends that a condition be  
 245 included, the department shall submit a legislative budget  
 246 request to seek an appropriation to add testing of the condition  
 247 to the newborn screening program. The department shall expand  
 248 statewide screening of newborns to include screening for such  
 249 conditions within 18 months after the council renders such  
 250 advice, if a test approved by the United States Food and Drug  
 251 Administration or a test offered by an alternative vendor is  
 252 available. If such a test is not available within 18 months  
 253 after the council makes its recommendation, the department shall  
 254 implement such screening as soon as a test offered by the United  
 255 States Food and Drug Administration or by an alternative vendor  
 256 is available; and  
 257 3. At the appropriate age, be tested for such other  
 258 metabolic diseases and hereditary or congenital disorders as the  
 259 department may deem necessary from time to time, ~~and~~  
 260 4. ~~Notwithstanding subparagraph 2., be screened for spinal~~  
 261 ~~muscular atrophy following integration of such a test into the~~

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262 ~~newborn screening testing panel. The department shall implement~~  
 263 ~~such screening using a test offered by the United States Food~~  
 264 ~~and Drug Administration or by an alternative vendor as soon as~~  
 265 ~~practicable after July 1, 2019, but no later than May 3, 2020.~~  
 266 ~~This subparagraph expires July 1, 2020.~~  
 267 Reviser's note.—Amended to conform to the expiration of  
 268 subparagraph 4. pursuant to its own terms, effective July  
 269 1, 2020.  
 270 Section 9. Subsection (8) of section 464.012, Florida  
 271 Statutes, is repealed.  
 272 Reviser's note.—The cited subsection, which relates to a  
 273 transition timeline and process for advanced registered  
 274 nurse practitioners or clinical nurse specialists to  
 275 convert a certificate in good standing to a license that  
 276 becomes effective on October 1, 2018, to practice as an  
 277 advanced practice registered nurse, expired pursuant to its  
 278 own terms, effective October 1, 2020.  
 279 Section 10. Section 466.00673, Florida Statutes, is  
 280 repealed.  
 281 Reviser's note.—The cited section, which relates to the repeal  
 282 of ss. 466.0067-466.00673, relating to health access dental  
 283 licenses, was repealed pursuant to its own terms, effective  
 284 January 1, 2020; the remaining sections in the range of  
 285 repealed sections were revived by ch. 2020-47, Laws of  
 286 Florida.  
 287 Section 11. Subsection (15) of section 1002.394, Florida  
 288 Statutes, is repealed.  
 289 Reviser's note.—The cited subsection, which relates to the  
 290 implementation schedule for the Family Empowerment

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291 Scholarship Program for the 2019-2020 school year, expired  
 292 pursuant to its own terms, effective June 30, 2020.

293 Section 12. Subsection (9) of section 1003.4282, Florida  
 294 Statutes, is repealed.

295 Reviser's note.—The cited subsection, which relates to cohort  
 296 transition to new graduation requirements, was repealed  
 297 pursuant to its own terms, effective July 1, 2020.

298 Section 13. Subsection (5) of section 1002.3105, Florida  
 299 Statutes, is amended to read:

300 1002.3105 Academically Challenging Curriculum to Enhance  
 301 Learning (ACCEL) options.—

302 (5) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—A student who  
 303 meets the applicable grade 9 cohort graduation requirements of  
 304 s. 1003.4282(3)(a)-(e) ~~or s. 1003.4282(9)(a)1.-5., (b)1.-5.,~~  
 305 ~~(c)1.-5., or (d)1.-5.,~~ earns three credits in electives, and  
 306 earns a cumulative grade point average (GPA) of 2.0 on a 4.0  
 307 scale shall be awarded a standard high school diploma in a form  
 308 prescribed by the State Board of Education.

309 Reviser's note.—Amended to conform to the repeal of s.  
 310 1003.4282(9) by this act.

311 Section 14. Paragraph (b) of subsection (2) of section  
 312 1003.5716, Florida Statutes, is amended to read:

313 1003.5716 Transition to postsecondary education and career  
 314 opportunities.—All students with disabilities who are 3 years of  
 315 age to 21 years of age have the right to a free, appropriate  
 316 public education. As used in this section, the term "IEP" means  
 317 individual education plan.

318 (2) Beginning not later than the first IEP to be in effect  
 319 when the student attains the age of 16, or younger if determined

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320 appropriate by the parent and the IEP team, the IEP must include  
 321 the following statements that must be updated annually:

322 (b) A statement of intent to receive a standard high school  
 323 diploma before the student attains the age of 22 and a  
 324 description of how the student will fully meet the requirements  
 325 in s. 1003.4282, including, but not limited to, a portfolio  
 326 pursuant to s. 1003.4282(9)(b) ~~1003.4282(10)(b)~~ which meets the  
 327 criteria specified in State Board of Education rule. The IEP  
 328 must also specify the outcomes and additional benefits expected  
 329 by the parent and the IEP team at the time of the student's  
 330 graduation.

331 Reviser's note.—Amended to conform to the repeal of s.  
 332 1003.4282(9) by this act.

333 Section 15. This act shall take effect on the 60th day  
 334 after adjournment sine die of the session of the Legislature in  
 335 which enacted.

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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.)

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Prepared By: The Professional Staff of the Committee on Rules

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BILL: SB 312

INTRODUCER: Senator Passidomo

SUBJECT: Florida Statutes

DATE: February 16, 2021

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

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Pollitz (DLR)	Phelps	RC	<b>Favorable</b>

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**I. Summary:**

The Division of Law Revision of the Office of Legislative Services is required, by statute, to conduct a systematic and continuing study of the Florida Statutes. The purpose of this study is to recommend to the Legislature changes that will remove inconsistencies, redundancies, and unnecessary repetition from the statutes; improve clarity and facilitate correct interpretation; correct grammatical and typographical errors; and delete obsolete, repealed, or superseded provisions. These recommendations are submitted to the Legislature in the form of technical, nonsubstantive reviser's bills.

Section 9, ch. 2012-116, Laws of Florida, created s. 11.242(5)(j), Florida Statutes, requiring the Division of Law Revision to omit statutory provisions granting duplicative, redundant, or unused rulemaking authority from the Florida Statutes as part of the reviser's bill process for each regular session.

This bill substantially amends, creates, or repeals the following sections of the Florida Statutes: amends ss. 335.066, 339.81, and 380.276, F.S.; repeals s. 338.065, F.S.

**II. Present Situation:**

Section 9, ch. 2012-116, Laws of Florida, created s. 11.242(5)(j), Florida Statutes, requiring the Division of Law Revision to prepare reviser's bills each regular session to omit all statutory provisions granting duplicative, redundant, or unused rulemaking authority from the Florida Statutes. Rulemaking authority is deemed unused if the statutory provision "has been in effect for more than 5 years and no rule has been promulgated in reliance thereon."

**III. Effect of Proposed Changes:**

The bill revises Florida Statutes text to conform to the directive in s. 9, ch. 2012-116, Laws of Florida, codified as s. 11.242(5)(j), Florida Statutes, to omit statutory provisions granting duplicative, redundant, or unused rulemaking authority from the Florida Statutes.

**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:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: ss. 335.066, 339.81, and 380.276, F.S.

This bill creates the following sections of the Florida Statutes: None.

This bill repeals the following sections of the Florida Statutes: s. 338.065, F.S.

**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.

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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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By Senator Passidomo

28-00882-21

2021312\_\_

1 A reviser's bill to be entitled  
 2 An act relating to the Florida Statutes; amending ss.  
 3 335.066, 339.81, and 380.276, F.S., and repealing s.  
 4 338.065, F.S., to conform to the directive of the  
 5 Legislature in section 9 of chapter 2012-116, Laws of  
 6 Florida, codified as section 11.242(5)(j), Florida  
 7 Statutes, to prepare a reviser's bill to omit all  
 8 statutes and laws, or parts thereof, which grant  
 9 duplicative, redundant, or unused rulemaking  
 10 authority; providing an effective date.  
 11  
 12 Be It Enacted by the Legislature of the State of Florida:  
 13  
 14 Section 1. Subsection (3) of section 335.066, Florida  
 15 Statutes, is amended to read:  
 16 335.066 Safe Paths to Schools Program.—  
 17 ~~(3) The department may adopt appropriate rules pursuant to~~  
 18 ~~ss. 120.536(1) and 120.54 for the administration of the Safe~~  
 19 ~~Paths to Schools Program.~~  
 20 Section 2. Section 338.065, Florida Statutes, is repealed.  
 21 Section 3. Subsection (7) of section 339.81, Florida  
 22 Statutes, is amended to read:  
 23 339.81 Florida Shared-Use Nonmotorized Trail Network.—  
 24 ~~(7) The department may adopt rules to aid in the~~  
 25 ~~development and maintenance of components of the network.~~  
 26 Section 4. Subsections (2) and (5) of section 380.276,  
 27 Florida Statutes, are amended to read:  
 28 380.276 Beaches and coastal areas; display of uniform  
 29 warning and safety flags at public beaches; placement of uniform

28-00882-21

2021312\_\_

30 notification signs; beach safety education.—  
 31 (2) The Department of Environmental Protection, through the  
 32 Florida Coastal Management Program, shall direct and coordinate  
 33 the uniform warning and safety flag program. The purpose of the  
 34 program shall be to encourage the display of uniform warning and  
 35 safety flags at public beaches along the coast of the state and  
 36 to encourage the placement of uniform notification signs that  
 37 provide the meaning of such flags. Unless additional safety and  
 38 warning devices are authorized pursuant to subsection (6) ~~(7)~~,  
 39 only warning and safety flags developed by the department shall  
 40 be displayed. Participation in the program shall be open to any  
 41 government having jurisdiction over a public beach along the  
 42 coast, whether or not the beach has lifeguards.  
 43 ~~(5) The Department of Environmental Protection may adopt~~  
 44 ~~rules pursuant to ss. 120.536(1) and 120.54 necessary to~~  
 45 ~~administer this section.~~  
 46 Reviser's note.—This act amends or repeals provisions of the  
 47 Florida Statutes pursuant to the directive of the  
 48 Legislature in s. 9, ch. 2012-116, Laws of Florida,  
 49 codified as s. 11.242(5)(j), Florida Statutes, to prepare a  
 50 reviser's bill to omit all statutes and laws, or parts  
 51 thereof, which grant duplicative, redundant, or unused  
 52 rulemaking authority.  
 53 Section 5. This act shall take effect on the 60th day after  
 54 adjournment sine die of the session of the Legislature in which  
 55 enacted.

**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 Rules

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BILL: CS/SB 416

INTRODUCER: Committee on Military and Veterans Affairs, Space, and Domestic Security and Senator Burgess

SUBJECT: POW-MIA Vietnam Veterans Bracelet Memorial

DATE: February 16, 2021      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brown</u>	<u>Caldwell</u>	<u>MS</u>	<u>Fav/CS</u>
2.	<u>Brown</u>	<u>Phelps</u>	<u>RC</u>	<u>Favorable</u>

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

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 416 provides for the creation of the POW-MIA Vietnam Veterans Bracelet Memorial to memorialize the sacrifices and experiences of those captured or missing in combat during the Vietnam War.

The memorial will be funded and administered by the Big Bend Chapter 96, Vietnam Veterans of America, without state funding.

By July 1, 2022, the Department of Management Services (department) must identify and make available an appropriate area for construction and placement of the memorial in Tallahassee, specifically along South Monroe Street and on or near the premises of the Capitol Complex. The department will consult with the Vietnam Veterans of America and the Florida Historical Commission on the monument's design and placement.

**II. Present Situation:**

**Capitol Complex**

The Capitol Complex, located in Tallahassee, includes the inside and the curtilage outside of the downtown Capitol, Historic Capitol, Senate Office Building, House Office Building, Knott Building, Pepper Building, and Holland Building. State-owned lands and public streets adjacent

to these buildings are also included.<sup>1</sup> The rest of the Capitol Complex, the Capital Circle Office Center, is located in the southeast section of the city.<sup>2</sup>

### **Division of Historical Resources**

The Division of Historical Resources, established within the Department of State,<sup>3</sup> among its duties is responsible for:

- Developing a comprehensive statewide historic preservation plan;
- Directing and conducting a comprehensive statewide survey and maintaining an inventory of historic resources;
- Ensuring that historic resources are taken into consideration at all levels of planning and development; and
- Providing public information, education, and technical assistance relating to historic preservation programs.<sup>4</sup>

### **Florida Historical Commission**

The 2001 Florida Legislature established the Florida Historical Commission (commission) to enhance public participation and involvement in the preservation and protection of the state's historic and archaeological sites and properties.<sup>5</sup> The commission, part of the Department of State, is tasked with advising and assisting the Division of Historical Resources in carrying out its programs, duties, and responsibilities.<sup>6</sup>

The commission is composed of 11 members of varying backgrounds and interests. Among the membership, seven are appointed by the Governor in consultation with the Secretary of State, two by the President of the Senate, and two by the Speaker of the House of Representatives.<sup>7</sup>

The commission must provide assistance, advice, and recommendations to the Division of Historical Resources.<sup>8</sup> The commission also provides recommendations to the Department of Management Services on the design and placement of monuments authorized by general law to be placed on the premises of the Capitol Complex.<sup>9</sup>

### **Memorials and Monuments**

A monument is defined as:

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<sup>1</sup> Section 281.01, F.S.

<sup>2</sup> Department of Management Services, *Capitol Complex Information*, Available at [https://www.dms.myflorida.com/business\\_operations/real\\_estate\\_development\\_and\\_management/facilities\\_management/building\\_information/capitol\\_complex\\_information](https://www.dms.myflorida.com/business_operations/real_estate_development_and_management/facilities_management/building_information/capitol_complex_information) (last visited Jan. 25, 2021).

<sup>3</sup> Section 20.10(2)(b), F.S.

<sup>4</sup> Section 267.031(5)(a),(b),(d), and (f), F.S.

<sup>5</sup> Section 5, ch. 2001-199, L.O.F.

<sup>6</sup> Section 267.0612, F.S.

<sup>7</sup> Section 267.0612(1)(a)1. F.S.

<sup>8</sup> Section 267.0612(6), F.S.

<sup>9</sup> Section 267.0612(9), F.S.

a permanent structure such as a marker, statue, sculpture, plaque, or other artifice, including living plant material, placed in remembrance or recognition of a significant person or event in Florida history.<sup>10</sup>

The term “monument” does not include an Official Florida Historical Marker.<sup>11</sup>

Legislative approval is required before initiating any building or placement of a monument on the premises of the Capitol Complex. After the Legislature designates in law a new monument, the department must approve the design and placement of the monument after considering the recommendation of the Florida Historical Commission.<sup>12</sup>

Chapter 265, F.S., recognizes various memorials and monuments for placement both inside and outside at the downtown Capitol Complex. To date, the Legislature has designated the following memorials:

- Florida Women’s Hall of Fame;<sup>13</sup>
- Florida Medal of Honor Wall;<sup>14</sup>
- Florida Veterans’ Hall of Fame;<sup>15</sup>
- POW-MIA Chair of Honor Memorial;<sup>16</sup>
- Florida Veterans’ Walk of Honor and Florida Veterans’ Memorial Garden;<sup>17</sup>
- Florida Tourism Hall of Fame;<sup>18</sup>
- Florida Law Enforcement Officers’ Hall of Fame;<sup>19</sup>
- Florida Holocaust Memorial;<sup>20</sup>
- Florida Slavery Memorial;<sup>21</sup>
- Arthur G. Dozier School for Boys Memorial;<sup>22</sup> and
- Florida Artists Hall of Fame.<sup>23</sup>

Additionally, the Legislature designated a memorial garden to house approved monuments at the downtown Capitol Complex. One of the monuments designated for placement in the memorial garden is a monument in remembrance of the 241 members of the United States Air Forces who died on October 23, 1983, in Beirut, Lebanon.<sup>24</sup>

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<sup>10</sup> Section 265.111(1), F.S.

<sup>11</sup> *Id.* An Official Florida Historical Marker is any marker, plaque, or similar device awarded, approved, or administered by the Division of Historical Resources to recognize and inform the public about historical properties, persons, events, and other topics relating to the history and culture of the state (s. 267.021(8), F.S.)

<sup>12</sup> Section 265.111(2), F.S.

<sup>13</sup> Section 265.001, F.S.

<sup>14</sup> Section 265.002, F.S.

<sup>15</sup> Section 265.003, F.S.

<sup>16</sup> Section 265.00301, F.S.

<sup>17</sup> Section 265.0031, F.S.

<sup>18</sup> Section 265.004, F.S.

<sup>19</sup> Section 265.0041, F.S.

<sup>20</sup> Section 265.005, F.S.

<sup>21</sup> Section 265.006, F.S.

<sup>22</sup> Section 265.007, F.S.

<sup>23</sup> Section 265.2865, F.S.

<sup>24</sup> Section 265.111(3), F.S.

### **III. Effect of Proposed Changes:**

CS/SB 416 provides for the creation of the POW-MIA Vietnam Veterans Bracelet Memorial to memorialize the sacrifices and experiences of those captured or missing in combat during the Vietnam War.

The memorial will be funded and administered by the Big Bend Chapter 96, Vietnam Veterans of America, without state funding.

By July 1, 2022, the Department of Management Services (department) must identify and make an appropriate area available for construction and placement of the memorial in Tallahassee, specifically along South Monroe Street and on or near the premises of the Capitol Complex. In deciding the monument's design and placement, the department must consider recommendations by the Vietnam Veterans of America and the Florida Historical Commission.

The bill takes effect upon becoming a law.

### **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 Article VII, Section 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:**

None. The Department of Management Services does not expect to incur costs as the memorial has already been designed and paid for by the sponsor.<sup>25</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates section 265.008, 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 Military and Veterans Affairs, Space, and Domestic Security on February 2, 2021:**

The committee substitute:

- Redesignates as the POW-MIA Vietnam Veterans Bracelet Memorial the POW-MIA Veterans Bracelet Memorial to clarify that the veterans memorialized participated in the Vietnam War; and
- Removes the authority of the Department of Management Services to conduct rulemaking.

**B. Amendments:**

None.

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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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<sup>25</sup> Email correspondence with Cody Farrill, Department of Management Services (Jan. 29, 2021).

By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senators Burgess, Hooper, Bean, Harrell, Perry, and Rodriguez

583-01959-21

2021416c1

A bill to be entitled

An act relating to the POW-MIA Vietnam Veterans Bracelet Memorial; creating s. 265.008, F.S.; providing legislative intent; establishing the POW-MIA Vietnam Veterans Bracelet Memorial; providing for the funding and administration of the memorial; directing the Department of Management Services to designate space for the memorial's construction and placement by a specified date; requiring the department to consider recommendations of, and coordinate with, specified entities regarding the memorial's placement and design; providing an effective date.

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

Section 1. Section 265.008, Florida Statutes, is created to read:

265.008 POW-MIA Vietnam Veterans Bracelet Memorial.—

(1) It is the intent of the Legislature to memorialize the sacrifices and experiences of those captured or missing in combat during the Vietnam War era.

(2) There is established the POW-MIA Vietnam Veterans Bracelet Memorial.

(3) The memorial shall be funded and administered by the Big Bend Chapter 96 of the Vietnam Veterans of America, without appropriation of state funds.

(4) By July 1, 2022, the Department of Management Services shall identify and make an appropriate public area available for the construction and the placement of the POW-MIA Vietnam

Page 1 of 2

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

583-01959-21

2021416c1

Veterans Bracelet Memorial in Tallahassee, along South Monroe Street and on or near the premises of the Capitol Complex. The department shall consider recommendations by the Vietnam Veterans of America, and the Florida Historical Commission as required pursuant to ss. 265.111(2) and 267.0612(9), regarding the monument's design and placement. In addition, the department shall coordinate with the Division of Historical Resources of the Department of State in determining the monument's design and placement as required under s. 265.111(2).

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

Page 2 of 2

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



The Florida Senate

## Committee Agenda Request

**To:** Senator Kathleen Passidomo, Chair  
Committee on Rules

**Subject:** Committee Agenda Request

**Date:** February 9, 2021

---

I respectfully request that **Senate Bill #416**, relating to POW-MIA Vietnam Veterans Bracelet Memorial, be placed on the:

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

A handwritten signature in cursive script, appearing to read "Danny", is written over a horizontal line.

Senator Danny Burgess  
Florida Senate, District 20

YOU MUST PRINT AND DELIVER THIS FORM TO THE ASSIGNED TESTIMONY ROOM

**THE FLORIDA SENATE**

**APPEARANCE RECORD**

02/18/2021

*Meeting Date*

SB 0416

*Bill Number (if applicable)*

Topic POW-MIA Veterans Bracelet Memorial

*Amendment Barcode (if applicable)*

Name Roy L. Clark III

Job Title Legislative Affairs Director

Address 400 S. Monroe Street STE 2105

Phone 850-487-1533

*Street*

Tallahassee

FL

32399

Email ClarkR@FDVA.STATE.FL.US

*City*

*State*

*Zip*

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Department of Veterans Affairs

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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

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

S-001 (10/14/14)

## THE FLORIDA SENATE

## APPEARANCE RECORD

2/18/21

Meeting Date

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

416

Bill Number (if applicable)

Topic POW-MIA Vietnam Vet. Bracelet Memorial

Amendment Barcode (if applicable)

Name Steve WinnJob Title Governmental ConsultantAddress 2544 Blairstone Pines Dr

Street

Phone 878-3056Tallahassee

City

FL

State

32301

Zip

Email winnsr@earthlink.netSpeaking: ☒ For ☐ Against ☐ InformationWaive Speaking: ☒ In Support ☐ Against  
(The Chair will read this information into the record.)Representing Vietnam Veterans of America, Big Bend Ch. 96Appearing at request of Chair: ☐ Yes ☒ NoLobbyist registered with Legislature: ☒ Yes ☐ No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

2/18/21

Meeting Date

416

Bill Number (if applicable)

Topic POW-MIA Vietnam Veterans Memorial

Amendment Barcode (if applicable)

Name Captain James Dafoe

Job Title Retired

Address 7477 Preservation Road

Street

Phone 270-9785

Tallahassee

FL

32301

City

State

Zip

Email

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Himself

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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

S-001 (10/14/14)

## THE FLORIDA SENATE

## APPEARANCE RECORD

2/18/21

Meeting Date

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

416

Bill Number (if applicable)

Topic POW-MIA Vietnam Vet. Bracelet Memorial

Amendment Barcode (if applicable)

Name Joe WestJob Title PresidentAddress 241 Lake Ella Dr  
StreetPhone 212-2587Tallahassee FL 32303  
City State Zip

Email \_\_\_\_\_

Speaking: ☒ For ☐ Against ☐ InformationWaive Speaking: ☐ In Support ☐ Against  
(The Chair will read this information into the record.)Representing Vietnam Veterans of America, Big Bend Ch. 96Appearing at request of Chair: ☐ Yes ☒ NoLobbyist registered with Legislature: ☐ Yes ☒ No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE

**APPEARANCE RECORD**

Feb 18 2021

*Meeting Date*

416

*Bill Number (if applicable)*

Topic POW-MIA Vietnam Veterans Bracelet Memorial

*Amendment Barcode (if applicable)*

Name Dan Hendrickson

Job Title President, Tallahassee Veterans Legal Collaborative

Address PO Box 11093

Phone 850 570-1967

*Street*

Tallahassee

FL

32302

*City*

*State*

*Zip*

Email danbhendrickson@comcast.net

Speaking: ☐ For ☐ Against ☐ Information

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

Representing TALLAHASSEE VETERANS LEGAL COLLABORATIVE

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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

S-001 (10/14/14)



**The Florida Senate**  
**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 Rules

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BILL: SB 530

INTRODUCER: Senator Perry

SUBJECT: Nonopioid Alternatives

DATE: February 16, 2021

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

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Looke	Brown	HP	<b>Favorable</b>
2. Looke	Phelps	RC	<b>Favorable</b>

---

## **I. Summary:**

SB 530 amends s. 456.44, F.S., to allow a specific educational pamphlet, which must be provided to health care patients or their representatives under certain circumstances, to be provided electronically or in printed form, instead of only in printed form as required under current law. The pamphlet contains information on the use of nonopioid alternatives for the treatment of pain and must be provided when a patient will receive anesthesia or will be prescribed certain opioid medications.

The bill provides an effective date of July 1, 2021.

## **II. Present Situation:**

### **History of the Opioid Crisis in Florida**

According to the National Institute on Drug Abuse:<sup>1</sup>

- “In the late 1990s, pharmaceutical companies reassured the medical community that patients would not become addicted to prescription opioid pain relievers, and health care providers began to prescribe them at greater rates”; and
- “This subsequently led to widespread diversion and misuse of these medications before it became clear that these medications could indeed be highly addictive.”

Between the early 2000s and the early 2010s, Florida was infamous as the “pill mill capital” of the country. At the peak of the pill mill crisis, doctors in Florida bought 89 percent of all the oxycodone sold in the county.<sup>2</sup>

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<sup>1</sup> National Institute on Drug Abuse, *Opioid Overdose Crisis* (Rev. Jan. 2019), <https://www.drugabuse.gov/drugs-abuse/opioids/opioid-overdose-crisis> (last visited Jan. 25, 2021).

<sup>2</sup> Lizette Alvarez, *Florida Shutting ‘Pill Mill’ Clinics*, *The New York Times* (Aug. 31, 2011), available at <http://www.nytimes.com/2011/09/01/us/01drugs.html> (last visited Jan. 25, 2021).

Between 2009 and 2011, the Legislature enacted a series of reforms to combat prescription drug abuse. These reforms included strict regulation of pain management clinics; creating the Prescription Drug Monitoring Program (PDMP); and stricter regulation on selling, distributing, and dispensing controlled substances.<sup>3</sup> “In 2016, the opioid prescription rate was 75 per 100 persons in Florida. This rate was down from a high of 83 per 100.”<sup>4</sup>

As reported by the Florida Attorney General’s Opioid Working Group,

Drug overdose is now the leading cause of non-injury related death in the United States. Since 2000, drug overdose death rates increased by 137 percent, including a 200 percent increase in the rate of overdose deaths involving opioids. In 2015, over 52,000 deaths in the U.S. were attributed to drug poisoning, and over 33,000 (63 percent) involved an opioid. In 2015, 3,535 deaths occurred in Florida where at least one drug was identified as the cause of death. More specifically, 2,535 deaths were caused by at least one opioid in 2015. Stated differently, seven lives per day were lost to opioids in Florida in 2015. Overall the state had a rate of opioid-caused deaths of 13 per 100,000. The three counties with the highest opioid death rate were Manatee County (37 per 100,000), Dixie County (30 per 100,000), and Palm Beach County (22 per 100,000).<sup>5</sup>

Early in 2017, the Center for Disease Control (CDC) declared the opioid crisis an epidemic.<sup>6</sup> Shortly thereafter, on May 3, 2017, Governor Rick Scott signed Executive Order 17-146 declaring the opioid epidemic a public health emergency in Florida.<sup>7</sup>

### ***House Bill 21 (2018)***

In 2018, the Florida Legislature passed HB 21 (ch. 2018-13, L.O.F.) to combat the opioid crisis. HB 21:

- Required additional training for practitioners on the safe and effective prescribing of controlled substances;
- Restricted the length of prescriptions for Schedule II opioid medications to three days or up to seven days if medically necessary;
- Reworked the PDMP statute to require that prescribing practitioners check the PDMP prior to prescribing a controlled substance and to allow the integration of PDMP data with electronic health records and the sharing of PDMP data between Florida and other states; and
- Provided for additional funding for treatment and other issues related to opioid abuse.

### ***House Bill 451 (2019)***

In 2019, the Florida Legislature passed HB 451 (ch. 2019-123, L.O.F.) that required each health care practitioner to, prior to treating a patient with anesthesia or a Schedule II opioid medication

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<sup>3</sup> See chs. 2009-198, 2010-211, and 2011-141, Laws of Fla.

<sup>4</sup> Attorney General’s Opioid Working Group, *Florida’s Opioid Epidemic: Recommendations and Best Practices*, 7 (Jan. 25, 2021), available at [https://myfloridalegal.com/webfiles.nsf/WF/TDGT-B9UTV9/\\$file/AG+Opioid+Working+Group+Report+Final+2-28-2019.pdf](https://myfloridalegal.com/webfiles.nsf/WF/TDGT-B9UTV9/$file/AG+Opioid+Working+Group+Report+Final+2-28-2019.pdf).

<sup>5</sup> *Id.*

<sup>6</sup> See Exec. Order No. 17-146, available at <https://www.flgov.com/wp-content/uploads/2017/05/17146.pdf>.

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

in a non-emergency situation: inform the patient of available nonopioid alternatives for the treatment of pain; discuss the advantages and disadvantages of the use of nonopioid alternatives; provide the patient with the pamphlet created by the Department of Health (DOH); and document any alternatives considered in the patient's record.

### **III. Effect of Proposed Changes:**

SB 530 amends s. 456.44, F.S., to allow the pamphlet created by the DOH regarding nonopioid alternatives to managing pain to be provided to the patient or the patient's representative electronically or in printed form.

The bill provides an effective date of July 1, 2021.

### **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:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 456.44 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 Perry

8-00852-21

2021530\_\_

1 A bill to be entitled  
 2 An act relating to nonopioid alternatives; amending s.  
 3 456.44, F.S.; authorizing certain health care  
 4 practitioners to provide a specified educational  
 5 pamphlet to patients in an electronic format;  
 6 providing an effective date.  
 7  
 8 Be It Enacted by the Legislature of the State of Florida:  
 9  
 10 Section 1. Paragraph (c) of subsection (7) of section  
 11 456.44, Florida Statutes, is amended to read:  
 12 456.44 Controlled substance prescribing.—  
 13 (7) NONOPIOID ALTERNATIVES.—  
 14 (c) Except when a patient is receiving care in a hospital  
 15 critical care unit or emergency department or a patient is  
 16 receiving hospice services under s. 400.6095, before providing  
 17 care requiring the administration of anesthesia involving the  
 18 use of an opioid drug listed as a Schedule II controlled  
 19 substance in s. 893.03 or 21 U.S.C. s. 812, or prescribing or  
 20 ordering an opioid drug listed as a Schedule II controlled  
 21 substance in s. 893.03 or 21 U.S.C. s. 812 for the treatment of  
 22 pain, a health care practitioner who prescribes or orders an  
 23 opioid drug must:  
 24 1. Inform the patient or the patient's representative of  
 25 available nonopioid alternatives for the treatment of pain,  
 26 which may include nonopioid medicinal drugs or drug products,  
 27 interventional procedures or treatments, acupuncture,  
 28 chiropractic treatments, massage therapy, physical therapy,  
 29 occupational therapy, or any other appropriate therapy as

Page 1 of 2

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

8-00852-21

2021530\_\_

30 determined by the health care practitioner.  
 31 2. Discuss with the patient or the patient's representative  
 32 the advantages and disadvantages of the use of nonopioid  
 33 alternatives, including whether the patient is at a high risk  
 34 of, or has a history of, controlled substance abuse or misuse  
 35 and the patient's personal preferences.  
 36 3. Provide the patient or the patient's representative,  
 37 electronically or in printed form, with ~~a printed copy of~~ the  
 38 educational pamphlet described in paragraph (b).  
 39 4. Document the nonopioid alternatives considered in the  
 40 patient's record.  
 41 Section 2. This act shall take effect July 1, 2021.

Page 2 of 2

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



The Florida Senate

## Committee Agenda Request

**To:** Senator Kathleen Passidomo, Chair  
Committee on Rules

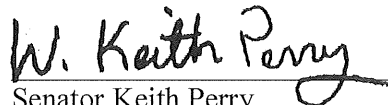
**Subject:** Committee Agenda Request

**Date:** February 4, 2021

---

I respectfully request that **Senate Bill #530**, relating to Nonopioid Alternatives, be placed on the:

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

  
\_\_\_\_\_  
Senator Keith Perry  
Florida Senate, District 8

YOU MUST PRINT AND DELIVER THIS FORM TO THE ASSIGNED TESTIMONY ROOM

THE FLORIDA SENATE  
**APPEARANCE RECORD**

530  
Bill Number (if applicable)

Amendment Barcode (if applicable)

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

Topic \_\_\_\_\_

Name Clay Meenan

Job Title Government Relations Coordinator

Address \_\_\_\_\_ Phone \_\_\_\_\_  
Street

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Email \_\_\_\_\_

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Hospital 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.

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

This card not read into the record.

S-001 (10/14/14)



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Children, Families, and Elder Affairs, *Chair*  
Regulated Industries, *Vice Chair*  
Appropriations  
Appropriations Subcommittee on Health and  
Human Services  
Health Policy  
Rules

### SELECT COMMITTEE:

Select Committee on Pandemic  
Preparedness and Response

### JOINT COMMITTEE:

Joint Legislative Budget Commission

### SENATOR LAUREN BOOK

32nd District

February 16, 2021

Chair Kathleen Passidomo  
400 Senate Building  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Dear Chair Passidomo,

I am respectfully requesting an excused absence from the Rules Committee meeting on Thursday, February 18, 2021, scheduled from 9:00 am to 11:00 am.

I appreciate your consideration of this request and I look forward to working with you and the Rules Committee in the future. If you have any questions or concerns, please do not hesitate to call me directly.

Thank you,

A handwritten signature in cursive script that reads "Lauren Book".

Senator Lauren Book  
District 32

Handwritten initials "OK" above a large, stylized signature that appears to be "KS" or similar.

Cc: John Phelps, Cynthia Futch

### REPLY TO:

- ☐ 967 Nob Hill Road, Plantation, Florida 33324 (954) 424-6674
- ☐ 412 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5032

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

WILTON SIMPSON  
President of the Senate

AARON BEAN  
President Pro Tempore





## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Education, *Chair*  
Governmental Oversight and Accountability, *Vice Chair*  
Appropriations Subcommittee on Education  
Banking and Insurance  
Commerce and Tourism  
Regulated Industries  
Rules

### JOINT COMMITTEE:

Joint Select Committee on Collective Bargaining

### SENATOR JOE GRUTERS

23rd District

February 18, 2021

The Honorable Kathleen Passidomo, Chair  
Committee on Rules  
402 Senate Building  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Dear Chair Passidomo:

I am writing to request an excused absence from the Rules Committee meeting on 2/18/2021. I was presenting Senate Bill 50 in Finance and Tax at the same time. I was unable to make it to the meeting prior to adjournment.

Please do not hesitate to reach out to me if you have any questions.

Thank you,

A handwritten signature in black ink that reads "Joe Gruters".

Handwritten initials "KS" above the letters "OK".

Joe Gruters

cc: John Phelps, Staff Director  
Cynthia Futch, Committee Administrative Assistant

### REPLY TO:

- ☐ 381 Interstate Boulevard, Sarasota, Florida 34240 (941) 378-6309
- ☐ 316 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5023

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

WILTON SIMPSON  
President of the Senate

AARON BEAN  
President Pro Tempore

# CourtSmart Tag Report

**Room:** KN 412  
**Caption:** Senate Rules Committee

**Case No.:**  
**Judge:**

**Type:**

**Started:** 2/18/2021 9:04:33 AM

**Ends:** 2/18/2021 9:31:53 AM

**Length:** 00:27:21

9:04:34 AM Meeting called to order (Meeting started 9:04 but had conflict with the recording system)  
9:04:36 AM Roll call - quorum present  
9:04:38 AM Senator Book is excused from today's meeting  
9:04:40 AM Chair Passidomo gives instruction to public at civic center  
9:05:22 AM SB 78 Dues and Uniform Assessments by Senator Rodrigues  
9:05:28 AM This bill was not received by the committee  
9:05:35 AM and, therefore, will not be heard at today's meeting  
9:05:38 AM SJR 204 Abolishing the Constitution Revision Commission by Senator Brandes  
9:05:47 AM Senator Brandes explains the bill  
9:05:54 AM No questions  
9:06:14 AM No appearance forms  
9:06:17 AM No debate  
9:06:24 AM Senator Brandes closes on the bill  
9:06:34 AM Roll call vote  
9:07:05 AM SJR 204 is reported favorably  
9:07:31 AM SB 530 on Nonopioid Alternatives by Senator Perry  
9:07:38 AM Senator Perry explains the bill  
9:07:50 AM No questions, appearance cards or debate on the bill  
9:08:17 AM Roll call vote: SB 530 is reported favorably  
9:08:54 AM CS/SB 416 on POW-MIA Vietnam Veterans Bracelet Memorial by Senator Burgess  
9:09:16 AM Senator Burgess explains the bill  
9:09:37 AM No questions  
9:10:35 AM Public Appearance  
9:11:24 AM Roy Clark III, Leg Affairs Director for FL Dept of Veterans Affairs, speaks in support  
9:11:27 AM Steve Winn, Govt Consultant Vietnam Veterans of America, Big Bend Chapter 96, speaks in support  
9:16:18 AM Captain James Dafoe, retired Veteran, speaks in support  
9:17:02 AM Joe West, President Vietnam Veterans of America Big Bend Chapter 96 speaks in support  
9:18:15 AM Dan Hendrickson, President Tallahassee Veterans Legal Collaborative of Tallahassee, speaks in support  
9:19:22 AM In debate  
9:19:32 AM Senator Baxley comments in debate  
9:21:22 AM Chair Passidomo makes comments  
9:22:20 AM Senator Burgess closes on the bill  
9:22:28 AM Roll call vote  
9:22:58 AM CS/SB 416 is reported favorably  
9:23:31 AM Chair Passidomo turns the Chair over to Senator Garcia  
9:23:41 AM SB 306 Florida Statutes by Senator Passidomo  
9:24:16 AM Senator Passidomo explains the bill  
9:24:21 AM No appearance forms  
9:24:30 AM No debate  
9:24:35 AM Senator Passidomo waives close  
9:24:44 AM SB 306 is reported favorably  
9:24:44 AM Roll call vote  
9:25:16 AM SB 308 Florida Statutes by Senator Passidomo  
9:25:27 AM Senator Passidomo explains the bill  
9:25:38 AM Senator Farmer asks a question  
9:26:21 AM Senator Passidomo responds  
9:26:52 AM No public appearance  
9:27:13 AM No debate  
9:27:22 AM Senator Passidomo waives close  
9:27:24 AM Roll call vote  
9:27:26 AM SB 308 is reported favorably  
9:28:02 AM SB 310 Florida Statutes by Senator Passidomo

9:28:13 AM Senator Passidomo explains the bill  
9:28:17 AM No questions  
9:28:29 AM No public appearance  
9:28:34 AM No debate  
9:28:40 AM Senator Passidomo waives close  
9:28:44 AM Roll call vote  
9:28:50 AM SB 310 is reported favorably  
9:29:18 AM SB 312 Florida Statutes by Senator Passidomo  
9:29:44 AM Senator Passidomo explains the bill  
9:29:46 AM No member questions  
9:29:50 AM No public appearance  
9:29:57 AM No debate  
9:30:03 AM Senator Passidomo waives close  
9:30:05 AM Roll call vote  
9:30:09 AM SB 312 is reported favorably  
9:30:41 AM Senator Garcia returns Chair to Chair Passidomo  
9:30:43 AM Chair Passidomo calls for any Senator to record vote after  
9:30:52 AM Senator Farmer moves to record negative vote on SJR 204, motion adopted. No further business.  
9:31:10 AM Senator Farmer moves to adjourn the meeting. Without objection, meeting is adjourned.